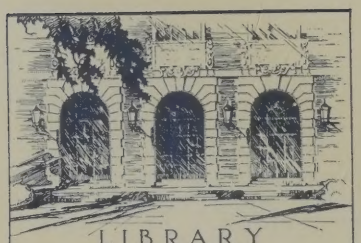

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COMMONWEALTH OF PENNSYLVANIA

Legislative Journal.

Session 1941. 135th of the General Assembly.

Vol. 25. HARRISBURG, PA., WEDNESDAY, JULY 9, 1941. No. 83.

SENATE

WEDNESDAY, July 9, 1941.

The Senate met at 1:00 o'clock, p. m., E. S. T.

The PRESIDENT (Lieutenant-Governor Samuel S. Lewis) in the Chair.

PRAYER

In the absence of the Chaplain prayer was offered by the gentleman from Butler, Senator CARR.

For our country, our Father, for the beauty of the day, for our religion and all it means unto us, and for the opportunity to do service for mankind, we return thanks unto Thee. We would ask Thee, our Heavenly Father, that Thy spirit might guide each one of us that we may bear the responsibilities that rest upon us and discharge our duties to the satisfaction of our people and of Thee Our God. We ask it in Thy Holy Name. Amen.

JOURNAL APPROVED

The PRESIDENT. A quorum of the Senate being present the Clerk will read the Journal of the preceding session.

The Clerk proceeded to read the Journal of the preceding session, when, on motion of Mr. BECKER and Mr. GELTZ, the further reading was dispensed with, and the Journal was approved.

PRESENTATION TO HONORABLE JAMES A. GELTZ

Mr. WOODWARD. Mr. President, I rise on a question of personal privilege.

The PRESIDENT. The gentleman from Philadelphia may proceed.

Mr. WOODWARD. Mr. President, I do not address the President directly, but our Honorable Senate Floor Leader, James A. Geltz.

Senator Geltz, Lieutenant-Governor Lewis, President Pro Tempore Ealy, members on the Republican side, stepbrothers on the Democratic side, ladies and lobbyists: this is the 135th session of the General Assembly. In all these weeks of sweet and bitter we have learned several things. Among them we have learned to strive mightily, and to eat and drink as friends.

Twenty-six weeks is or are several things—I will choose is and if I am wrong Miss O'Hara may correct the grammar—twenty-six weeks is several things; to any casual observer it is half a year; to the so-called flatheels, the social workers, it marks the high water mark that is always aimed at for unemployment compensation.

We, during those twenty-six weeks, have not been unemployed, but where is the compensation? We have had some but the only thing in sight is six hundred dollars. I argue that we are underpaid and underprivileged. We do not have an eight hour day; we have an eight hour day and an eight hour night. We do not have a forty hour week; we do not have a vacation with pay. My knowledge of mathematics is not as flamboyant as that of Harry Shapiro, but even in my simple mind I can estimate that if there are three thousand bills to be considered in the General Assembly and our salary is three thousand dollars, it makes the price of each bill one dollar. I suggest a revision, that we have a graded rate, that for every bill we pass we receive one dollar and for every bill that we reject we receive ten dollars.

Our Chaplain—he is often A. W. O. L., which means, according to Senator Miller, absent without leave; I am not sure whether it is customary to split prayer commissions with substitutes, but Doctor Ruth and Senator Carr have been very worthy substitutes and, if you ask me, I like their prayers better than the prayers of the Chaplain.

All these weeks have been weeks that have tried our souls, our minds, our bodies and our pocketbooks. This ship of state might be likened to an airplane; of course it is model 1874, and a little creaky in the joints, but we do have two pilots. Pilot No. 1 is our honored President Pro Tempore, who is known to us familiarly as "Mr. Honest"; in the Commonwealth he is known as Charlie Ealy. There seems to be no present for him at this present time; that will come later: I have had the honor of sitting next to our President Pro Tempore for, oh well, about, I do not know, a hundred years, something like that, and he has confided to me various things, and I find that he has only one weakness and that weakness is an ardent desire to preside over the Senate. We have such a healthy Lieutenant-Governor and he seems to have so few dates that he is always here, and of course we like to see him and like to hear him. In fact, I said, "Charlie, your voice is not much good anyway, you know," and our President Pro Tempore came back and said, "No, perhaps not, but," he said, "you know there is the mike." I said "there was a microphone, but since Brother Chapman has started his campaign for Congress by reading historical documents over the microphone it is not what it used to be."

Pilot No. 2—two pilots, on this airplane—pilot No. 2 has to do the dirty work. That is the reason he is getting a present. He has to be not only the pilot but he has to be the mechanic, he has to be the telephone operator, the radio operator, and he has to read the altimeter, and especially he has to read the lowdown meter. He has to have all the qualities, he has to have sagacity and poise and patience, and subtlety, and it is because we feel that he has those qualities that we are giving him this present today.

You may remember that I pride myself on setting up four canons in order to be a great man; if you can fulfill those four canons you are a great man. I do not say that any of us can fulfill those four canons, not even Jim Geltz, but still we think he approximates them—and if you will kindly remember these canons and strive you may be great one day.

The first canon is emotional stability; the second canon is intellectual honesty; the third canon is consummate tact and the fourth canon is physical endurance. It is because we believe that our floor leader possesses these qualities, somewhat, that we desire to present to him the silver which is now on my desk, and which I will not keep on my desk permanently, and we hope he will enjoy the present, and also his wife, Mrs. Geltz.

Mr. GELTZ. Mr. President, Dr. Woodward and my colleagues, it was not necessary that the suggestion be made that I get up and make a speech, because I am always very anxious to do that; that is, what I call a speech, which may not be considered a speech by others.

I do, Mr. President, consider this quite an honor, not the receiving of the present alone, but the very kind remarks made by our good colleague, Dr. Woodward, for I have had for him a great respect ever since I have known him and I consider his judgment—at least I did up until he talked about me—as being very worthwhile. I am not so sure now.

I do, however, want at this time to express my appreciation for both the present and also the kind words, and I want to say that the work has been a tough job, as I think my colleague, Senator Shapiro, will very readily admit, but it has had its pleasant parts too.

I want to thank all of my colleagues, not only those on the Republican side but also those on the Democratic side of the Senate, and also our very good President, for the splendid co-operation which has been shown to me all during this session.

I also want to express my appreciation—because this will eliminate the necessity of making the remarks at a later time—to all those others here in the Senate who have given such splendid service and co-operation, which has to an immeasurable extent made the load that much easier. Thank you.

LEAVE OF ABSENCE

Mr. EDMONDS, from Montgomery County, asked and obtained leave of absence for himself for Monday, July 14, if the General Assembly shall be in session on that date, on account of professional duties.

NOMINATIONS BY THE GOVERNOR

NOTARIES PUBLIC

The Secretary to the Governor being introduced, presented in writing from His Excellency, the Governor of the Commonwealth, nominations for appointment as Notaries Public.

CONSIDERATION OF NOTARIES PUBLIC

Mr. JAMES. Mr. President, I move that the Senate do now proceed to the consideration of nominations for appointment as Notaries Public, sent to the Senate July 9, 1941, by His Excellency, the Governor of the Commonwealth.

Mr. EALY. Mr. President, I second the motion.

The motion was agreed to.

The nominations were read as follows:

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, July 9, 1941.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following persons for appointment as Notaries Public, for terms of four years to compute from the date of confirmation:

LACKAWANNA COUNTY

Bernard J. Weintraub, Winton.

PHILADELPHIA COUNTY

Mrs. Minnie Trent Boston, 425 S. Broad St., Philadelphia
Miss Anne T. Conway, 6245 State Road, Philadelphia
Mrs. Matilda C. Corrigan, 5600 Tacony St., Philadelphia
Samuel B. Crouse, 510 North 3d St., Philadelphia
Miss Barbara M. Thomson, 323 W. Girard Ave., Philadelphia.

ARTHUR H. JAMES.

NOMINATIONS FOR NOTARIES PUBLIC

A motion was made by Mr. JAMES and Mr. EALY.

That the Senate do advise and consent to said nominations.

On the question,

Will the Senate agree to the motion?

The yeas and nays were taken agreeably to the provisions of the Constitutoin, and were as follows, viz:

YEAS—48

Barr,	DiSilvestro,	Lanius,	Stevenson,
Bartlett,	Ealy,	Letzler,	Stiefel,
Becker,	Edmonds,	Mallery,	Tallman,
Carr,	Farrell,	McGinnis,	Taylor,
Cavalcante,	Frey,	McQuiddy,	Thomas,
Chapman,	Geltz,	Miller,	Tyler,
Coleman,	Haluska,	Mundy,	Wade,
Cox,	Heyburn,	Reed,	Walker,
Crider,	Homsher,	Ruth,	Watkins,
Crowe,	James,	Scarlett,	Wilson, H. I.,
Deitrick,	Jaspan,	Shapiro,	Wilson, T. B.,
Dent,	Kephart,	Snowden,	Ziesenheim,

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Governor be informed accordingly.

He also presented communication in writing from His Excellency, the Governor of the Commonwealth, which was read as follows, and referred to the Committee on Executive Nominations.

NOMINATION FOR APPOINTMENT AS JUSTICE OF THE PEACE OF BUCKS COUNTY

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, July 9, 1941.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Holmes T. Servis, 475 Stockham Avenue, Morrisville, Bucks County, for appointment as Justice of the Peace in and for the Borough of Morrisville, Bucks County, until the first Monday in January, 1942, vice William H. Kunsman, deceased.

ARTHUR H. JAMES.

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HOUSE MESSAGES

HOUSE BILL FOR CONCURRENCE

The Clerk of the House of Representatives being introduced presented for concurrence bill of the House, as follows:

House Bill No. 355, (Senate Bill No. 1326), entitled:

An Act to provide for the change of object of the corporate existence of beneficial and relief associations as herein defined; and authorizing and providing a mode for the dissolution and surrender of the charter of such associations.

Which was committed to the Committee on Banking.

HOUSE BILL No. 690 CALLED UP FROM TABLE

Mr. EALY. Mr. President, I now call up House Bill No. 690, (Senate Bill No. 472), entitled:

An Act to further amend sections 402, 411, 703, 704, 705 and 903 and to repeal section 706 of the act approved the first day of May, one thousand nine hundred twenty-nine, (Pamphlet Laws 905) entitled, "Vehicle Code," providing for the registration and fixing registration fees of commercial motor vehicles, truck tractors, trailers and semi-trailers according to gross weight; fixing the maximum gross weight of such vehicles which may be used and operated on the highways; and eliminating existing provisions relating to the chassis of such vehicles

from the table.

Mr. GELTZ. Mr. President, I second the motion.

The motion was agreed to.

COMMITTEE OF CONFERENCE ON HOUSE BILL No. 690 APPOINTED

Mr. GELTZ. Mr. President, I move that a Committee of Conference be appointed to confer with a similar committee of the House of Representatives (already appointed) to consider the differences existing between the two houses in relation to said bill.

Mr. MILLER. Mr. President, I second the motion.

The motion was agreed to.

The PRESIDENT. The President Pro Tempore appoints Messrs. Snowden, Thomas B. Wilson, and Stiefel, to be said committee on the part of the Senate, and instructs that the Clerk inform the House of Representatives accordingly.

REPORTS FROM COMMITTEES

Mr. HOMSHER, from the Committee on Appropriations, reported as amended, Senate Bill No. 892, (House Bill No. 522), entitled:

An Act making an appropriation to the Pennsylvania State College to advance the tobacco interest of this Commonwealth.

Mr. KEPHART, from the Committe on Judiciary General, reported as committed, Senate Bill No. 409, (House Bill No. 553), entitled

An Act to amend section twenty-two of the act approved the seventh day of June, one thousand nine hundred and seventeen (P. L. 403), entitled "An act relating to the form, execution, revocation, and interpretation of wills; to nuncupative wills; to the appointment of testamentary guardians; to spendthrift trusts; to forfeiture of devise or legacy in case of murder of testator; to elections to take under or against wills, and to the recording and registering of such elections and of decrees relative thereto, and to the fees therefor," by providing for forfeiture of the right to take property under the will of a murdered testator.

He also, from the Committe on Judiciary General, reported as committed, Senate Bill No. 410, (House Bill No. 554), entitled:

An Act to amend section twenty-three of the act approved the seventh day of June, one thousand nine hundred and seventeen (P. L. 429), entitled "An act relating to the descent and distribution of the real and personal property of persons dying intestate; and to provide for the recording and registering of the decrees of the orphans' court in connection therewith, and the fees therefor," by providing for forfeiture of the right to inherit or to take property of a murdered intestate under the said act.

Mr. CRIDER, from the Committee on State Government, reported as committed, Senate Bill No. 1251, (House Bill No. 1835), entitled:

An Act creating a Highway Traffic Advisory Committee to the War Department of the United States of America; providing for its appointment; prescribing its powers and duties; and authorizing the use by the committee of the employes, equipment, supplies and facilities of certain State agencies.

Mr. SNOWDEN, from the Committee on Highways, rereported as amended, Senate Bill No. 1276, (House Bill No. 1365), entitled:

An Act to amend the act approved the first day of May, one thousand nine hundred and twenty-nine, (P. L. 905), entitled "An act for the protection of the public safety; regulating the use of highways, and the operation of vehicles, tractors, street cars, trackless trolley omnibuses, bicycles, pedestrians, and the riding of animals upon the highways of this Commonwealth providing for the titling, including liens, encumbrances, and legal claims; registration of certain vehicles and licensing the operators thereof upon payment of prescribed fees; prescribing and limiting the powers of local authorities to deal with the subject matter of this act; conferring powers and imposing duties upon the Department of Revenue, the Department of Highways, peace officers, mayors, burgesses, magistrates, aldermen, justices of the peace, the courts and the clerks thereof; owners of vehicles, and garage keepers; providing that records are admissible as evidence; imposing upon owners, counties, cities, boroughs, incorporated towns, townships, within the Commonwealth, liability for damages caused by the negligent operation of their motor vehicles; imposing penalties; imposing certain costs upon counties; providing for the disposition of fines, forfeitures, fees, and miscellaneous receipts; making an appropriation and providing for refunds," as variously amended; authorizing the Secretary of Revenue to establish a system of permanent registration of vehicles and providing for the issuance of limited operators licenses in certain cases further regulating the operation of vehicles, and the suspension of registrations and operating privileges; giving the Pennsylvania Turnpike Commission power to regulate traffic on turnpikes; extending the time limit for cities of the second class A to make certain changes in traffic signals; extending the liability of political subdivisions to include negligent operation of their vehicles drawn by animal power; amplifying and changing provisions of said act relating to lighting signal and warning devices; and the transportation of vehicles; redefining the term dealer; further regulating dealers in junked vehicles, permits for oversize and overweight vehicles, use of school buses, registration plates and cards maximum size of vehicles, and medical examinations by physicians; providing for payment of certain fees by counties; limiting and providing new

exemptions from the various provisions of said act; giving additional authority to peace officers and department employes in the matter of investigations further regulating prosecutions; giving certain powers to local authorities for the regulation of traffic and the establishment of traffic courts; changing and fixing additional fees, changing and imposing new penaltes, giving the secretary additional powers and duties imposing additional duties on keepers and employers of garages and repair shops; providing refunds to certain persons entering Federal services; making it a misdemeanor for committing malicious mischief to motor vehicles, parts or accessories thereof and establishing penalties therefor and making an appropriation.

REPORT FROM COMMITTEE ON EXECUTIVE NOMINATIONS

Mr. JAMES. Mr. President, I ask unanimous consent to make report from committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. JAMES, from the Committee on Executive Nominations, reported with a favorable recommendation the following nominations, made by His Excellency, the Governor of the Commonwealth:

APPOINTMENT AS JUSTICE OF THE PEACE IN MONROE COUNTY

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, July 8, 1941.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Mrs. Helen C. Evans, Barclay Avenue Mount Pocono, Monroe County, for appointment as Justice of the Peace in and for the Borough of Mount Pocono, Monroe County, until the first Monday in January, 1942, vice Claude M. Evans, deceased.

ARTHUR H. JAMES.

APPOINTMENT AS MEMBER OF THE BLAIR COUNTY BOARD OF ASSISTANCE

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, July 7, 1941.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Mrs. Mary Clementine Malone, 112 Newry Street, Gaysport, Hollidaysburg, Blair County, for appointment as a member of the Blair County Board of Assistance, until December 31, 1943, and until her successor is duly appointed and qualified, vice James C. Davis, resigned.

ARTHUR H. JAMES.

EXECUTIVE SESSION

By unanimous consent,

A motion was made by Mr. JAMES and Mr. EALY,

That Rule 38, which requires nominations made by the Governor to lie on the table one day be dispensed with, and the Senate do now resolve itself into Executive Session, for the purpose of acting upon all the nominations reported at to-day's session.

Which was agreed to.

Whereupon,

A motion was made by Mr. JAMES and Mr. EALY,

That the Senate do advise and consent to the nominations reported.

On the question,

Will the Senate agree to the motion?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—48

Barr,	DiSilvestro,	Lanius,	Stevenson,
Bartlett,	Ealy,	Letzler,	Stiefel,
Becker,	Edmonds,	Mallery,	Tallman,
Carr,	Farrell,	McGinnis,	Taylor,
Cavalcante,	Frey,	McQuiddy,	Thomas,
Chapman,	Geltz,	Miller,	Tyler,
Coleman,	Haluska,	Mundy,	Wade,
Cox,	Heyburn,	Reed,	Walker,
Crider,	Homsher,	Ruth,	Watkins,
Crowe,	James,	Scarlett,	Wilson, H. I.,
Deitrick,	Jaspan,	Shapiro,	Wilson, T. B.,
Dent,	Kephart,	Snowden,	Ziesenheim,

NAYS—0

Two-thirds of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Governor be informed accordingly.

EXECUTIVE SESSION RISES

Mr. JAMES. Mr. President, I move that the Executive Session do now rise.

Mr. EDMONDS. Mr. President, I second the motion.

The motion was agreed to.

REPORT FROM COMMITTEE

Mr. STIEFEL, from the Committee on Appropriations, reported as committed, Senate Bill No. 914, (House Bill No. 53), entitled:

An Act providing for the acquisition of the Admiral Peary Memorial Park, and for its management and development by the Pennsylvania Historical Commission; and making an appropriation.

EXECUTIVE BOARD TO GIVE CAREFUL CONSIDERATION TO SALARIES AND CLASSIFICATION OF ADMINISTRATIVE EMPLOYES OF COMMONWEALTH

Mr. EDMONDS, on behalf of the Senator from Somerset and himself. Mr. President I ask unanimous consent to offer a resolution at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. EDMONDS, offered the following resolution which was twice read:

In the Senate, July 9, 1941.

Whereas, The Commonwealth of Pennsylvania in its administrative departments, exclusive of the Auditor General and State Treasurer, gives employment to approximately 20,118 men and women whose services are utilized by the Commonwealth, and whose loyalty and efficiency are great assets to the Commonwealth; and

Whereas, The Administrative Code of 1929 created an Executive Board consisting of the Governor and six other heads of administrative departments to be designated from time to time by the Governor; and

Whereas, The said Code entrusts the following duties to the said Board as set forth in the language of the Code:

"Section 709. Executive Board—Subject to the provisions of this act, the Executive Board shall have the power:

(a) To standardize the qualifications for employment, and all titles, salaries, and wages, of persons employed by the administrative departments, boards, and commis-

sions, except the Department of the Auditor General and the Treasury Department. In establishing such standards the board may:

(1) Take into consideration the location of the work and the conditions under which the service is rendered,

(2) Establishing different standards for different kinds. grades and classes of similar work or service, etc.;" and

Whereas, It is evident from economic and social statistics that a shift is occurring in the cost of living which will affect all of the employes of the State and particularly those whose salaries are in the lower brackets; and

Whereas, The revision of the said salaries is an administrative function to be performed by the Executive Board as set forth in the Act of Assembly above cited; now therefore be it

Resolved by the Senate of Pennsylvania, That the Executive Board of the Commonwealth be and it is hereby requested to give careful consideration to the salaries and classification of employes in the administrative departments with reference to changes in the cost of living in this Commonwealth, and that the said Executive Board be and it is hereby requested to provide at all times such salaries as will insure just compensation for the service performed, and the maintenance of the American standard of living.

Mr. EDMONDS. I ask immediate consideration of the resolution, Mr. President.

The PRESIDENT. Is there objections?

RESOLUTION LAID ON TABLE

Mr. SHAPIRO. Mr. President, I do not want to object to immediate consideration or delay consideration of this resolution, but I would like to have the resolution laid on the table temporarily, for the time being.

The PRESIDENT. Is there objection to the request of the Senator from Philadelphia, Mr. Shapiro, that the resolution be laid on the table temporarily? The Chair hears none. It was agreed to.

PERMISSION TO ADDRESS SENATE

Mr. HALUSKA. Mr. President, I desire to make a statement with reference to a bill which now appears to be pickled in committee.

The PRESIDENT. The gentleman from Cambria will proceed.

Mr. HALUSKA. Mr. President. and gentlemen of the Senate, on January 13th I introduced in this body Senate Bill No. 15. The bill is very short so I might read the contents of it.

It reads as follows: "No public body or public agency shall accept a bond or a judgment note from an indigent person as security for or to facilitate the future collection of expenses for his support, maintenance, assistance or burial before such expenses have actually been incurred by the public body or public agency."

Mr. President, that bill was referred to the Committee on Welfare, Public Assistance and Pensions on January 13th and up until this time it has received no consideration. In the meantime, I made certain that a bill of the same nature would be introduced in the House of Repressentatives, so on February 4th Representatives Schwab and Malloy introduced an identical bill. The history shows that on May 12, 1941, this bill passed the lower house by a vote of 196 to 0. It came to the Senate, where it became Senate Bill No. 857 and was referred to the Committee on Welfare, Public Assistance and Pensions on may 13th. Up until this time I have no knowledge that this bill has received any consideration.

Now, Mr. President, we are definitely planning to adjourn. I think this is a very, very important piece of legislation, in fact, I might say, one of the most important pieces of legislation offered to this body that will affect the rank and file of this Commonwealth.

I have a brief memorandum here and I desire to point out just what has taken place in other states. The reason I wish to point this out is that throughout this entire session I have listened to many members arise on this floor and state that a piece of legislation in which they were interested was very important because neighboring states had adopted similar legislation. They pointed with pride to New York, New Jersey, Ohio, Virginia and other states, and because those states, have adopted certain legislation, we here in Pennsylvania should follow.

Permit me now to point out briefly what has taken place in a number of states in the 1941 sessions of their legislatures. The following states have raised their old age benefits during 1941 from thirty to forty dollars per month: Arizona, Indiana, Oregon and Rhode Island. In fact, more than a dozen other states have taken advantage of the federal grant which pays twenty dollars per month to indigents, providing, of course, that those states will match that with an equal amount.

Let me say that the maximum limits for aid to the blind in 1941 were increased from thirty to forty dollars per month in the following states: Arizona, Colorado, Iowa, Indiana, Montana, North Dakota and Wyoming.

This next paragraph is very important, referring directly to the bill I am speaking of: state liens against property of those receiving public assistance were released in a number of states in 1941, including Kansas, New Mexico, Nebraska, Indiana and Minnesota.

Medical care provisions in public assistance were liberalized by the states of Indiana, Iowa, Maine, and Washington, which have stipulated that forty dollars a month pensioners should receive when necessary, additional to the amount they receive as pensions, medical, dental, surgical, optical, hospital and nursing care and artificial limbs.

Mr. President, in Pennsylvania we have done nothing this year to liberalize our old age assistance plan, neither have we raised the maximum, neither have we liberalized our laws relative to the aged of our Commonwealth who are indigent and must apply for relief or public assistance, and who now must assign their worldly goods to this Commonwealth before relief will be granted to them. I want to point out very briefly those men and women, whom I might term as worn out farmers, broken down miners, worn out mill workers, the men who have made this Commonwealth just what it is, men who have sacrificed and now are old and feeble, and know full well never again will they have an opportunity to get back into private industry, they must come to this government and ask for some kind of subsistance. We say to them, if you have been conservative, if you have any property, if you have insurance, you must sign a bond before we can give you any assistance, but in the same breath we say to the drone, the public drone, the men and women that care not for our community, who take no part in civic or social affairs, spend all their money, loaf around pool rooms and bar rooms, if they apply for assistance, we ask nothing back, we give them

the maximum amount, because we know full well they have nothing.

What are we doing? I have heard so much about Communism, Naziism, Hitlerism, and what not: Mr. President, and gentlemen, I believe we are creating that condition right in this chamber, because we are telling the youth of our land not to be conservative, not to build, not to accomplish anything, because in their old age, if they should by some means be unfortunate and apply for aid, our first act shall be to take from you what you have accomplished and our first question is, do you have a property, and if you have, sign on the dotted line. If you have no property, do you have life insurance? If you have no life insurance, do you have any children, relatives, grandchildren? Where do they work? Give us their addresses and we will compel them to assign part of their wages to keep you. Well, that might not be so bad. I do not say we should not have some liability as children. I think we all owe it to our parents to maintain them, but I do say it is wrong to tell the aged of our Commonwealth that before they receive any aid they must assign their property for repayment of any aid they receive.

It was for that reason, Mr. President, that I introduced Senate Bill No. 15 and for that same reason, Mr. President, two members of the House introduced House Bill No. 174, now Senate Bill No. 857, giving those people who have been conservative the same right to receive aid as those who have nothing. Certainly it is unfair, it is not human, it is un-American to penalize the thrifty but give freely to those who have nothing.

Now, other states had the same type of legislation upon their statute books but they have seen their mistake, as I read into the record a moment ago, and they have liberalized their laws in 1941 by amending their present laws and releasing the properties. I say we owe the people of Pennsylvania the same courtesy, the same decency.

Therefore, Mr. President, while I dislike very much to create any animosity and I dislike very much to offer a resolution to discharge a committee, that is my only alternative and therefore at this time, Mr. President, I offer the following resolution and move its immediate adoption.

RESOLUTION TO DISCHARGE COMMITTEE ON WELFARE, PUBLIC ASSISTANCE AND PENSIONS

Mr. HALUSKA offered the following resolution which was twice read:

In the Senate, July 9, 1941.

I move that the Committee on Welfare, Public Assistance and Pensions be discharged from further consideration of Senate Bill No. 857, (House Bill No. 174), and that the same be returned to the floor of the Senate for first reading and consideration by the members of this body.

Mr. McGINNIS. Mr. President, I second the motion.

On the question,

Will the Senate agree to the Resolution?

Mr. EDMONDS. Mr. President, so far as this motion is concerned, I will personally stand by the old time traditions of this Senate in refusing to vote to discharge a committee that has given careful consideration to a bill, but I want to say something with reference to the implication of the address which the gentleman from Cambria gave us, because he spoke of the sorrow among the needy and the distressed, and intimated we had done nothing at this session to grant them relief.

While the gentleman from Cambria was speaking I held in my hand a report of the Department of Public Assistance for May, which shows in a sort of statistical form the amount of assistance which was required in this Commonwealth in January of 1939 and the amount of assistance that is required now. The figures are: 885,000 persons, or 49 per cent below the total of 1, 817,000 in February of 1939, when the rolls had climbed to a six year peak, following the business recession of 1937 and 1938. In other words, Mr. President, there are 885,000 people in this Commonwealth who are supported by honest labor in independent positions who were not so supported in 1939. Is that nothing to the gentleman from Cambria? To my mind, if I were one of those workers, I would say very frankly, "Yes," give me an opportunity to earn my own living in a position of independence where I could grow with my work; that means far more to me than the assistance given to me by the state in a period of emergency.

The gentleman from Cambria does not yet seem to understand what is the philosophy under which we are working at the present time. What we are trying to do is to establish normal business in the hope that everyone who is able to take hold of a job may get back to it. I recognize, Mr. President, that in that same period the number of those on old age assistance and those on pensions for the blind and mothers with dependent children, that outlay has increased, and I recognize that is a permanent outlay that the state must make, but as far as this general assistance is concerned, I rejoice that there are 885,000 fewer than there were a year and a half ago, and I think the gentleman from Cambria ought to rejoice with me.

Mr. HALUSKA. Mr. President, I desire to interrogate the gentleman from Montgomery.

The PRESIDENT. Will the gentleman from Montgomery permit himself to be interrogated?

Mr. EDMONDS. With pleasure, Mr. President.

Mr. HALUSKA. Mr. President, does the gentleman from Montgomery, down in his own heart, think we should penalize those who have been thrifty while we are giving them aid, and in the same breath not penalize those who have not been thrifty.

Mr. EDMONDS. Mr. President, that is a general question which is rather hard to answer either yes or no. I have seen nothing in the administration of relief which seemed to me to be unfair, in penalizing the thrifty, and most of those that I know that are on relief rejoice in the opportunity to give some form of guaranty or to have some form of hope that eventually their debt will be repaid. Therefore, Mr. President, I am not in sympathy with any criticism of that point of view.

Mr. HALUSKA. Mr. President, the gentleman from Montgomery said a moment ago he could not vote for this resolution because of a tradition, but permit me to say a lot of old people can not live on a tradition or eat a tradition. They certainly must break a tradition to eat, and I do not care how far the rolls have declined, I am still maintaining my position that those who are aged, especially, and who the gentleman from Montgomery knows well never again will have an opportunity of going back to private industry, and because they have

a home certainly they should not have to assign that home to the government for repayment of the meager sum they may have received. True enough those who are able to work, able men, should be taken from the relief rolls, I have no brief for those who are able to work, but when a man is unable to work because of his declining years, because of his health, and just because—I am repeating—he has a home and paid cash for it years upon years now you say to him he must assign that home, to us, otherwise he shall starve.

Well, if that is tradition you may have it; I do not care for it.

Mr. DENT. Mr. President, this question of the bond and bond signature is one is that a little more serious than quite a few members of the Senate deem it to be. We did not start to compel relief recipients to sign bonds until 1938. Those who received relief prior to 1938 have no mortgage or lien against them, but those who received relief after 1938 have a lien against their property or against themselves, their future earnings, against their children's earnings, and their children's children's earnings.

Only those who have some tangible assets are compelled to pay back to the Commonwealth the amount of money they received during the time they were unfortunately out of employment. We must also take into consideration that the taxpayers of the State of Pennsylvania were taxed to the extent of the amount that was given to the persons who were unemployed. There is nothing in the bond signature, or the requirement for the bond signature, to give to you and to me and to the other taxpayers of Pennsylvania a refund on monies that were paid for relief expenditures.

In other words, Mr. President, we who were fortunate enough to be working were fortunate enough to be in a position to have money to pay taxes and we were paying taxes for our unfortunate brothers and sisters who were unemployed. Now, we say, those of you who were unemployed and received relief must pay it back, but you do not say to the taxpayer, when you get this money back, that you are going to return it to them. I do not complain about paying taxes for helping to pay the unemployment load in the State of Pennsylvania during the years of the depression, and no man in the Senate here should complain, because we were in a more fortunate position of having money or having positions and enough wealth to pay taxes, and we certainly should be considerate of those who were not. I think the fact that they were on relief is penalty enough, being unemployed through no fault of their own, and I do not believe this bond provision is fair.

I do not believe it is fair to say to a man because he has some tangible assets he must pay back to the Commonwealth any amount he might have received. Remember this too, he has no check, he has absolutely no way under the sun to check upon the amount that they charge him.

I called your attention to the fact of a person who received eighteen dollars relief, and he went to pay the eighteen dollars in order to be relieved of the bond, and in order to be able to make a loan at a bank to build a home, and he was told he could not pay the eighteen dollars because sometime in 1931 or 1932 his family—not him but his family—had received a basket of food or something which they now value at $137.

I want to say to the members of this Senate that I certainly hope the people of Pennsylvania vote for a Democratic majority in the Senate and the House and a Democratic Governor, because I for one can say to you here and now, and to the people of Pennsylvania, that when the Democratic Party gets control of the General Assembly and the office of the Chief Executive, I promise, as a Democrat, that they will be relieved of the bond requirement in the State of Pennsylvania.

Mr. CAVALCANTE. Mr. President, in favor of the motion, I wish to relate a case of which I have personal knowledge, because it is a case I represented as attorney, the person involved. This man and his wife and six children were the owners of a small home and about a quarter acre of land. They had lived on this property for quite a number of years and when this depression came on the country he was forced to borrow money on his property and he borrowed two thousand dollars and a mortgage was placed on it.

Then, after that money was used up, he borrowed some money from a friend of his. The money on the mortgage was borrowed from the bank and the second borrowing was from a friend of his, who loaned him a thousand dollars, and the man gave a judgment note for the thousand dollars. That judgment note was also entered and became a second lien on the man's property.

He remained unfortunate, without employment, because he was a man over fifty years of age, and the time came when the bank, the holder of the first lien, the holder of the mortgage, wanted pay on the mortgage and they gave notice that unless he paid they were going to foreclose. This man did not want his home sold, so he went to the man that had loaned him the thousand dollars, to see if he would not loan him two thousand dollars to take up the mortgage, but in the meanwhile the Department of Public Assistance had entered their bond as a judgment against the man, and it required the release of that judgment before the first lien could be preserved for this man.

Mr. President, we tried very desperately to get the Department of Public Assistance to go along, but when that knowledge came to the Department of Public Assistance that this man was seeking to borrow two thousand dollars to pay off the mortgage, they immediately threw that man and his wife and his six children off the relief roll and they are not on yet, and his property was sold and the bank became the owner of the real estate, all because of this bond of the Department of Public Assistance and because of these social welfare workers who—I do not know where they got the idea that if this man could borrow two thousand dollars to pay off the mortgage he ought to borrow that two thousand dollars to live on, not taking into consideration that he was borrowing the money in order to pay the mortgage off.

I think the gentleman from Cambria, Senator Haluska, is right in insisting that this body do something in the way of legislation to correct that situation. Therefore, that is the reason why I think the motion is well made and that that bill ought to be forced on to the floor of the Senate.

Mr. REED. Mr. President, I have learned that during the depression period not only the man who had a little home or the man who had a small insurance policy was in dire need of assistance; I have learned that there were

many big people during that depression period that had to go to banks and elsewhere to get money.

This depression did not only hit the little man; it hit also the big man of that time. Now, the little man who had a home which he had acquired through toil back through the years, is required to either sign a bond or stand suit for the money that he got during that depression period, while the big man went to the bank and through friends or other authority that he held in that institution, he borrowed money, not one thousand dollars, not two thousand dollars, but in dozen of cases in the State of Pennsylvania, one hundred thousand dollars, three hundred thousand dollars, even a million dollars. Many of those institutions closed due to the weight of those excessive loans, and for other unlawful causes, and many of those institutions are being liquidated today.

Mr. President, if the people of this Commonwealth, if the depositors of many of those closed institutions were permitted to look behind the scenes they would see things there that would astound them to a superlative degree, they would find loans in those banks by big people running into hundreds of thousands of dollars, and now today, while the little man with a home, with a small claim against it that was made during the depression, is required to pay back or to have his home sold, these people who borrowed so extensively from the banks are getting their loans paid off, that were made during the depression period, six cents on the dollar, twelve cents on the dollar, ten cents on the dollar, while the little man keeps on paying to the full extent of the claim.

There was a resolution concerning that, which, I am sorry to say, was killed in committee. I tried to get it out, I appeared before the Banking Committee, but the Banking Committee refused to let it out, and now I repeat, those people who borrowed hundreds of thousands of dollars of the depositors' money from the banks during the depression period are getting those loans canceled by the payment of a few cents on the dollar, and the men and women that the gentleman from Cambria, Senator Haluska, has been speaking about are required either to lose their property or else pay their claims in full. There is not anything equitable, there is not anything right about that kind of supposed justice in Pennsylvania. We should tear the lid off and let the people see what really went on in Pennsylvania during that depression period, and if it is necessary later, Mr. President, I will name names, because I can go to the records, but that is a very burdensome procedure to go to the records in the various counties and get names, but they are there and they should be exposed to the view of the people of this Commonwealth.

On the question,

Will the Senate agree to the resolution?

Mr. HALUSKA, Roll call, Mr. President.

(During the calling of the roll, the following occurred)

Mr. HALUSKA. Mr. President, I desire to know how the gentleman from Franklin, Mr. Crider, voted?

The PRESIDENT. The gentleman from Franklin is not recorded as having voted.

Mr. HALUSKA. Mr. President, I desire to know how the gentleman from Northumberland, Dr. Deitrick, voted.

The PRESIDENT. The gentleman from Northumberland is not recorded as having voted.

Mr. HALUSKA. Mr. President, I desire to know how the gentleman from Allegheny, Mr. Walker, voted.

Mr. WALKER. Mr. President, I voted "no" and I desire to be so recorded.

Mr. HALUSKA. Mr. President, I desire to know how the gentleman from Lancaster, Mr. Homsher, voted.

Mr. HOMSHER. Mr. President, I voted "no."

Mr. HALUSKA. Mr. President, I ask that the roll be verified.

The PRESIDENT. The roll will be verified.

The Clerk will call the names of those voting in the affirmative.

The Clerk called the names of those voting in the affirmative as follows:

Barr,	DiSilvestro,	Lanius,	Reed,
Cavalcante,	Frey,	McCreesh,	Ruth,
Coleman,	Haluska,	McGinnis,	Shapiro,
Cox,	Jaspan,	McQuiddy,	Stiefel,
Dent,			

The PRESIDENT. Are there any corrections? The Chair hears none.

The affirmative roll stands as verified.

The Clerk will call the names of those voting in the negative.

The Clerk called the names of those voting in the negative as follows:

Bartlett,	Geltz,	Miller,	Wade,
Becker,	Heyburn,	Snowden,	Walker,
Carr,	Homsher,	Stevenson,	Watkins,
Crowe,	James,	Tallman,	Wilson, H. I.,
Ealy,	Kephart,	Taylor,	Wilson, T. B.,
Edmonds,	Letzler,	Thomas,	Woodward,
Farrell,	Mallery,	Tyler,	Ziesenheim,

The PRESIDENT. Are there any corrections? The Chair hears none.

The negative roll stands as verified.

Yeas—17; Nays—28.

The yeas and nays were required by Mr. HALUSKA and were as follows, viz:

YEAS—17

Barr,	DiSilvestro,	Lanius,	Reed,
Cavalcante,	Frey,	McCreesh,	Ruth,
Coleman,	Haluska,	McGinnis,	Shapiro,
Cox,	Jaspan,	McQuiddy,	Stiefel,
Dent,			

NAYS—28

Bartlett,	Geltz,	Miller,	Wade,
Becker,	Heyburn,	Snowden,	Walker,
Carr,	Homsher,	Stevenson,	Watkins,
Crowe,	James,	Tallman,	Wilson, H. I.,
Ealy,	Kephart,	Taylor,	Wilson, T. B.,
Edmonds,	Letzler,	Thomas,	Woodward,
Farrell,	Mallery,	Tyler,	Ziesenheim,

So the question was determined in the negative.

Mr. HALUSKA. Mr. President, I wish to take this opportunity of thanking my colleagues on this side of the House for voting with me on this motion. The issue now is clear cut, and I notice party lines were kept. I am sorry party lines were kept again.

I heard throughout this session men like Senator Walker speak of how liberal they were, how their hearts were bleeding for the poor people, and now when an issue is met fairly and squarely, they stand up on party lines, they think more of their party than they think of the people back home. So I am satisfied now,

the issue has been met and we shall carry this issue back to the people of the Commonwealth in 1942 and give them an opportunity to find out just who have been their friends in the 1941 Legislature.

Mr. BARTLETT. Mr. President, I notice that party lines were kept on the other side also, and I only want to say that some of those who voted "aye" on the motion were recorded in committee as voting against reporting the bill out.

Mr. WALKER. Mr. President, I just want to say to the gentleman from Cambria that I do not believe in getting up and speeling on the floor of the Senate about bleeding hearts, but I might say to him we are just as deeply interested in the welfare of the people back home in our districts as he is concerned about the people in his district, and may I suggest to him there is something in this age old tradition, whether he believes in it or not, about the discharge of a committee. I would like to go back several years, Mr. President, when there was a resolution on this floor asking for the resignation of a member of this Senate, and that resolution was in a committee of this Senate, and there was a motion made to discharge the committee, and a number of people who are still members of this Senate were members then, and they voted "no" on the motion to discharge that committee from further consideration of the resolution calling for the resignation of Senator McClure, and the people that voted no at that time stated they were in sympathy with the resolution but they would not vote to discharge a committee. A precedent was set then by some of the gentlemen who reside on the left side of the aisle, and I see no harm in preserving a tradition governing this Commonwealth for over a hundred years. That certainly does not mean, Mr. President, that we do not have the interests of the people at heart; the Republican Party is just as deeply interested in the welfare of the people of the Commonwealth as are the gentlemen on the left.

Mr. GELTZ. Mr. President, I just want to say that I agree with the Senator from Cambria County, Mr. Haluska, that the issue is clean cut in so far as the vote is concerned, only he and I see different issues. The issue which I see that is clean cut is that some of the gentlemen on the other side of the House vote one way under cover and another way in the open.

Mr. FREY. Mr. President, in view of the remarks just made and also the remarks of the gentleman from Northampton, Senator Bartlett, I want the record to show that I am a member of that committee, but did not vote to pickle that bill in committee.

Mr. HALUSKA. Mr. President—

The PRESIDENT. For what purpose does the gentleman from Cambria rise?

Mr. HALUSKA. Mr. President, for the purpose of interrogating the gentleman from Allegheny, Mr. Walker.

The PRESIDENT. Will the gentleman from Allegheny permit himself to be interrogated?

Mr. WALKER. I will, Mr. President.

Mr. HALUSKA. Mr. President, did I understand the gentleman from Allegheny, Mr. Walker, to say that sometimes a member might be in sympathy with a certain bill or resolution, but because of tradition he might vote otherwise? Do I interpret from that that the gentleman from Allegheny is in sympathy with my motion?

Mr. WALKER. Mr. President, I am sorry my articulation is so bad; I am repeatedly misunderstood by the gentleman from Cambria. I was quoting from the resolution to discharge the committe that had the McClure resolution in its keeping, about 1933, I think it was, or 1935, and the reasons assigned then, according to my recollection, were that some of the members who voted "no" on the motion to discharge the committee then were in sympathy with the resolution but were preserving a tradition. I did not state my own personal opinion on the bill that is in the Committee of Welfare, Public Assistance and Pensions which was the subject of the resolution or the subject of the motion made by the gentleman from Cambria.

Mr. HALUSKA. Mr. President, may I interrogate the gentleman from Allegheny further?

The PRESIDENT. Will the gentleman from Allegheny permit himself to be further interrogated?

Mr. WALKER. I will, Mr. President.

Mr. HALUSKA. Mr. President, may I ask the gentleman from Allegheny whether or not at any time throughout this session he has stated openly that he was in favor of the elimination of the so-called bond for relief recipients.

Mr. WALKER. Mr. President, I have repeatedly, not only on the floor of this Senate but at other times I have attempted desperately to stop the use of these bonds. I am opposed to them and the gentleman from Cambria knows I am opposed to them. I think it is a silly practice and should be stopped. I am not a member of the committee that has that bill or I would have very cheerfully voted to report it out. The point is, this is a question of whether or not the committee should be discharged, and on that motion I voted "no."

Mr. DENT. Mr. President, I expect before the week is out to make a few motions myself to discharge committees and I am going to make them in spite of the fact that certain members hide behind so-called traditions. Traditions are not constant, traditions change, and as time goes on you will find that poor people can not eat traditions, they are not digestible.

Mr. President, I want to say one of the worst traditions is that of hiding behind a so-called tradition of refusing to bring out on the Senate floor legislation that is pertinent to the welfare of the common people of the Commonwealth. I want to say that the best way to hide good legislation is to give it to some chairman of a committee, who may take a trip to Bermuda; those things have happened in the past and will happen again in the future, that a chairman of a committee takes a trip with a bill, and then the bill is dead. I have voted for three years in this Senate to discharge committees holding good legislation. I voted with the gentleman from Fayette to discharge a committee which was holding a bill although if the bill came out on the floor I would have voted against the bill. I believe in the democratic process of bringing a bill out on the floor and there let is stand or fall. You can not say to me you are for a bill and then refuse to give yourself the opportunity of voting for that bill, when you know it is dead in committee and you know you are hiding behind a subterfuge when you say, "I am for the bill but I will not vote to discharge the committee considering the bill." How else can you get a vote on the bill? There is no other way.

Mr. WALKER. Mr. President, may I urgently request the gentleman from Westmoreland to see if he can not get somebody over in the House to repeat that speech. I have a lot or bills that are dead in House committees and I would like to get them out on the floor for a vote.

Mr. DENT. Mr. President, I do not think that is quite a fair proposition to make to me, but I will make this proposition to the gentleman from Allegheny, for every bill that is pickled in a House committee, I venture to say there are two bills pickled in Senate committees.

Mr. JASPAN. Mr. President, I am a member of the Committee on Welfare, Public Assistance and Pensions, but I did not vote to pickle the resolution presented by the gentleman from Cambria, Mr. Haluska.

CALENDAR

SENATE BILL No. 1313 ON THIRD READING AND FINAL PASSAGE CALLED UP

Mr. GELTZ. Mr. President, I now call up Senate Bill No. 1313, on third reading and final passage, page 12 of the Calendar.

Mr. CHAPMAN. Mr. President, I second the motion.

The motion was agreed to.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 1313, as follows:

A Supplement to the act approved the twenty-seventh day of June one thousand nine hundred thirty-nine (Appropriation Acts page sixty) entitled "An act to provide for the ordinary expenses of the Executive Legislative and Judicial Departments of the Commonwealth interest on the public debt and the support of the public schools for two years beginning June first one thousand nine hundred and thirty-nine and for the payment of bills incurred and remaining unpaid at the close of the fiscal year ending May thirty-first one thousand nine hundred and thirty-nine" providing for deficiencies in certain appropriations made by the act for the fiscal biennium ending May thirty-first one thousand nine hundred forty-one

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The following sums or as much thereof as may be necessary for deficiencies in certain appropriations made to the Legislative Department by the act to which this act is a supplement are hereby specifically appropriated out of the General Fund to the Legislative Department as follows

Legislative Department

To the Senate

For the payment of the mileage of fifty Senators session of one thousand nine hundred and forty-one the sum of twenty-five hundred dollars ($2,500)

For the payment of the salaries of the officers and employes of the Senate session of one thousand nine hundred and forty-one also for the payment of the session and recess salaries of all officers and employes whose positions are now or may be hereafter created and for the payment of which provision is not otherwise made also for the payment of any increase which may now or hereafter be authorized in the recess and session salaries of the officers and employes of the Senate whose present salaries are provided for in the act to which this is a supplement the sum of twenty-one thousand dollars ($21,000) or so much thereof as may be necessary for the duration of the session of one thousand nine hundred and forty-one and the period of time necessary to complete the work of such session

To the chief clerk of the Senate for the payment of the postage on the Legislative Journal bills and calendars session of one thousand nine hundred and forty-one the sum of five hundred dollars ($500)

For the payment of the incidental expenses of the Senate for six months commencing December first one thousand nine hundred and forty and for the entire period of the session of one thousand nine hundred and forty one should the same extend beyond May thirty-first such sum as may be necessary to be expended by the chief clerk of the Senate who shall render to the Auditor General accounts from time to time with proper specifically itemized vouchers to be settled in the same manner as other accounts but the whole amount expended by said chief clerk under this act shall not exceed the sum of one thousand dollars ($1,000) out of which amount such necessary extra labor in the Senate shall be paid as shall be certified by the President pro tempore and the chief clerk

Section 2 This act shall become effective immediately upon its final enactment

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—48

Barr,	DiSilvestro,	Lanius,	Stevenson,
Bartlett,	Ealy,	Letzler,	Stiefel,
Becker,	Edmonds,	Mallery,	Tallman,
Carr,	Farrell,	McCreesh,	Taylor,
Cavalcante,	Frey,	McGinnis,	Thomas,
Chapman,	Geltz,	McQuiddy,	Tyler,
Coleman,	Haluska,	Miller,	Wade,
Cox,	Heyburn,	Mundy,	Walker,
Crider,	Homsher,	Reed,	Watkins,
Crowe,	James,	Ruth,	Wilson, H. I.,
Deitrick,	Jaspan,	Shapiro,	Wilson, T. B.,
Dent,	Kephart,	Snowden,	Ziesenhelm,

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

REPORT OF COMMITTEE OF CONFERENCE ADOPTED ON SENATE BILL No. 418

Mr. GELTZ. Mr. President, I move that the Senate do now proceed to consideration of the Report of the Committee of Conference on Senate Bill No. 418.

Mr. MILLER. Mr. President, I second the motion.

The motion was agreed to.

The Report was read as follows:

REPORT OF THE COMMITTEE OF CONFERENCE ON SENATE BILL No. 418

To the Members of the Senate and House of Representatives:

We, the undersigned, Committee of Conference on the part of the Senate and House of Representatives for the purpose of considering Senate Bill No. 418, entitled:

"An act requiring the Governor of the Commonwealth to issue a proclamation setting apart September thirteenth of each year as Commodore John Barry Day."

Respectfully submit the following bill as our report:

GEORGE N. WADE
JACOB W. CARR
JOHN J. McCREESH
(Committee on the Part of the Senate)

FRANK J. CULLEN
JOHN J. FINNERTY
JAMES J. O'DARE
(Committee on the part of the House of Representatives.)

An Act requiring the Governor of the Commonwealth to issue a proclamation setting apart September thirteenth of each year as Commodore John Barry Day

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The Governor shall this year issue a proclamation setting apart September thirteenth as Commodore John Barry Day and recommending that it be observed annually by the people with appropriate exercises in the public schools and otherwise as he may see fit to the end that the memory of the service rendered by Commodore John Barry during the struggle for American independence may be perpetuated

Section 2 This act shall become effective immediately upon final enactment

On the question,

Will the Senate agree to the Report?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—48

Barr,	Ealy,	Letzler,	Stiefel,
Bartlett,	Edmonds,	Mallery,	Tallman,
Becker,	Farrell,	McCreesh,	Taylor,
Carr,	Frey,	McGinnis,	Thomas,
Cavalcante,	Geltz,	McQuiddy,	Tyler,
Chapman,	Haluska,	Miller,	Wade,
Coleman,	Heyburn,	Mundy,	Walker,
Cox,	Homsher,	Reed,	Watkins,
Crowe,	James,	Ruth,	Wilson, H. I.,
Deitrick,	Jaspan,	Shapiro,	Wilson, T. B.,
Dent,	Kephart,	Snowden,	Woodward,
DiSilvestro,	Lanius,	Stevenson,	Ziesenheim,

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk inform the House of Representatives accordingly.

BILL ON FINAL PASSAGE RECALLED FROM GOVERNOR

Agreeably to order,

The Senate resumed the third reading and consideration of Senate Bill No. 345, entitled:

An Act to amend subsection (a) of section sixteen and subsection (a) of section twenty-one of the act, approved the seventh day of June, one thousand nine hundred and seventeen (P. L. 415), entitled "An act relating to the qualification, jurisdiction, powers, and duties of registers of wills, and regulating proceedings before said registers, and the costs thereof, the effects of their acts, and appeals therefrom," decreasing the period within which appeals may be taken from decrease of registers of wills probating or refusing to probate wills and from all judicial acts and proceedings of the several registers including all decisions granting an issue devisavit vel non.

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—43

Barr,	DiSilvestro,	Lanius,	Stevenson,
Bartlett,	Ealy,	Letzler,	Stiefel,
Becker,	Edmonds,	Mallery,	Tallman,
Carr,	Farrell,	McCreesh,	Taylor,
Cavalcante,	Frey,	McGinnis,	Thomas,
Chapman,	Geltz,	McQuiddy,	Tyler,
Coleman,	Haluska,	Miller,	Wade,
Cox,	Heyburn,	Mundy,	Walker,
Crider,	Homsher,	Reed,	Watkins,
Crowe,	James,	Ruth,	Wilson, H. I.,
Deitrick,	Jaspan,	Shapiro,	Wilson, T. B.,
Dent,	Kephart,	Snowden,	Ziesenheim,

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present the said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate resumed the third reading and consideration of Senate Bill No. 501, (House Bill No. 710), entitled:

An Act to enable tax collectors and receivers of taxes to make return to the county commissioners of unpaid taxes assessed on seated lands for certain years and validating the liens of such taxes.

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—27

Bartlett,	Ealy,	Mallery,	Tyler,
Becker,	Farrell,	McCreesh,	Wade,
Carr,	Geltz,	Ruth,	Wilson, H. I.,
Cavalcante,	Haluska,	Snowden,	Wilson, T. B.,
Coleman,	Heyburn,	Stiefel,	Woodward,
Crider,	Kephart,	Tallman,	Ziesenheim,
Dent,	Letzler,	Taylor,	

NAYS—16

Barr,	Deitrick,	Jaspan,	Shapiro,
Chapman,	DiSilvestro,	Lanius,	Thomas,
Cox,	Frey,	McGinnis,	Walker,
Crowe,	James,	McQuiddy,	Watkins,

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same with amendment in which the concurrence of the House is requested.

Agreeably to order,

The Senate resumed the third reading and consideration of Senate Bill No. 700, (House Bill No. 99), entitled:

An Act to amend sections one and two of the act approved the twenty-fourth day of June one thousand nine hundred thirty-nine (P. L. 806) entitled "An act limiting the number of licenses for the retail sale of liquor malt or brewed beverages or malt and brewed beverages to be issued by the Pennsylvania Liquor Control Board defining hotels and prescribing the accommodations required of hotels in certain municipalities" by exempting certain clubs from such limitation and by providing that retail dispenser's licenses may be exchanged or surrendered for liquor licenses without violating the limits upon the number of licenses imposed by such act; and authorizing the Pennsylvania Liquor Control Board to effect such exchange or substitution upon compliance with certain conditions

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

Mr. CARR. Mr. President, I wish to say to the Senators before the vote is taken on House Bill No. 99, (Senate Bill No. 700), I feel there is a duty resting upon me, which I would be unfaithful to my constituents and to the people of Pennsylvania if I failed to perform at this time.

I remember a number of years ago, when the question of repeal of the eighteenth amendment was under consideration, there were very definite assurances given that certain conditions which had prevailed prior to the enactment of the eighteenth amendment would never be permitted to return if that amendment were repealed, and I recall very distinctly reading at that time that a very distinguished citizen of the nation had promised that by no means, by no manner, under no guise whatever, should the old-fashioned saloons be permitted to return. What has transpired since has reminded me frequently of an old fable or poem that I learned when I was a child, about the camel that came to a blacksmith shop:

"My nose is cold he meekly cried,
"Oh, let me warm it by thy side.
"Since no denial word was said
"In came the nose, in came the head;
"And just as sermon follows text
"The long and scrawny neck came next,
"And then like sunshine after storm
"In leaped the whole ungainly form.

Mr. President, I think that has been exemplified in what has been done with regard to bringing back the old conditions which were promised never to return.

We have here today a bill upon which we have worked with considerable diligence in an effort to try to find the answer to some of the problems that were confronting certain individuals and certain organizations. The bill that has come out of that has come out, in my opinion, in such a state that a question has to be answered by every gentleman who votes here today on this bill. That question has to do with whether or not we believe in increasing the number of liquor licensees beyond the quota which has been established.

The quota was established at one per thousand. There is some intimation that a mistake was made in passing that bill, whereby clubs were included in that quota instead of being excluded from it, but my impression has been that the people of Pennsylvania were very largely satisfied with the quota as it had been interpreted by the courts. One thing I want to call to the attention of the Senators, as we vote on this bill at this time, is this: there are two groups of people in this state who will object to the enactment of this piece of legislation. First of those groups are the people who are ardently, earnestly and sincerely convinced that the liquor business is wrong and ought to be eliminated. The second group, and I call particular attention to this, is that group of men who are in what is commonly called the legitimate business of dispensing liquor as retail liquor dealers, and I am calling your attention to the fact that these gentlemen will not care very much about your voting for this kind of legislation.

I am not pleading with any one to change their vote on this bill. I presume we have all made up our minds as to how we are going to vote, but I am calling these things to your attention as an indication of the trend of events, and I am calling the attention of those who are interested in this line of business to the fact that a constant repetition of requests for the enactment of liberalizing legislature this nature is driving this country rapidly back to a conclusion that will eventually result in the reenactment of similar legislation to that of the eighteenth amendment. Unless those concerned with this business take warning and put their house in order, it seems to me we are certainly headed for that time when the wrath of the mothers of this nation will again be extended toward them and they will find themselves again on the outside trying to get back in.

And the question recurring,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—38

Barr,	DiSilvestro,	Mallery,	Tallman,
Bartlett,	Frey,	McCreesh,	Taylor,
Becker,	Geltz,	McGinnis,	Thomas,
Cavalcante,	Haluska,	McQuiddy,	Walker,
Coleman,	Heyburn,	Miller,	Watkins,
Cox,	James,	Mundy,	Wilson, H. I.,
Crider,	Jaspan,	Ruth,	Wilson, T. B.,
Crowe,	Kephart,	Shapiro,	Woodward,
Deitrick,	Lanius,	Stiefel,	Ziesenheim,
Dent,	Letzler,		

NAYS—10

Carr,	Edmonds,	Reed,	Tyler,
Chapman,	Farrell,	Snowden,	Wade,
Ealy,	Homsher,		

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same with amendment in which the concurrence of the House is requested.

Agreeably to order,

The Senate resumed the third reading and consideration of Senate Bill No. 1109, (House Bill No. 957), entitled:

An Act to amend the act approved the fourth day of June one thousand nine hundred and thirty seven (P. L. 1625) entitled "An act providing for the creation maintenance and operation of a county employes' retirement system in counties of the third class and imposing certain charges on counties" extending and further regulating such retirement systems.

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—48

Barr,	DiSilvestro,	Lanius,	Stiefel,
Bartlett,	Ealy,	Letzler,	Tallman,
Becker,	Edmonds,	Mallery,	Taylor,
Carr,	Farrell,	McGinnis,	Thomas,

Cavalcante,	Frey,	McQuiddy,	Tyler,
Chapman,	Geltz,	Miller,	Wade,
Coleman,	Haluska,	Mundy,	Walker,
Cox,	Heyburn,	Reed,	Watkins,
Crider,	Homsher,	Ruth,	Wilson, H. I.,
Crowe,	James,	Shapiro,	Wilson, T. B.,
Deitrick,	Jaspan,	Snowden,	Woodward,
Dent,	Kephart,	Stevenson,	Ziesenheim,

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same with amendment in which the concurrence of the House is requested.

Agreeably to order,

The Senate resumed the third reading and consideration of Senate Bill No. 1246, (House Bill No. 1771), entitled:

An Act requiring prothonotaries and clerks of courts to forward to the Department of Health a certification of decrees in divorce annulment of marriage adoption and annulment of adoption proceedings providing for the registration of such certificates by the said department the issuance of certified copies thereof and fixing fees and penalties.

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—48

Barr,	DiSilvestro,	Lanius,	Stiefel,
Bartlett,	Ealy,	Letzler,	Tallman,
Becker,	Edmonds,	Mallery,	Taylor,
Carr,	Farrell,	McGinnis,	Thomas,
Cavalcante,	Frey,	McQuiddy,	Tyler,
Chapman,	Geltz,	Miller,	Wade,
Coleman,	Haluska,	Mundy,	Walker,
Cox,	Heyburn,	Reed,	Watkins,
Crider,	Homsher,	Ruth,	Wilson, H. I.,
Crowe,	James,	Shapiro,	Wilson, T. B.,
Deitrick,	Jaspan,	Snowden,	Woodward,
Dent,	Kephart,	Stevenson,	Ziesenheim,

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same with amendment in which the concurrence of the House is requested.

Agreeably to order,

The Senate resumed the third reading and consideration of Senate Bill No. 1308, entitled:

An Act to amend section one further amend section three and to reenact section six of the , approved the twenty-second day of May, one thousand nine hundred thirty-three (P. L. 912) entitled "A t to protect the public health; defining and providing for the licensing of bakeries, and regulating the inspection, maintenance, and operation of bakeries and premises, stores and shops connected therewith; defining and regulating the manufacture, sale, and offering sale of bakery products; conferring powers the Department of Agriculture; and providing penalties," by redefining "bakery" removing the exception from registration and licensing requirements requiring registered bakery products to show the fact of such registration making it unlawful for any person to sell, offer for sale or have in possession with intent to sell unregistered bakery products or to import bakery products, from bakeries not licensed hereunder; and making possession prima facie evidence of intention to sell.

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

Mr. COLEMAN. Mr. President, I request that this bill go over in its order.

The PRESIDENT. Is there objection?

Mr. EALY. We expect to adjourn this session either Friday or Saturday, and if this bill is to receive action it will have to pass the Senate today. I just received a call from a gentleman in Pittsburgh who states that he is coming down here to discuss the subject of this bill with the Department of Agriculture. I have no interest in this bill, although I think it is very desirable that there be some regulatory measure under which the Department of Agriculture may act, and I shall ask the Senator from Lackawanna to withdraw his request that this bill go over and permit it to pass the Senate at this time. If he has any objections he may take them up with the Department or with the House Committee and see what amendments can be made, if any are necessary.

Mr. COLEMAN. Mr. President, since the President Pro Tempore has indicated that a delay of one legislative day might jeopardize the passage of this bill, I shall be delighted to withdraw my objection, but I call to the attention of the Senate that we expect the same courtesies on other Senate bills that are on the Calendar.

And the question recurring,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—48

Barr,	DiSilvestro,	Lanius,	Stiefel,
Bartlett,	Ealy,	Letzler,	Tallman,
Becker,	Edmonds,	Mallery,	Taylor,
Carr,	Farrell,	McGinnis,	Thomas,
Cavalcante,	Frey,	McQuiddy,	Tyler,
Chapman,	Geltz,	Miller,	Wade,
Coleman,	Haluska,	Mundy,	Walker,
Cox,	Heyburn,	Reed,	Watkins,
Crider,	Homsher,	Ruth,	Wilson, H. I.,
Crowe,	James,	Shapiro,	Wilson, T. B.,
Deitrick,	Jaspan,	Snowden,	Woodward,
Dent,	Kephart,	Stevenson,	Ziesenheim,

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present the said bill to the House of Representatives for concurrence.

BILL ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 399, as follows:

An Act making an appropriation to the Treasury Department for the use of the Board of Finance and Revenue in granting refunds of "store and theatre" tax

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The sum of three hundred and fifty thousand dollars ($350,000) or so much thereof as may be necessary is hereby specifically appropriated out of the General Fund to the Treasury Department for the two fiscal years beginning June first one thousand nine hundred and forty-one for the use of the Board of Finance and Revenue in making payment of approved claims for refunds of store and theatre tax paid under the provisions of the act approved the fifth day of June one thousand nine hundred and thirty-seven (P. L. 1656), entitled "An act imposing an annual license tax for the privilege of operating maintaining or controlling within this Commonwealth a store or stores theatre or theatres as herein defined prescribing the method and manner of collecting such tax and its disposition including an appropriation for the purpose of administering this act and providing penalties" and subsequently declared by the Supreme Court of the Commonwealth of Pennsylvania to be unconstitutional

And said bill having been read at length the third time,

On the question,

Will the Senate agree to the bill?

Mr. THOMAS B. WILSON. Mr. President, I ask unanimous consent to offer the following amendments.

The PRESIDENT. Is there objections?

Mr. COLEMAN. I have no objection to unanimous consent, merely for the conservation of time, but I do want to talk on the amendments.

The amendments were read as follows:

Amend title, page 1, line 1 of title, by striking out the word "Making" and inserting in lieu thereof: "Requiring the Commonwealth and the political subdivisions thereof to refund taxes and license fees erroneously and inadvertently paid thereto and giving a right of appeal in claims against the Commonwealth and a right of action against such political subdivision for the recovery of such taxes and fees upon their failure to make such refunds; making the provisions of the act retroactive; repealing existing laws and making"; amend title, page 1, line 3 of title, by inserting after the word "granting" the following: "such"; amend title, page 1, line 3 of title, by striking out after the word "refunds" the following: "of 'store and theatre' tax"; amend bill, page 1, by inserting after the enacting clause and before line 1, the following:

Section 1. Whenever any person or corporation of this Commonwealth has erroneously or inadvertently paid or caused to be paid into the treasury of the Commonwealth or any political subdivision directly or indirectly, any tax or taxes on real or personal property or any license fee or fees under an assumption that such taxes or license fees were due and owing when in fact such taxes or license fees or a part thereof were not due and owing to the Commonwealth or political subdivision, then in such cases the authorities of the political subdivision or the Board of Finance and Revenue acting for the Commonwealth, upon due proof of any such erroneous or inadvertent tax or license fee payments are hereby directed to draw their warrant on the treasurer of such political subdivision or of the Commonwealth in favor of such person or corporation to make refund out of the public funds of such tax or taxes or license fee or fees to which the political subdivision or the Commonwealth has no valid claim.

The provisions of this act shall be construed to include taxes paid upon real estate assessments which erroneously contained buildings which had been previously destroyed or torn down but whose destruction was not noted by the assessors and was included in the assessment.

Section 2. In the event of refusal or failure on the part of the authorities of any political subdivision involved to make any such refund of taxes or fees so erroneously paid into the treasury thereof, then the aggrieved person or corporation shall have the right to recover the sum involved by instituting an action in assumpsit in any court of competent jurisdiction within the county wherein such political subdivision is located.

Section 3. In the event of refusal or failure on the part of the Board of Finance and Revenue to make any such refund of taxes or fees so erroneously paid to the Commonwealth, the claimant therefor may appeal by petition to the court of common pleas of Dauphin County from an adverse decision of the Board of Finance and Revenue which court shall thereupon hear such testimony as may be offered in support of the claim and determine whether or not the claimant is entitled to any refund and if so, the amount thereof. If the court finds that he is so entitled it shall report its findings to the board and order the making of a refund of the proper amount. Thereupon the refund shall be made in the manner hereinbefore provided. No such appeal shall be entertained, however, unless the claimant shall file with his petition an affidavit that all the proof which he proposes to offer in support of his claim had been presented to the Board of Finance and Revenue before that board acted adversely upon his claim.

Section 4. The provisions of this act shall be retroactive and effective as to any and all taxes and fees heretofore erroneously or inadvertently paid into the treasury of the Commonwealth or any political subdivision.

Section 5. The act, approved the twenty-first day of May, one thousand nine hundred and thirty-seven (P. L. 786), entitled "An act authorizing county commissioners to refund taxes and license fees erroneously and inadvertently paid by persons and corporations into the county treasury and limiting the time within which claims for refunds must be made," and the act, approved the second day of June, one thousand nine hundred and thirty-seven (P. L. 1211), entitled "An act to further amend the title and section one of the act, approved the eighth day of May, one thousand nine hundred and twenty-nine (P. L. 1656), entitled 'An act authorizing county commissioners to refund taxes erroneously and inadvertently paid by persons and corporations into the county treasury' extending said act to all political subdivisions" are hereby repealed absolutely.

Amend Sec. 1, page 1, line 1, by striking out after the word "Section" the numeral "1" and inserting in lieu thereof: "6"; amend Sec. 1, page 1, lines 8 to 12, both inclusive, by striking out after the word "of" in line 8, the following: "store and theatre tax paid under the pro-," all of lines 9, 10, 11 and 12; amend Sec. 1, page 2, lines 1 to 5, both inclusive, by striking out all of lines 1, 2, 3, and 4, and the following in line 5: "and providing penalties" and," and inserting in lieu thereof: "taxes or license fees paid under the provisions of any act which is,"

On the question,

Will the Senate agree to the amendments?

Mr. COLEMAN. Mr. President, I desire to interrogate the gentleman from McKean, Mr. Thomas B. Wilson.

The PRESIDENT. Will the gentleman from McKean permit himself to be interrogated?

Mr. THOMAS B. WILSON. I will, Mr. President.

Mr. COLEMAN. Mr. President, I desire to ask the gentleman from McKean if he will boil down into a terse and pithy sentence or two what the amendment does to the bill.

Mr. THOMAS B. WILSON. Mr. President, the bill introduced by the gentleman from Lackawanna provides for the refunding of certain taxes that have been paid to the Commonwealth, the payment of which has been held unnecessary by the courts of Pennsylvania. There is in the House a bill introduced by Mr. Weiss which provides for the refunding of taxes in all cases where taxes had been paid where the liability was not on the taxpayer, over payments or payments of taxes that were not due either to the Commonwealth or a district or a municipality. That bill has remained in a committee of the House and is still there. The bill in the House not only provides for the refunding of taxes, which would take care of those taxes, but provides a system by which persons who paid taxes that were not due could get them back, provides a legal system or machine by which, if the tax payment was refused, they could go into court and get their money, where a determination could be made as to whether or not any money was due and legal procedure taken so that there could be judicial determination. These amendments place the bill of the gentleman from Lackawanna, Mr. Coleman, in the same shape that the bill was in the House, which provides a complete system for a taxpayer to recover money which he had paid and which was not due.

Mr. COLEMAN. Mr. President, I desire to interrogate the gentleman from McKean further.

The PRESIDENT. Will the gentleman from McKean permit himself to be further interrogated?

Mr. THOMAS B. WILSON. I will, Mr. President.

Mr. COLEMAN. Mr. President, I desire to ask the gentleman from McKean whether he does not think the insertion of his amendments render the bill of doubtful constitutionality.

Mr. THOMAS B. WILSON. Mr. President, I do not know but my judgment would be no, and I do not know that anybody in the Senate would agree, but I think it is not. I will be honest enough to say to the gentleman from Lackawanna and the Senate that the same question occurred to me that now occurs to him.

The bill of the gentleman from Lackawanna provided for the refunding of certain taxes paid by storekeepers and by theatres. The amendments now provide a general system of refunding taxes that were paid when they were not due. If I were a constitutional lawyer—I am greatly complimented by being asked that question—it I were a constitutional lawyer, there might be some suggestion or suspicion come in my mind, the same as with the gentleman who asked me the question.

Mr. COLEMAN. I desire to ask the gentleman from McKean if he shares the apprehension of his colleagues about the possibility of defeat of the bill immediately preceding this one which I asked to have go over in order.

Mr. THOMAS B. WILSON. Well, Mr. President, I share the apprehension of both Democrats and Republicans when a bill is put over in order at this late stage, because I hope those gentlemen whom we laughingly call our leaders are correct when they tell us they will let us adjourn the last of the week.

Mr. COLEMAN. Mr. President, I desire to ask the gentleman from McKean, in view of his answer to my interrogation, how he reconciles his position on the bill immediately preceding, and then asks to insert amendments which will put the bill over for another legislative day.

Mr. THOMAS B. WILSON. The only way I can answer that, Mr. President, is to say the gentleman who is interrogating me is a very important and highly thought of member of the Democratic party, and when a bill passes the Republican Senate and goes over to the House, he is in a position to bring that bill out of committee as though it was shot out of a gun, while we Republicans, who have legislation of merit, men who have served in the Legislature for more than five terms have bills in there that nobody disputes and nobody can see anything wrong with, and no power on earth would get them out until the morning of the resurrection.

Mr. COLEMAN. Mr. President, I am going to eagerly await the vote of the members of the Senate on the insertion of the amendments offered by the gentlman from McKean, Mr. Thomas B. Wilson. I am going to hazard the guess Mr. President as a practical fellow, that the amendments will probably be included in the bill. I have learned in this legislative game, through experience that we only gain on the job on the floor that all you need in this particular legislative game is to have the votes, and I suppose I ought to assume a defeatist attitude, because if they want the amendments in there they are going in, except, however, that if these amendments are inserted in the bill, I think it will be the most glaring example of inconsistency of my six years in the General Assembly.

Mr. President, I had a purpose in asking that Senator Ealy's bill go over in order, because I had anticipated that these amendments were to be offered. As a matter of fact, the gentleman who offered the amendments was kind and considerate enough to advise me what he expected to do. Then I find that immediately six or seven gentlemen on the opposite side get up and express grave fears about the number of legislative days remaining to have Senator Ealy's bill enacted into law.

In 1937, Mr. President, there was enacted in the Commonwealth of Pennsylvania a chain store tax. When the chain store tax passed the House of Representatives and came into the Senate somebody in the Senate broadened the scope of the bill to also include theatres. I happened to have been a member of the House and served on the conference committee to adjust the difference existing between the House and the Senate. There was also passed a bill which would appropriate money derived from this particular tax to increase the pay of teachers in fourth class school districts.

The two major chain stores, which paid the tax under protest, or at least announced they were paying it under protest but actually paid nothing, contested the bill, and the bill of course was later declared unconstitutional, and the companion act, due to the fact that there was

no money available for appropriation purposes, became inoperative.

In the number of years that this General Assembly has been in existence, we have breathed legislative life into bills that would permit various departments of the Commonwealth to get back money illegally held by corporations, associations and individuals in this Commonwealth, and now we find ourselves in the inconsistent position of jeopardizing the passage of a bill that would ask the Commonwealth to give back to people who have paid a tax something to which they are morally, and definitely legally entitled.

Here we find that in the closing days of the session an amendment has been introduced which will definitely kill the bill, and I want to go on record now, Mr. President. as entering my protest against the inclusion of these amendments. If you are sincere in your belief that these chain stores and chain theatres are entitled to a refund of the taxes they paid, which was later held to be unconstitutional, then you ought to vote against this amendment.

I find that the Department of Revenue takes the position that they will accept from the chain stores or chain theatres a refund on any tax obligation. That in itself, Mr. President, is an admission that the Commonwealth, the Department of Revenue and the Department of Justice, feel that these people have a legal right to have this money returned, and I ask my colleagues on both sides of the Senate to vote down these amendments and then support the bill without the amendments on final passage.

Mr. SHAPIRO. Mr. President, I desire to interrogate the gentleman from McKean.

The PRESIDENT. Will the gentleman from McKean permit himself to be interrogated?

Mr. THOMAS B. WILSON. I will, Mr. President.

Mr. SHAPIRO. Mr. President, I should like first to ask the gentleman from McKean if he will be good enough to tell us how much it would cost the Commonwealth of Pennsylvania if all of the refunds that are permitted under this bill were granted?

Mr. THOMAS B. WILSON. Mr. President, the gentleman from Lackawanna has made an appropriation of three hundred thousand dollars in the bill.

Mr. SHAPIRO. I mean, Mr. President, the refund, the possible refund under the amendments. I would like the gentleman to say whether he knows how much money it would take.

Mr. THOMAS B. WILSON. Mr. President, I do not think anybody in the world could have that information.

Mr. SHAPIRO. Does the gentleman from McKean know whether or not there has been any appropriation made to refund that money.

Mr. THOMAS B. WILSON, I do not, Mr. President.

Mr. SHAPIRO. As a matter of fact, if the gentleman does not know how much and what tax refund might be covered, there can be no appropriation, is that not correct?

Mr. THOMAS B. WILSON. That is correct.

Mr. SHAPIRO. Now Mr. President, I should like to suggest that this Senate passed Senate Bill No. 177, a Republican sponsored bill, which provided for the refund of what I think was a just refund of a tax unlawfully paid, which was a refund of monies paid under the liquor floor tax. I do not understand why this amendment could not have been put into that bill, which was Senate Bill No. 177, at a time when if it was justified, there was sufficient time to discuss it. I think it is extremely unfair to both the persons who paid the tax and the financial structure of the Commonwealth to insert in this bill, a bill which everybody must agree is a just bill, to return monies to people taxed for a specific purpose, a purpose declared to be unconstitutional, or at least the method of accomplishing the purpose was declared to be unconstitutional, the money secured for that sole purpose, the money now in the treasury of the Commonwealth, that money does not belong to the treasury and rightfully therefore belongs to those persons who paid it. I think it is unfair to them, in the first place, to propose this amendment which might endanger either the passage or the constitutionality of the bill.

Secondly, Mr. President, I think it is highly bad politics—and I mean politics in the sense not of political activities, but highly bad politics in the sense of the governmental function of this Commonwealth, at a time when the Governor of the Commonwealth says he is in a dire situation if any further burdens are put upon him his budget will be unbalanced—he will be unable to meet the hospital appropriation anyway, to pass a bill which is as far reaching in its effect as this is, to give anybody in any city or any location, the right to come in and say by virtue of this general bill, this omnibus bill giving the right to claim a refund of taxes paid on a building that had been destroyed, upon which they no longer had to pay taxes—on the land and not on the building—they can now come in and nobody knows how far-reaching it may be, and you do not know whether you may be imposing upon the Commonwealth a burden which may reach into millions of dollars and that to me is unwise, and the presentation of that kind of an amendment can only lead to the conclusion that this is an effort to destroy or kill this bill.

You can tell me we can take it out in the House, but this is not the time, this is no time to pass amendments that should be taken out, if they should be taken out in the House. If you have the bill sent over there it may not be taken out in the House, and I am afraid that it will not be taken out, and if this bill passes now and the House members do not take it out, who will answer as to how much money the Commonwealth will be obliged to pay under this bill? Where will the money come from and who will provide it? I think that is a very serious question.

Mr. THOMAS B. WILSON. Mr. President, I think it is only fair to say on this bill that the members on this side of the House, where these amendments originated, feel that if there is money in the hands of municipalities of the Commonwealth that does not belong to them, but belongs to somebody else, and that money is to be paid back to one person, that it is better legislation to provide a system by which those who have paid money when they did not owe it, should have a way of having that amount determined and a method by which they can present their claims, and if they are not approved it will open the courts to them so they can get relief.

Now, Mr. President, if the Commonwealth of Pennsylvania has money that belongs to people, if the municipalities have money that belongs to people, that money should be paid back to them, and the members on this side of the aisle thought, instead of passing a bill to pay

certain people their money, that we should pass a general bill, scientifically drawn, which would give everybody in the Commonwealth who had money coming to them a method by which they could get it back. Most of this, probably, would come from the Commonwealth, if the Commonwealth has it, and if in the determination of the courts it belongs to somebody else, I think they should have their money; I even think the Commonwealth should levy a tax to pay it if they have somebody else's money and it does not belong to them. It is hard enough for the taxpayer to pay the taxes they say without having to pay money that does not belong to the Commonwealth.

I want to say one thing more, while the gentleman from Lackawanna is ready to speak and that is this, in his bill as we looked at it we saw no way of determining who had money coming in this particular class, no way of liquidating the claim and no machinery; it simply makes an appropriation and says the department shall draw an order for it. We did not think the bill was drawn carefully, and we did not think it was a bill that we cared to put our approval on.

I do say this, and I say it in all friendship to the gentleman from Lackawanna, because he and I have very pleasant relations, that we wish he would not be so insinuating once in a while. Maybe I am a poor person to say it, but I do not think there is any place on the floor of this Senate for anyone to make sarcastic and insinuating remarks about those who differ with him. I do not think it produces results, and as one who never makes a sarcastic remark or says anything disagreeable, I make that suggestion.

Mr. CAVALCANTE. Mr. President, I have been disturbed slightly by the remarks that I have heard this afternoon. To me the proposition before us is not the merits of the amendments as much as the proposition that we established on a previous bill here, where because of the shortness of time the gentleman from Lackawanna was asked, if he had any objections to Senator Ealy's bill, to present them to the Department of Agriculture and to the Committee of the House, and that was asked because of the shortness of time. If we do not pass a Senate bill today, it goes over until tomorrow, and there is only one way we can pass a bill and that is if we come back next week. That is the principle involved here as far as I am concerned.

I was disturbed at the remarks of the gentleman from Lackawanna, that the only thing that motivates the gentleman on the other side is the fact that they have the number of votes. Now, Mr. President, I would hate to think that, especially in view of the splendid remarks made by the gentleman from Philadelphia, Dr. Woodward, just a short time ago, when he extolled the intellectual honesty and ability and the honor of one of your members, and I would hate to believe that from your mere consciousness of having the votes, that you would sacrifice honor, you would sacrifice fair dealing, that you would sacrifice intellectual honesty in this matter. I think that it is plain, and the gentleman from McKean, Mr. Wilson, ought to see it, that if these amendments are placed in this bill, the bill must go over until tomorrow, and tomorrow is Thursday and there are only two remaining days, and the House can never act on it. I would say if there is intellectual honesty, if there is honor amongst us, why not pursue the same principles that we did in the previous bill? I went along with that proposition, because I felt it was my intellectual honest duty to go along with your argument, because your argument is just as sound, and if we do not pass a Senate bill today we can not adjourn this week, and I would recommend in order to keep our score cards clear, if the gentlemen on the other side are not purely motivated by the fact that you have twenty-six votes, let us show some honor, some intellectual honesty, the kind that Dr. Woodward so picturesquely and justly illustrated a short time ago.

(The PRESIDENT PRO TEMPORE, the gentleman from Somerset, Senator EALY, in the Chair).

Mr. GELTZ. Mr. President, first I want to appeal to the intellectual honesty of my colleague from Fayette County. I do not think he needs to be so much concerned as to whether or not there is sincerity on this side of the Senate, or whether there is intellectual honesty or not, as he needs to be with his own side, because the gentleman from Lackawanna, Mr. Coleman, made the admission that the only reason he asked that Senate Bill No. 1308 go over was to lay a trap, as he thought, for the Republican side of the Senate, so that he would be able to bargain concerning the bill which he sponsored, Senate Bill No. 399. In connection with the appeal to intellectual honesty made by the gentleman from Fayette, Senator Cavalcante, I just want to suggest we are going to do the best we can and make every attempt, if these amendments are adopted, to have the bill printed with the amendments therein available in time for the session tonight, so that the bill can be passed today and no day be lost. That, I think, Mr. President, ought to assure those on the other side, who have some question in their minds, particularly our colleague from Philadelphia, when he said that he could conclude there was only one purpose for offering the amendments, if we persisted in them, and that was so that the bill would be defeated, because Senator Shapiro well knew before he made his statement that was not the purpose, since both Senator Wilson and I had discussed it with him, and he knew we were sincere in believing these amendments would do a better job and a more proper job than the bill as it was originally introduced.

For that reason, Mr. President, I ask our colleagues to vote to adopt these amendments and we will do everything that is possible to have the bill with the amendments here on the desks of the Senators for tonight's session.

Mr. COLEMAN. Mr. President, I desire to interrogate the Majority Floor Leader.

THE PRESIDENT PRO TEMPORE. Will the gentleman from Allegheny permit himself to be interrogated?

Mr. GELTZ. I will, Mr. President.

Mr. COLEMAN. Mr. President, I desire to ask the Majority Floor Leader if I understood him to say that the bill with the amendments inserted therein will be ready for passage tonight.

Mr. GELTZ. That is what we hope to have, Mr. President.

Mr. COLEMAN. Mr. President, I desire to ask the gentleman how we can vote on it as amended today, if we are still on the same legislative day; unless the gentleman from Allegheny proposes to have an after midnight session?

Mr. GELTZ. I do not think that is necessary, Mr.

President; I do not think there is any constitutional prohibition against voting on this bill tonight, on the same day. It is on the Calendar, and the printed bill in the amended form will be on our desks.

THE PRESIDENT PRO TEMPORE. The ruling of the Chair heretofore has been that if a bill is on third reading and is amended, the amendments are printed and placed upon the desks with the bill, in order that the bill may be voted upon the same day. The present occupant of the Chair will also so rule.

Mr. COLEMAN. Mr. President, I do not want to get into a controversy with the Majority Floor Leader as to what constitutes intellectual honesty or dishonesty. I resorted to what I do not think should come under the broad classification of intellectual dishonesty; I resorted to what might best be termed a legislative trick. I had anticipated that the gentlemen would find themselves in the position of being a trifle inconsistent. I want to again emphasize the importance of this particular bill. I always have a suspicion of a bill being amended, putting more into a bill so that we have five times as much language in the bill now as the original bill contained.

This is a very important bill in my opinion, Mr. President. The commercial associations in every county of the Commonwealth, every store owner, every theatre owner, are wondering whether or not the Commonwealth of Pennsylvania is going to take care of what is definitely its obligation, and I am inclined to think, Mr. President, that if this bill fails of passage in the General Assembly, that it is serving notice on the people of the Commonwealth, taxpayers who may have paid a tax that subsequently was declared unconstitutional, that they can expect no refund from the Commonwealth, and I am inclined to think that these amendments, Mr. President, will definitely render the bill unconstitutional, and I think back in the mind of the gentleman who introduced the bill there is some grave doubt—he has indicated in his speech on the floor that he is not definitely certain —and I do not think anything ought to be inserted in the bill that would raise any iota of doubt as to the ultimate constitutionality of the bill, and I again ask my colleagues to vote against these particular amendments.

Mr. THOMAS B. WILSON. Mr. President, just to keep the record on intellectual honesty straight, there is no difficulty at all, as a parliamentary procedure, in getting this bill passed if the Democratic House wants to pass it. They know perfectly well how to pass this bill, if we pass it tomorrow. The Majority Leader has said that we will try to act on it this afternoon or tonight, but I say further than that, even if we do not act on it until tomorrow, the gentleman from Lackawanna knows from his experience how to get it passed in three days in the House. He can ask the very kind hearted officer who presides over this Senate to message it over to the House as soon as it is passed here and get it read for the first time. If it were a Republican bill that could not be done in the House, but I do say to the Senate that the House of Representatives of this Legislature has a whole batch of bills, a mass of bills, that they expect to bring out on the Calendar tomorrow for first reading and to have passed during the remainder of this session, and if the gentleman from Lackawanna gets his bill acted on tomorrow and sent to the House, he will not have any difficulty in getting it enacted. With the skill that he has in manipulating and twisting the Republican members on this side of the aisle, I have no doubt he will have no trouble with this bill; if he can handle these thirty-two votes the way he handled them all through this session, fooling them, turning them around, and twisting them, he will not have any difficulty at all in the Democratic side of the Assembly. That is too silly to talk about.

Mr. GELTZ. Mr. President, it would appear that wonders never cease. In this bill we have some amendments offered by a Republican Senator which would take care of all the taxpayers in the Commonwealth who happen to be faced with this situation, and now we find Democratic Senators fighting, it appears, for what is special interest. It just does not seem possible. They are the ones, the ones who stand here complaining about special interests being taken care of by the Republican Party, and now they stand up in the Senate in connection with this bill and argue against amendments which would take care of all taxpayers, instead of special interests.

Mr. SHAPIRO. Mr. President, may I suggest we are wasting a great deal of time in discussing what I might call for want of a better phrase at the moment, "bunk," designated as intellectual honesty and dishonesty, when we are dealing with a problem which is of serious importance.

I want to read to you what this bill does, and whether it takes care of special interests or not. Let me direct your attention to these words dealing with the kind of taxes that are to be refunded and by the persons and by the persons who are to refund the money. These are the amendments suggested to this bill:

"Whenever any person or corporation (that is both private and special interest) of this Commonwealth has erroneously or inadvertently paid or caused to be paid into the treasury of the Commonwealth or of any political sub-division directly or indirectly, any tax or taxes on real or personal property or any license fee or fees under an assumption that such taxes or license fees were due and owing when in fact such taxes or license fees or a part thereof were not due and owing to the Commonwealth or political sub-divisions, then in such cases the authorities of the political sub-divisions or the Board of Finance and Revenue acting for the Commonwealth, upon due proof of any such erroneous or inadvertent tax or license fee payments are hereby directed to draw their warrant on the treasurer of such political sub-division or of the Commonwealth in favor of such persons," and so forth.

Will some one tell me what kind of a moral that is for us, the Legislature, to tell the City of Pittsburgh, Philadelphia, or Allegheny now when they have their budgets completed, when they do not know how far reaching this may be, when they may not even know whether or not a tax paid was valid or invalid, will someone tell me how much money it will cost the City of Philadelphia, how they will ascertain that amount, how far back these claims may go, whether some one twenty years ago who having paid a considerable amount of money as taxes inadvertently, will not be able to ask the Commonwealth or the County to pay him. Will someone tell me whether or not it will not become obvious to the Supreme Court that they made a mistake in the Dorrance estate or some other estate tax matter more recently, or maybe further back, that may have been paid by virtue of a mistake of

law, by virtue of any inadvertency, will some one tell me whether there is any guarantee that this bill does not or may not require the Commonwealth to pay that back, and I would like to know whether or not the Revenue Department and the administrative officers of this Commonwealth have been consulted, and whether we have the right now at this late date to say to the City of Philadelphia or any other city which has not the money and which operates now only from taxation from year to year, to say to them that their treasury, irrespective of the situation of their budget, must pay back money which they thought they had the right to use and did use.

If you call that good legislation, I must disagree with you; I do not think it is good legislation. You may say that a person who paid the money wrongfully ought to get it back, while an individual who pays the money wrongfully, by mistake of law can not get it back, and when he pays it even not by mistake of law he can not get it back unless he brings action within a certain statutory period. There is a limitation upon the liability. An individual can close his books at the end of six years and say, "now, I know I have no more liability". The Commonwealth of Pennsylvania or the City of Philadelphia can not close its books under this bill for twenty years, maybe, and they might find themselves in the position where they have collected money unlawfully, illegally or through mistake, and be obliged to pay it back. If you call that good legislation, then I disagree and do not know what good legislation is.

Now, let us strip this proposition of the arguments that have been injected about intellectual dishonesty and whether this bill can pass or whether it can be licked. Let us suppose the bill does pass; that is what I am concerned about, not whether it does not pass. Passage of this amendment concerns me because it involves money to an extent of which I have no indication and the effect of which I do not understand or know, and therefore I suggest that these amendments should be voted down.

RECESS

Mr. THOMAS B. WILSON. Mr. President, I move that the Senate do now take a recess for five minutes.

Mr. GELTZ. Mr. President, I second the motion.

The motion was agreed to.

AFTER RECESS

The PRESIDENT (Lieutenant-Governor Samuel S. Lewis) in the Chair. The time of recess having elapsed the Senate will be in order.

CONSIDERATION OF SENATE BILL No. 399, RESUMED

Mr. THOMAS B. WILSON. Mr. President, considerable discussion has taken place as to this bill. The Republican majority of this Senate pride ourselves on the fact that we are always ready to listen to arguments or reason or any fact which will bear upon legislation.

This matter has been discussed back and forth here. We want to be entirely fair, not only to our members but to the Democratic members. Some question arises in our minds as to whether or not the gentleman from Lackawanna could get his bill through and we do not want to be responsible for having it said on the floor that these amendments were put in and then it turned out he could not get the bill through.

For that reason, Mr. President, acting for the members on this side, I am going to ask permission to withdraw the amendments, but we do say to the members on the other side of the Senate that the Republican members feel there should be a system, some systematic system, of allowing those who have paid taxes that were not due to get them back, not only these people but others, and that, in withdrawing these amendments, we do say to them we think in the House they should take some cognizance of the fact that the Republican members have felt this way and that the sense, at least, of these amendments should be considered in the House by the House.

AMENDMENTS WITHDRAWN

Mr. THOMAS B. WILSON. Therefore, Mr. President, I ask permission to withdraw the amendments.

The PRESIDENT. Is there objection? The Chair hears none. Agreed to.

And the question recurring,

Will the Senate agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—48

Barr,	DiSilvestro,	Lanius,	Stevenson,
Bartlett,	Ealy,	Letzler,	Stiefel,
Becker,	Edmonds,	Mallery,	Tallman,
Carr,	Farrell,	McCreesh,	Taylor,
Cavalcante,	Frey,	McGinnis,	Thomas,
Chapman,	Geltz,	McQuiddy,	Tyler,
Coleman,	Haluska,	Miller,	Walker,
Cox,	Heyburn,	Mundy,	Watkins,
Crider,	Homsher,	Reed,	Wilson, H. I.,
Crowe,	James,	Ruth,	Wilson, T. B.,
Deitrick,	Jaspan,	Shapiro,	Woodward,
Dent,	Kephart,	Snowden,	Ziesenheim,

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

BILL OVER IN ORDER

Mr. GELTZ. Mr. President, I ask unanimous consent that Senate Bill No. 468, (House Bill No. 70), on third reading entitled:

An Act to amend section seven hundred three of the act approved the twenty-fourth day of June one thousand nine hundred and thirty-one (P. L. 1206) entitled "An act concerning townships of the first class amending revising consolidating and changing the law relating thereto" by providing for the compensation paid to township commissioners

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILL ON THIRD READING

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 500, (House Bill No. 708), entitled:

An Act enabling city county poor institution district ward school borough and township tax collectors their executors and administrators if they are deceased or either surety or sureties to collect taxes for the payment of which they have become personally liable without having collected the same by the expiration of the authority of their respective warrants or by the expiration of their terms of office extending the time for the collection of the same for a period of two years from the passage of this act and validating collections and proceedings for collections made or commenced without previous authority

And said bill having been read at length the third time,

On the question,

Will the Senate agree to the bill?

Mr. KEPHART. Mr. President, I ask unanimous consent to amend Section 1, page 2, line 2, after the word "have" and before the word "expired," by taking out the word "heretofore."

The PRESIDENT. Is there objection? The Chair hears none.

The amendments were agreed to.

On the question,

Will the Senate agree to the bill on third reading, as amended?

It was agreed to.

Ordered, That said bill as amended be printed for the use of the Senate.

BILLS OVER IN ORDER

Mr. GELTZ. Mr. President, I ask unanimous consent that Senate Bill No. 510, on third reading, entitled:

An Act to amend sections 504 A, 607 and 608 A of the act, approved the fifteenth day of May, one thousand nine hundred and thirty-three (P. L. 565), entitled "An act relating to the powers and duties of the Department of Banking and the Secretary of Banking in exercising supervision over, and taking possession of and conducting or liquidating the business and property of, corporations, associations, and persons receiving deposits or otherwise transacting a banking business, corporations acting as fiduciaries, and building and loan associations; providing for the payment of the expenses of the Department of Banking by supervised corporations, associations, or persons, and appropriating the Banking Department Fund; authorizing the Department of Banking, under circumstances, to examine corporations, associations, or persons affiliated, or having business transactions with supervised corporations, associations, or persons, authorizing appeals to the Supreme Court, and prescribing and limiting the powers and duties of certain other courts and their prothonotaries, register of wills, recorders of deeds, and certain State departments, commissions, and officers; authorizing certain local public officers and State departments to collect fees for services rendered under this act; providing penalties; and repealing certain acts and parts of acts," by providing for the taking of possession of the business and property of building and loan associations and savings and loan associations the shares of which are insured in the State Building and Loan Insurance Fund

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. GELTZ. Mr. President, I ask unanimous consent that Senate Bill No. 512, on third reading, entitled:

An Act providing for the creation and for the administration by a State Building and Loan Insurance Board created in this act, of a state fund for the insurance of shares in building and loan associations and savings and loan associations; and prescribing penalties

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILL ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 558, as follows:

An Act to safeguard human health and life by providing for the issuance of permits to and the regulation of persons and entities selling milk and milk products conferring powers and imposing duties on the Secretary of Health and Secretary of Agriculture establishing a Dairy Advisory Council in the Department of Health conferring powers and imposing duties thereon defining certain qualities for milk providing for inspection of and standards for dairy farms and milk plants providing for the administration of the act and the establishment of rules and regulations thereunder and for appeals to the Court of Common Pleas of Dauphin County and imposing penalties

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 For the purpose and within the meaning of this act the following definitions shall obtain

"Milk" means milk skimmed milk cream sour milk sour cream buttermilk and all other fluid derivatives of milk including concentrated milk condensed milk and evaporated milk only when such concentrated milk or condensed milk or evaporated milk is used in the manufacture of "Milk Products"

"Milk Products" means ice cream ice cream mix custard ice cream french ice cream frozen custard and other similar frozen products and all dairy products used in the manufacture thereof

"Secretary" means the Secretary of Health of this Commonwealth or his authorized representative

"Person" includes singular and plural masculine and feminine and any individual firm copartnership institution association or corporation

"To sell" "for sale" or "sold" and similar terms means the selling exchanging delivering or having in possession care control or custody with intent to sell exchange or deliver or to offer to expose for sale

"Dairy Farm" is a place or premise where one or more cows are kept and a part or all the milk from which is sold or delivered to any person

"Milk Plant" is any place or premise or establishment where milk is collected separated processed stored bottled pasteurized or prepared in any manner for sale as milk or milk products

"Approved Inspector" is one who has been proven to the satisfaction of the secretary to be a person of good character trained by school and experience to carry on dairy farm and milk plant inspection in a capable and efficient manner and has received a certificate of approval from the secretary

"Municipality" includes any city borough town or township in this Commonwealth

Section 2 Milk is hereby classified and designated as
(a) Certified Milk
(b) Raw milk
(c) Milk for Pasteurization

(d) Pasteurized Milk

"Certified milk" is defined to be and shall be the product of dairy farms operated in accordance with the "Methods and Standards for the Production and Distribution of 'Certified Milk' last adopted by the American Association of Medical Milk Commissions Incorporated" and the production and handling of which shall be certified to by a commission instituted in compliance therewith

"Raw Milk" shall be that milk that is produced and handled under the following conditions and in the following manner

(a) "Raw Milk" shall be milk from a cow or cows determined by tests for tuberculosis and Bangs disease conducted in accordance with the rules regulations and practices of the State Department of Agriculture pertaining to the individual accredited herd plan or the modified accredited area plan and by a physical examination conducted annually by an approved licensed veterinarian in accordance with the rules regulations and practices of the State Department of Agriculture to be free from communicable disease

(b) The cows shall be fed watered housed and cared for in such manner that the milk will be clean and free from disease-producing organisms

(c) The milking process shall be carried on in a cleanly manner The milk shall be promptly cooled The milk containers utensils and equipment shall be of such material and so constructed that they may be readily cleaned The milk and the cleansed containers utensils and equipment shall be protected from flies

(d) The milk house or milk rooms which are properly constructed lighted ventilated screened drained and kept clean shall be provided and used exclusively for the handling of "Certified Milk" or "Raw Milk" An adequate supply of steam or hot water shall be provided and used for cleaning milk containers and dairy utensils

(e) Every applicant for or holder of a permit to sell raw milk desiring to purchase milk for resale as raw milk shall receive permission from the secretary before accepting milk from any source other than that given in the application for a permit All sources of raw milk shall be inspected by the secretary and shall be approved by him before raw milk is accepted therefrom

(f) Milk to be sold as "Raw Milk" may be received cooled and bottled in a building where milk is pasteurized providing all milk received in the building where milk is pasteurized meets the requirements for "Raw Milk" as set forth in this act

"Milk for Pasteurization" shall be milk produced and handled in the following manner

(a) "Milk for Pasteurization" shall be milk from a cow or cows determined by physical examination and tuberculin tests conducted in accordance with the rules regulation and practices of the State Department of Agriculture pertaining to the individual accredited herd plan or the modified accredited area plan to be free from communicable disease

(b) The cows shall be fed watered housed and cared for in such manner that the milk will be clean

(c) The milking process shall be carried on in a cleanly manner The milk shall be promptly cooled The milk containers utensils and equipment shall be of such material and so constructed that they may be readily cleansed

(d) A milk house or milk rooms properly constructed lighted ventilated screened drained and clean shall be provided on the dairy farm producing milk for sale as "milk for pasteurization" and shall be used exclusively for the handling of such milk

"Certified Milk" and "Raw Milk" may be sold and classified as "Milk for Pasteurization" "Milk for Pasteurization" shall be used in the preparation of "Pasteurized Milk" and "Milk Products"

"Pasteurized Milk" shall be "milk for pasteurization" which has been heated to a sufficient temperature for a sufficient period of time to destroy all harmful organisms

Section 3 Milk plants shall be so constructed that they are well lighted ventilated drained and cleaned so as to provide a sanitary place in which to handle process pasteurize bottle and store milk and milk products The milk plant shall be equipped with and use adequate supplies of water and steam

The water supply used in milk plants shall be sufficiently abundant for all purposes easy of access and free from contamination

Equipment with which milk or milk products comes in contact shall be constructed in such manner as to be easily cleansed Demountable apparatus with which milk or milk products comes in contact shall be taken apart and cleansed each day such apparatus is in use Surfaces with which milk or milk products comes in contact shall be of smooth non-corrosive material and free from open seams

"Pasteurized Milk" shall be placed in the final container in the milk plant where the milk is pasteurized

Apparatus for the pasteurization of milk shall be equipped with an accurate indicating thermometer and a recording thermometer A true record of pasteurization as given by the recording thermometer shall be on file at the place where the milk is pasteurized

Adequate facilities shall be provided and used for furnishing clean containers free from injurious organisms in which to sell "Raw Milk" or "Pasteurized Milk" or "Milk for Pasteurization" or "Milk Products" Bottles or containers whether of glass or other material shall be filled and closed without any part of the hand coming in contact with the inner surface of the bottles or containers or in contact with bottle caps Caps shall be obtained in sanitary containers and kept therein until used

Milk and milk products in process of preparation in the milk plant and the cleansed containers in which the milk or milk products are placed shall be protected from flies Milk plants shall have sanitary toilet facilities

The milk containers in which raw milk or milk for pasteurization is received from the farms or others shall be cleaned and dried before returning to the parties from which received No product shall be handled in the milk plant in any manner which results in the contamination of the milk or milk products handled through such plant The construction equipment and operation of such milk plant shall be of such a nature and in such manner as to protect the milk and milk products from unsanitary and unhealthful conditions

Milk plants shall not be constructed nor altered until the plans and specifications thereof have received the approval of the secretary and such approval shall be in compliance with the rules and regulations prescribed by the Dairy Advisory Council No equipment which is not in compliance with the rules and regulations prescribed by the Dairy Advisory Council shall be installed or used in a milk plant

Section 4 Any person seeking to be designated as an approved inspector shall make application for a certificate of approval on forms which shall be prepared and furnished by the secretary The secretary may by rules and regulations adopted with the consent of the Dairy Advisory Council prescribe the qualifications of approved inspectors to be designated and provided with certificates of approval The secretary shall not refuse approval of an application for a certificate of approval because such applicant may be an employee or officer of any applicant for or holder of a permit under this act or of any duly incorporated cooperative agricultural association selling milk produced in Pennsylvania or of the Department of Health of any municipality Upon the approval of the application of any applicant for approved inspector the secretary shall upon the payment of a fee of ten dollars ($10.00) issue a certificate of approval Certificates of approval shall expire on December thirty-first of each year Applications for renewal shall be made on forms prepared and furnished by the secretary and shall be accompanied by a registration fee of three dollars ($3.00) and shall be submitted to the secretary not later than December fifteenth of each year Certificates of approval shall not constitute an approved inspector an official employe agent or authorized representative of the Department of Health nor shall he represent himself so to be

Certificates of approval may be refused suspended or revoked by the secretary if in his judgment the requirements of this act and the rules and regulations made in conformity therewith are not complied with by the person making an application for a certificate of approval or to whom a certificate of approval has already been issued

Before refusal to grant a certificate of approval or before a certificate of approval is suspended or revoked the secretary shall afford the applicant for or holder thereof an opportunity to be heard and shall give at least five (5) days written notice of the hearing to said applicant or holder by registered letter sent to the address given in the application Any person aggrieved by a decision of the secretary either refusing to grant or to re-issue or to renew a certificate of approval or revoking a certificate of approval theretofore issued may appeal within five (5) days thereafter to the Dairy Advisory Council and from its decision an appeal may be taken within ten (10) days thereafter to the Court of Common Pleas of Dauphin County

When an application for renewal of a certificate of approval has been regularly made and no notification of a hearing as above described has been sent the applicant by the secretary the certificate of approval of the preceding year shall continue in full force until renewed or suspended or revoked in accordance with this section

Section 5 Except as hereinafter provided no person shall sell milk or milk products within this Commonwealth without first having obtained from the secretary a permit for each milk plant handling such milk or milk products nor otherwise than in accordance with the requirements of this act Each person desiring a permit to sell milk or milk products shall annually make an application therefor on a form to be secured from the secretary Such application shall set forth

(a) The name and address of the applicant

(b) The designations of the milk or milk products to be offered for sale

(c) The name of the municipality or municipalities in which the applicant desires to sell milk or milk products

(d) Such other information as may be required by the secretary

Permits shall be issued only for milk plants whose entire milk supply is secured from the farms where it is produced and the milk plants in which the milk or milk products is handled have been approved by the secretary The secretary may accept reports of sanitary inspection made by an approved inspector and shall make such other inspection as in his judgment is necessary Every permit shall expire annually

This section shall not apply to a person selling or delivering milk exclusively from a dairy farm to a milk plant

Unless the secretary shall require a permit this section shall not apply to a person selling milk or milk products from a store when such milk or milk products are purchased from a person already in lawful possession of a permit to sell milk or milk products

This section shall not apply to hotels restaurants soda fountains boarding houses or other places where milk or milk products are served when such milk or milk products are to be consumed on the premises thereof and are purchased from one already in lawful possession of a permit to sell milk or milk products

Section 6 Permits may be refused suspended or revoked by the secretary if in his judgment the requirements of this act and the rules and regulations made in conformity therewith are not complied with by the person making an application for a permit or to whom a permit has already been issued

Before refusal to grant or renew or re-issue a permit or before a permit is suspended or revoked the secretary shall afford the applicant for or holder of the permit an opportunity to be heard and shall give at least five (5) days written notice of the hearing to the applicant or the holder of the permit by registered letter sent to the address given in the application Any person aggrieved by a decision of the secretary either refusing to grant or to re-issue a permit or revoking a permit theretofore issued may file within five (5) days thereafter in the Court of Common Pleas of Dauphin County a bill in equity against the secretary as defendant alleging therein in brief detail the action and decision complained of and praying for relief and jurisdiction is hereby conferred upon said court for hearing and disposing of such cases

Section 7 When an application for renewal of a permit has been regularly made the permit of the preceding year shall continue in full force until renewed refused or revoked in accordance with section five and section six

Section 8 The secretary may constitute as his agent for the purpose of issuing re-issuing or renewing permits a department of health board of health or health officer of any municipality and shall accept permits issued by municipalities under the terms of municipal ordinances equally as stringent as the requirements of this act and enforced by such municipalities as the only permit required for the sale of milk or milk products in such municipalities

Section 9 The secretary may at any time inspect the milk plant of an applicant for or holder of a permit together with pasteurizing bottling and handling of milk or milk products and he may examine the books and papers wherein a record is kept of the name and address of each person from whom milk or milk products are purchased the amount of milk or milk products purchased and the date on which the milk or milk products were purchased and may take such samples of milk or milk products as may be deemed necessary on payment therefor at the usual market price when payment is demanded Provided however That when a sample of milk or milk products is taken a duplicate sample must be taken marked and delivered to the permit holder which duplicate sample need not be paid for

The secretary may inspect the herds stables and dairy farms from which milk is obtained handled or prepared for sale by or for an applicant for or holder of a permit The secretary shall have the power to subpoena and to require the production for the purpose of any hearing such books and records of any holder of a permit or of any other corporation or person in any proceeding in which the records in its or his possession or over which it or he has control as are competent and material to the issues involved in such proceeding

Non-compliance with the provisions of this section by a holder of a permit is hereby specifically declared to be a violation of this act and subject to the penal provisions hereof and shall be sufficient grounds for the revocation of the permit of such permit holder

Section 10 No person shall sell milk that is not prominently labeled and marked with the true designation of "Certified Milk" "Raw Milk" "Milk for Pasteurization" or "Pasteurized Milk" as the facts shall be together with the name and address of the holder of a permit Such designation as "A" "B" or other grade designations may be used with the designation "Raw Milk" or "Pasteurized Milk" under such rules and regulations as may be prescribed by the Dairy Advisory Council No person shall sell milk products that do not bear prominently the name and address of the processor or manufacturer the kind of milk products offered for sale and the name and location of the milk plant in which the milk products are processed or manufactured Provided however That the provisions of this section shall not apply to the use of trade marks or slogans upon bottles bottle caps containers or packages containing milk or milk products unless such trade marks or slogans shall mislead the public as to the quality of the products contained in such bottles containers or packages

Section 11 Every dairy farm selling or delivering "Milk for Pasteurization" to a milk plant of the applicant for or holder of a permit shall undergo a sanitary inspection by an appoved inspector semi-annually The expenses of all such semi-annual inspections shall be paid by the applicant for or holder of a permit to whose milk plant the

milk produced on said dairy farm is sold or delivered Provided however That when such milk is so sold or delivered by or under the direction of another holder of a permit who receives payment therefor the expense of such semi-annual inspections may be paid by such other holder of a permit

All reports of sanitary inspection shall be made upon forms approved by the secretary Inspections may be made at any time by the secretary When a dairy farm has been inspected by an approved inspector he shall deliver signed copies of his report of sanitation to the owner or operator of such farm to the milk plant of the applicant for or holder of a permit receiving the milk produced on such farm and to the cooperative agricutural association if any selling the milk from such farm

Every applicant for or holder of a permit to sell milk or milk poducts shall keep an accurate record of the names and addesses of the owners or operators of all dairy farms from which milk is received This record shall be kept on file in the milk plant where the milk is received and shall be available at all times for the inspection of the secretary No applicant for or holder of a permit to sell milk or milk products shall receive milk from the dairy farm until the copy of the report of sanitary inspection of said dairy farm shall have been placed on file in the milk plant where the milk is received nor shall he receive milk or milk products from any milk plant owned or operated by another person who is not in lawful possession of a permit Rules and regulations making effective the provisions of this section including the transfer of reports of sanitary inspection shall be approved by the secretary with the consent of the Dairy Advisory Council

Section 12 There is hereby created and established in the Depatment of Health a board to be known and designated as the Dairy Advisory Council The Dairy Advisory Council shall consist of seven members The Secretary of Agriculture or his authorized representative shall be the chairman of the council The Secretary of Health or his authorized representative shall be a member of the council The Secretary of Health shall appoint one member who shall be a person actually connected with the health department of one of the municipalities of the Commonwealth The other four members shall be appointed by the Secretary of Agriculture Two of such members shall be persons familiar with and possessing either training or experience in dairying and the production and marketing of milk In making said appointments the Secretary of Agriculture shall recognize nominations made by the bona fide dairy cooperative organizations doing business in the Commonwealth Two of such members shall be persons who through training or experience are familiar with the operation of milk plants and the handling and distribution of milk In making such appointments the Secretary of Agriculture shall recognize the nominations made by the substantial organizations of milk dealers in the Commonwealth

The Secretary of Health is hereby authorized to convene meetings of the Dairy Advisory Council whenever in his opinion such meetings are necessary and shall convene meetings thereof at any time upon the request in writing of three members thereof and he shall be the custodian of the records and proceedings of such council

The members of the Dairy Advisory Council other than those employed and paid by the Commonwealth or a municipality shall receive no compensation for their services but shall be paid at the rate of ten (10) dollars per day while actually engaged in the work of the council and shall receive their necessary traveling expenses to be paid out of any appropriation made to the Department of Health for such purpose

The term of office of all appointed members of the Dairy Advisory Council shall run concurrently with the term of office of the Governor of the Commonwealth and until their successors shall have been appointed

Section 13 The Dairy Advisory Council is hereby authorized to adopt and promulgate rules and regulations not inconsistent with the provisions of this act for its proper administration and enforcement Such rules and regulations shall be adopted only after a public hearing for the consideration thereof notice of which hearing shall be mailed at least seven (7) days prior thereto to each applicant for or holder of a permit and to any other person who shall have requested notice of public hearings and notice of such hearing shall be given to the public in such newspaper or newspapers as will reasonably afford an opportunity to all persons affected to attend such a hearing Such rules and regulations shall be filed in the office of the secretary shall be open to inspection by the public and copies thereof shall be mailed at least seven (7) days prior to the effective date thereof to each applicant for or holder of a permit and to any other person who shall have requested such copies Provided however That such mailing shall not be a condition precedent to the validity of such rule or regulation Such rules and regulations may contain all provisions necessary to carry into effect the intent of the provisions of this act concerning quality or grades of milk and milk products standards of milk plants and equipment standards of physical condition of dairy farms and cattle sanitary requirements of dairy farms and milk plants sanitary requirements relating to shipping transporting and delivering milk and milk products qualifications and classifications of approved inspectors and all other standards practices or sanitary requirements necessary to the effective administration and enforcement of this act

Section 14 The provisions of this act and the regulations made thereunder shall not be taken nor deemed to repeal existing municipal ordinances nor to prevent municipalities from enacting and enforcing new ordinances for the further protection of the public health This act shall be considered as establishing minimum requirements and regulations and nothing herein contained shall be deemed to prevent municipalities from ordaining and enforcing such additional requirements in excess of the requirements and regulations hereunder as may be deemed necessary from time to time for the preservation of public health and to require applications from and to issue permits to such persons as may be defined by local ordinances Provided That all such ordinances rules and regulations shall be filed with the Dairy Advisory Council and that if any person is aggrieved by the action of any municipality its rules and regulations or the enforcement thereof or by the action of any approved inspector such person may appeal to the Dairy Advisory Council and if such grievance is caused by the application of conflicting provisions of municipal ordinances rules or regulations or the enforcement thereof with regard to physical conditions of dairy farms or milk plants including structures and equipment thereon the Dairy Advisory Council shall decide which provision such person shall comply with to properly protect the public health And provided further That all inspectors of dairy farms and milk plants employed by municipalities shall be approved inspectors

Section 15 Any person aggrieved by any rule or regulation prescribed and adopted by the Dairy Advisory Council may within twenty (20) days after the adoption of such rule or regulation file an appeal therefrom in the Court of Common Pleas of Dauphin County No such appeal shall be permitted to act as a supersedeas except on special order of the court. A special order of court permitting the appeal to act as a supersedeas may be made only after reasonable notice to the secretary The appeal from the action of the Dairy Advisory Council shall be by petition against the secretary officially as defendant alleging therein in brief detail the action of the Dairy Advisory Council complained of and praying for a reversal thereof Such petition shall specify the petitioner's objections to the action of the Dairy Advisory Council and shall state the reasons in support of such objections All averments in the petition reciting facts shall be supported by oath or affirmation and the petition shall include as part thereof under oath or affirmation an averment that the appeal is not filed for the purpose of delay Upon service of a summons upon the secretary returnable at least ten (10) days from the date of service the secretary may on or before the return day file a motion to dismiss the appeal raising questions of law or attacking the form of sufficiency of the petition If such motion is not sustained the secretary shall be given leave to file an answer within not less than ten (10) days after the order of court

overruling the motion Upon the filing of the answer by the secretary the case shall be at issue without further pleadings and upon application of either party the case shall be advanced and heard without further delay

Section 16 Te secretary shall on the return day of such summons certify to the court the record of the proceedings before the Dairy Advisory Council to which the petition refers Such record shall include the testimony if any taken relative thereto the findings of fact of the Dairy Advisory Council and a copy of the rules and regulations complained of in the petition

Section 17 Mere technical irregularities in the procedure of the Dairy Advisory Council shall not be the basis of the decision of the court In an appeal from the decision and action of the Dairy Advisory Council the case shall be heard upon the record certified to the court by the secretary No evidence shall be received at the hearing of an appeal but if any party shall satisfy the court that evidence has been discovered since the hearing before the Dairy Advisory Council that could not have been obtained for use at that hearing by the exercise of reasonable diligence and will materially affect the merits of the case the court mav in its discretion remand the record and proceedings to the Dairy Advisory Council with directions to take such after-discovered evidence and after consideration thereof to make such findings and so modify the rules and regulations complained of in the petition as the Dairy Advisory Council may deem proper and re-certify and resubmit to the court the record together with such additional supplemental findings rules and regulations as the Dairy Advisory Council shall have issued Whereupon the court of common pleas shall proceed with the hearing of said appeal on the original and supplemental record

Section 18 Any person knowingly and wilfully violating any provisions of this act or rules and regulations legally adopted thereunder shall upon conviction thereof before any magistrate alderman or justice of the peace in the county where the offense shall have been committed be subject to a fine of not less than ten dollars ($10.00) and not more than fifty dollars ($50.00) for each offense to be collected by summary conviction as like fines are now collected by law or in case of non-payment of the fine to undergo imprisonment in the county jail for a period not exceeding thirty (30) days Provided That any person convicted more than twice of violating the same provision of this act or rules and regulations legally adopted thereunder shall be subject to a fine of not less than fifty dollars ($50.00) nor more than two hundred and fiftv dollars ($250.00) or in case of non-payment of the fine to undergo imprisonment in the county jail for a period of not less than thirty (30) days nor more than six (6) months

Prosecutions for violations of any of the provisions of this act or the rules and regulations issued thereunder shall be brought by the Secretary of Health or his agent

All fines collected under this act shall be paid to the secretary and by him into the State Treasury through the Department of Revenue

Section 19 The Attorney General may at the instance of the secretary in the name of the Commonwealth institute proceedings in equity in the Court of Common Pleas of Dauphin County for the purpose of enjoining any person from offering milk or milk products for sale without a permit as provided in this act and for such purpose jurisdiction is hereby conferred upon said court In such case the Attorney General shall not be required to give bond

Section 20 It is hereby declared to be the legislative intent that if this act cannot take effect in its entirety because of the decision of any court holding unconstitutional any part thereof the remaining provisions of the act shall be given full force and effect as completely as if the part held unconstitutional had not been included herein

Section 21 The act approved the second day of July one thousand nine hundred and thirty-five (P. L. 589) entitled "An act to safeguard human health and life by providing for the issuance of permits to and regulation of persons and entities selling milk and milk products conferring powers and imposing duties on the Secretary of Health the Advisory Health Board and otherwise providing for the administration of the act and imposing penalties" is hereby repealed All acts or parts of acts inconsistent herewith are hereby repealed

Section 22 The permits and certificates of approval granted by the Secretary of Health under the terms of the act approved the second day of July one thousand nine hundred and thirty-five (P. L. 589) shall remain in full force and effect under this act until such time as they respectively by their terms expire or until the secretary shall revoke and suspend the same in accordance with his powers hereunder

Section 23 This act shall become effective immediately upon final enactment

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—45

Barr,	DiSilvestro,	Letzler,	Stiefel,
Bartlett,	Ealy,	Mallery,	Tallman,
Becker,	Edmonds,	McCreesh,	Taylor,
Carr,	Farrell,	McGinnis,	Thomas,
Cavalcante,	Geltz,	McQuiddy,	Tyler,
Chapman,	Haluska,	Miller,	Wade,
Coleman,	Homsher,	Mundy,	Watkins,
Cox,	James,	Ruth,	Wilson, H. I.,
Crider,	Jaspan,	Shapiro,	Wilson, T. B.,
Crowe,	Kephart,	Snowden,	Woodward,
Deitrick,	Lanius,	Stevenson,	Ziesenheim,
Dent,			

NAYS—3

Heyburn,	Reed,	Walker,

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

BILLS OVER IN ORDER

Mr. HOMSHER. Mr. President, I ask unanimous consent that Senate Bill No. 598, on third reading, entitled:

An Act to add section two thousand two and one-tenth to the act approved the eigtheenth day of May, one thousand nine hundred eleven (P. L. 309), entitled "An act to establish a public school system in the Commonwealth of Pennsylvania, together with the provisions by which it shall be administered, and prescribing penalties for the violation thereof; providing revenue to establish and maintain the same, and the method of collecting such revenue: and repealing all laws, general, special or local, or any parts thereof, that are or may be inconsistent therewith," providing for cooperation with other agencies in furthering national defense programs and activities

go over in its order temporarily.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. GELTZ. Mr. President, I ask unanimous consent that Senate Bill No. 774, (House Bill No. 1282), on third reading, entitled:

An Act providing that taxes on unseated lands shall be collected and returned in the same manner and at the same time as taxes on seated lands

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILL ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 890, (House Bill No. 139), as follows:

An Act to amend section one of the act which became effective on the seventh day of July one thousand eight hundred and seventy-nine (P. L. 194) entitled "An act to enlarge the jurisdiction of justices of peace and regulating the fees of constables making sales under this act" further enlarging the jurisdiction of justices of the peace and extending the provisions of said act to aldermen

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section one of the act which became effective on the seventh day of July one thousand eight hundred and seventy-nine (P. L. 194) entitled "An act to enlarge the jurisdiction of justices of peace and regulating the fees of constables making sales under this act" is hereby amended to read as follows

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the aldermen magistrates and justices of the peace in this Commonwealth shall have concurrent jurisdiction with the courts of common pleas of all actions arising from contract either express or implied and of all actions of trespass [and of trover and conversion] wherein the sum demanded does not exceed three hundred dollars except in cases of real contract where the title to lands or tenements may come in question [or action upon promise of marriage]

The jurisdiction herein conferred in actions of trespass shall include all actions arising from claims for damages recoverable at the common law in actions of trespass trover and conversion or trespass on the case except slander and libel and distinctions heretofore existing are hereby abolished and such claims shall hereafter be sued for and recovered in one form of action to be called an action in trespass

On the question,

Will the Senate agree to the bill?

Mr. THOMAS B. WILSON. Mr. President, I do not want to bore the life out of the members of the Senate of Pennsylvania on this bill. I think everybody appreciates the only reason I say anything is because I feel so deeply about it. Back in my background are many incidents in connection with friends and matters that have arisen in courts, lawyers, law suits and other things that are very vivid in my life and in my memory, and I would not feel that I were justified in sitting in this Senate if I did not take a kick at this bill every time it came up.

I want to just say this, this bill has received more respectability than it is entitled to from a class and kind of men that have gotten on this floor to defend it, they have shed respectability on it, Senator Becker and Senator Cox by their standing with their colleagues in the Senate. It has made the bill look as if it was respectable. Senator Dent has also taken an interest in it and he has given it a respectability to an extent to which it was not entitled, by his standing.

I want to ask if any member of this Senate has received any request from the ordinary people of Pennsylvania to vote for this bill. The only people on earth, the only reason it is here, is to make fees and costs for justices of the peace and constables. There is not another reason for the bill except that. I have never heard of any member of the Senate or the House receiving statements from these common people that they speak of, as to being benefited by this bill. Certainly some of them would come here if they were to get such benefits. May I again, at the expense of being tedious, may I again call the attention of the Senate to the fact that in passing this bill you are reversing the policy of the courts of Pennsylvania since we have had a Commonwealth, you are entrusting to untrained minds and untrained justices of the peace a power that you have not given to Common Pleas Judges nor Orphans' Judges nor Justices of the Supreme Court, or Justices of the Superior Court.

Now, may I apologize to you, Mr. President, and members of the Senate for speaking on this bill as I have, and may I say to you I only do so because I feel so strongly on it. May I also take this opportunity to express to my colleagues of the Senate, as we near the end of the session, my great pride in having been a member of the Senate with them. I think it has been pretty difficult sometimes for them to put up with me, but I want to say that no member of this Senate has any greater pride in the membership and the kind of men in the Senate of Pennsylvania than has the Senator from the Twenty-Fifth District who sometimes speaks quite sharply and sarcastically about what we are doing. I have been very proud to be a member. They have a beautiful sentiment in Harrisburg expressed in the song "Old Soldiers Never Die" and as the session closes may I say I hope that none of the older soldiers of the Senate die in the interval before we meet again, and may we in the next session have the same fine high class membership we have now. May I say one other thing, Mr. President, because I have had long legislative experience I have great pride in the kind of men who are in the Senate of Pennsylvania. I think it is very promising for the Commonwealth to see these young men that sit in the back rows, on both the Democratic and Republican sides of the aisle. I think we are going to have as fine a Senate, and have one now, as they have ever had in the State of Pennsylvania. I am very proud to be a member of it.

Mr. McCREESH. Mr. President, I intend to vote for this bill. I think it is a good bill and one that we need badly. I am sorry the Senate has wasted so much time, but it seems that the Senators are getting more long-winded all the time. If we would get down to business and pass a little good legislation we would get along much better. Mr. President, I ask all my colleagues to vote for this bill.

Mr. STIEFEL. Mr. President, in presenting amendments yesterday I voiced by opposition to this bill, but I forgot to mention one feature which in my opinion militates against this measure. The learned gentleman from Lebanon, Senator Becker, stressed and underscored the fact that by passage of this bill we would eliminate litigation. In my opinion, that would multiply litigation, because appeals will be taken from judgments rendered by justices of the peace, and the case will finally reach the Common Pleas Court or the Municipal Court.

I would be in favor of this bill if it would be administered by people learned in the law, but mere diletantes, persons who are engaged in many pursuits, will be unable to

render justice. For that reason, Mr. President, I appeal to my colleagues to vote against this bill.

Mr. THOMAS B. WILSON. Mr. President, I do not want to say anything about the bill but I do say it comes with rather bad grace from a Senator from Philadelphia, whose district is not affected by this at all, to say we are long winded when we are a little bit interested in the fundamental rights of the people of Pennsylvania to have their litigation tried in the way they are used to and the way other matters are handled. I resent the statement we are long winded, because this is one of the vital things that effects the ordinary man of Pennsylvania. I resent the statement we are long winded, because I have not been long winded in legislation. I think the gentleman has been treated pretty fair in the legislation he has wanted. He is another genius for twisting the Republican majority around.

And the question recurring,

Shall the bill pass finally?

(The following occurred during the calling of the roll.)

Mr. STIEFEL. Mr. President, I ask for a verification of the roll.

The PRESIDENT. The roll will be so verified.

The Clerk will call the names of those voting in the affirmative.

The Clerk called the names of the affirmative roll as follows:

Barr,	Geltz,	McCreesh,	Tallman,
Bartlett,	Haluska,	McGinnis,	Taylor,
Becker,	Heyburn,	McQuiddy,	Thomas,
Coleman,	Homsher,	Miller,	Wade,
Cox,	James,	Mundy,	Walker,
Deitrick,	Lanius,	Ruth,	Watkins,
Dent	Letzler,	Stevenson,	Ziesenheim,
Frey,	Mallery,		

The PRESIDENT. Are there any corrections? The Chair hears none.

The affirmative roll will stand as verified.

The Clerk called the names of the negative roll as follows:

Cavalcante,	Ealy,	Kephart,	Stiefel,
Chapman,	Edmonds,	Reed,	Tyler,
Crider,	Farrell,	Shapiro,	Wilson, H. I.,
Crowe,	Jaspan,	Snowden,	Wilson, T. B.,
			Woodward,

The PRESIDENT. Are there any correction? The Chair hears none.

The negative roll stands as verified.

The Clerk called the names of those voting present as follows:

Carr—voting "Present."

Yeas—30; nays—17; Present—1.

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—30

Barr,	Geltz,	Miller,	Tallman,
Bartlett,	Haluska,	McCreesh,	Taylor,
Becker,	Heyburn,	McGinnis,	Thomas,
Coleman,	Homsher,	McQuiddy,	Wade,
Cox,	James,	Mundy,	Walker,
Deitrick,	Lanius,	Ruth,	Watkins,
Dent,	Letzler,	Stevenson,	Ziesenheim.
Frey,	Mallery,		

NAYS—17

Cavalcante,	Edmonds,	Reed,	Tyler,
Coleman,	Farrell,	Shapiro,	Wilson, H. I.,
Crider,	Jaspan,	Snowden,	Wilson, T. B.,
Crowe,	Kephart,	Stiefel,	Woodward,
Ealy,			

PRESENT—1

Carr,

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same with amendments in which the concurrence of the House is requested.

BILLS OVER IN ORDER

Mr. GELTZ. Mr. President, I ask unanimous consent that Senate Bill No. 966, (House Bill No. 955), on third reading, entitled:

An Act to amend section ninety-five of the act approved the second day of May one thousand nine hundred and twenty-five (P. L. 448) entitled "An act relating to fish and amending revising consolidating and changing the law relating to fish in the inland waters and the boundary lakes and boundary rivers of the Commonwealth" further regulating use of gill-nets in boundary lakes

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. GELTZ. Mr. President, I ask unanimous consent that Senate Bill No. 1043, (House Bill No. 571), on third reading, entitled:

An Act making an appropriation to the Department of Public Assistance for the purpose of carrying out the Public Assistance Law for the two fiscal years beginning June first one thousand nine hundred forty-one and for the payment of assistance and expenses accrued or incurred prior to and remaining unpaid on May thirty-first one thousand nine hundred forty-one and providing for certain allocations from such appropriation by the Department of Public Assistance and also by the Governor the Auditor General and the State Treasurer or the majority thereof

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILL ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 1105, (House Bill No. 94), as follows:

An Act to amend section fifteen hundred and nine of the act approved the eighteenth day of May one thousand nine hundred and eleven (P. L. 309) entitled "An act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all

laws general special or local or any parts thereof that are or may be inconsistent therewith" by providing that the board of directors of any school district may appropriate funds to pay for medical examinations for tuberculosis for pupils teachers janitors or other employees

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section fifteen hundred and nine of the act approved the eighteenth day of May one thousand nine hundred and eleven (P. L. 309) entitled "An act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith" is hereby amended to read as follows

Section 1509 No person having tuberculosis of the lungs shall be a pupil teacher janitor or other employe in any public school unless it be a special school carried on under the regulations made for such schools by the Commissioner of Health The board of directors of any school district may appropriate such funds as may be necessary to pay for X-ray or other medical examinations to determine the presence or absence of tuberculosis in any pupil teacher janitor or other employe of the district

Section 2 This act shall become effective immediately upon final enactment

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—48

Barr,	DiSilvestro,	Lanius,	Stevenson,
Bartlett,	Ealy,	Letzler,	Stiefel,
Becker,	Edmonds,	Mallery,	Tallman,
Carr,	Farrell,	McCreesh,	Taylor,
Cavalcante,	Frey,	McGinnis,	Thomas,
Chapman,	Geltz,	McQuiddy,	Tyler,
Coleman,	Haluska,	Miller,	Wade,
Cox,	Heyburn,	Mundy,	Walker,
Crider,	Homsher,	Reed,	Watkins,
Crowe,	James,	Ruth,	Wilson, T. B.,
Deitrick,	Jaspan,	Shapiro,	Woodward,
Dent,	Kephart,	Snowden,	Ziesenheim,

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

BILL OVER IN ORDER

Mr. GELTZ. Mr. President, I ask unanimous consent that Senate Bill No. 1121, (House Bill No. 909), on third reading, entitled:

An Act to further amend section three hundred three of and to add section three hundred seven of the act approved the twenty-fifth day of November one thousand nine hundred and thirty-three (P. L. 15, 1933-34) entitled as amended "An act to regulate and restrain the sale manufacture possession transportation importation traffic in and use of alcohol and alcoholic and malt or brewed beverages conferring powers and imposing duties upon the Pennsylvania Liquor Control Board and its agents the Department of Public Instruction other officers of the State government courts and district attorneys authorizing the establishment and operation of State stores for the sale of such beverages not for consumption on the premises and the granting of licenses subject to local option to sell such beverages for consumption on and off the premises forbidding importation or bringing of such beverages into the State except as herein provided prohibiting certain sales or practices in connection with and transactions in such beverages by licensees and others providing for the forfeiture of certain property making disposition of the receipts from State stores and of fees and imposing penalties" by providing for the appointment of assistant managers in Pennsylvania Liquor Stores and by establishing minimum salaries for certain employes of the Pennsylvania Liquor Control Board working in Pennsylvania Liquor Stores

go over in its order.

The PRESIDENT. Is there objection?

Mr. HALUSKA. Mr. President, I desire to interrogate the gentleman from Allegheny, Mr. Geltz.

The PRESIDENT. Will the gentleman from Allegheny permit himself to be interrogated?

Mr. GELTZ. I will, Mr. President.

Mr. HALUSKA. Will the gentleman from Allegheny tell me once again why he is asking to have this bill go over in order.

Mr. GELTZ. I will be glad to tell my colleague once again, Mr. President, why I ask that the bill go over in order is for further consideration, the same reason as we gave when we asked that it go over in order before. In the meantime, however, there has been introduced a resolution which we would like to have studied by our colleague from Cambria County, as well as our other colleagues, and have it considered in connection with this bill before action is taken on this bill.

Mr. HALUSKA. Mr. President, the gentleman from Allegheny told me several days ago one of the reasons why the bill went over in order was that a sub-committee was chosen to study the merits of the bill and to report back. I should like to ask the gentleman from Allegheny now whether or not that sub-committee has reported its findings to the original committee.

Mr. GELTZ. Mr. President, the sub-committee did make a report, and I might add that they did a better job than that; they prepared a resolution which was introduced today.

Mr. HALUSKA. Mr. President, is that resolution in committee now?

Mr. GELTZ. The resolution, I believe, Mr. President, is on the table as a result of a motion by the gentleman from Philadelphia, Mr. Shapiro.

Mr. HALUSKA. Mr. President, could we have that resolution read or may I see a copy of it for a moment?

The PRESIDENT. The gentleman from Cambria, Mr. Haluska, could ask unanimous consent to do that after the Senate has concluded consideration of this bill.

Mr. HALUSKA. Mr. President, I have no objection to the bill going over in order, but I ask unanimous consent to have that resolution read for the benefit of the members of this Senate.

Mr. GELTZ. Mr. President, I would be glad to join in that request, because I think it is such a good resolution it will bear reading another time.

And the question recurring,

Will the Senate agree to the motion?

It was agreed to.

RESOLUTION SERIAL No. 67 CALLED FROM TABLE

Mr. HALUSKA. Mr. President, I ask unanimous consent to call from the table and have read for the information of the Senators, Resolution Serial No. 67, introduced today by the gentleman from Montgomery, which was laid on the table.

The PRESIDENT. Is there objection? The Chair hears none.

The resolution was read as follows:

EXECUTIVE BOARD TO GIVE CAREFUL CONSIDERATION TO SALARIES AND CLASSIFICATION OF ADMINISTRATIVE EMPLOYES OF COMMONWEALTH

In the Senate, July 9, 1941.

Whereas, The Commonwealth of Pennsylvania in its administrative departments, exclusive of the Auditor General and State Treasurer, gives employment to approximately 20,118 men and women whose services are utilized by the Commonwealth, and whose loyalty and efficiency are great assets to the Commonwealth; and

Whereas, The Administrative Code of 1929 created an Executive Board consisting of the Governor and six other heads of administrative departments to be designated from time to time by the Governor; and

Whereas, The said Code entrusts the following duties to the said Board as set forth in the language of the Code:

"Section 709. Executive Board—Subject to the provisions of this act, the Executive Board shall have the power:

(a) To standardize the qualications for employment, and all titles, salaries, and wages, of persons employed by the administrative departments, boards and commissions, except the Department of the Auditor General and the Treasury Department. In establishing such standards the board may:

(1) Take into consideration the location of the work and the conditions under which the service is rendered,

(2) Establishing different standards for different kinds, grades and classes of similar work or service, etc."; and

Whereas, It is evident from economic and social statistics that a shift is occurring in the cost of living which will affect all of the employes of the State, and particularly those whose salaries are in the lower brackets; and

Whereas, The revision of the said salaries in an administrative function to be performed by the Executive Board as set forth in the Act of Assembly above cited; now therefore be it

Resolved by the Senate of Pennsylvania, That the Executive Board of the Commonwealth be and it is hereby requested to give careful consideratian to the salaries and classification of employes in the administrative departments with reference to changes in the cost of living in this Commonwealth, and that the said Executive Board be and it is hereby requested to provide at all times such salaries as will insure just compensation for the service performed, and the maintenance of the American standard of living.

(The following occurred during the reading of the resolution)

Mr. GELTZ. Mr. President, may I request that the gentleman from Cambria listen to the reading of the resolution so that it will not have to be read again.

The PRESIDENT. The gentleman from Cambria requested that the resolution be read and it is being read.

Mr. HALUSKA. Mr. President, may I say a few words on that resolution? May I make a few remarks?

The PRESIDENT. The resolution has been read only by unanimous consent. The resolution is not before the Senate at this time.

Mr. HALUSKA. Mr. President, I would like to ask the consent of the Senate to make a few brief remarks.

The PRESIDENT. The Chair hears no objection.

Mr. HALUSKA. Mr. President, the reason I want to make a few remarks on this resolution is that just yesterday or the day before I brought to the attention of my colleagues a resolution with reference to insurance bonds. I have been informed by my colleagues that the resolution has no bearing, it is only a request; you may ask someone but it means nothing.

I am hopeful that this body will be consistent. If the resolution introduced by my colleague from Cumberland, Mr. Wade and myself, had no effect upon the Department of Public Assistance, let us not be fooled once again, and try to make these boys working in these liquor stores believe that they are getting something. This is only a smoke screen. If my resolution had no bearing, this has none, but we have a bill before us that would authentically compel the department to increase wages, if signed by the Governor, and since we have such a bill, I trust we will act upon that bill, defeat the bill or pass it, and forget about the smoke screen being put up by this resolution. It reminds me of fooling a kid by putting a piece of paper between two pieces of bread and telling him he has a sandwich.

CONSIDERATION OF CALENDAR RESUMED

BILL OVER IN ORDER

Mr. GELTZ. Mr. President, I ask unanimous consent that Senate Bill No. 1199, (House Bill No. 1420), on third reading, entitled:

An Act to amend the act approved the seventeenth day of June one thousand nine hundred and thirteen (P. L. 507) entitled "An act to provide revenue for State and county purposes and in cities coextensive with counties for city and county purposes imposing taxes upon certain classes of personal property providing for the assessment and collection of the same providing for the duties and compensation of prothonotaries and recorders in connection therewith and modifying existing legislation which provided for raising revenue for State purposes" as amended by imposing the tax upon personal property held and managed in this Commonwealth owned held or possessed by residents as trustees agents or attorneys-in-fact jointly with one or more trustees agents or attorneys-in-fact domiciled in another state and by imposing the tax upon equitable interests of residents in personal property held and managed in another state where the legal title to such personal property is held by more than one trustee agent or attorney-in-fact one or more of whom are domiciled in another state and one or more of whom are domiciled within this Commonwealth and exempting casualty insurance companies having no capital stock from the tax imposed by this act

go over in its order.

The PRESIDENT. Is there objections? The Chair hears none.

BILLS ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 1206, (House Bill No. 1621), as follows:

An Act to add section forty-three to the act approved the twentieth day of June one thousand nine hundred and

nineteen (P. L. 521) entitled "An act providing for the imposition and collection of certain taxes upon the transfer of property passing from a decedent who was a resident of this Commonwealth at the time of his death and of property within this Commonwealth of a decedent who was a non-resident of the Commonwealth at the time of his death and making it unlawful for any corporation of this Commonwealth or national banking association located therein to transfer the stock of such corporation or banking association standing in the name of any such decedent until the tax on the transfer thereof has been paid and providing penalties and citing certain acts for repeal" authorizing compromise of tax claims in cases where there is a dispute as to the domicile of the decedent

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The act approved the twentieth day of June one thousand nine hundred and nineteen (P. L. 521) entitled "An act providing for the imposition and collection of certain taxes upon the transfer of property passing from a decedent who was a resident of this Commonwealth at the time of his death and of property within this Commonwealth of a decedent who was a non-resident of the Commonwealth at the time of his death and making it unlawful for any corporation of this Commonwealth or national banking association located therein to transfer the stock of such corporation or banking association standing in the name of any such decedent until the tax on the transfer thereof has been paid and providing penalties and citing certain acts for repeal" is hereby amended by adding immediately after section forty-two thereof a new section to read as follows

Section 43 Where the Department of Revenue claims that a decedent was domiciled in this State at the time of his death and the taxing authorities of another state or states make a similar claim with respect to their state or states and the facts are such as to give rise to a reasonable doubt as to the domicile of the decedent the department may with the approval of the Department of Justice enter into a written agreement with such taxing officials and with the personal representatives that a certain sum shall be accepted in full payment of the tax imposed by this act and the supplement thereto Provided That said agreement also fixes the amount to be paid to such other state or states in full payment of the death taxes thereof Full power and authority is hereby conferred upon the personal representatives to enter into the agreement providd for herein Such agreemnt shall finally and conclusivly fix and determine the amount of tax imposed by this act and the supplement thereto without regard to any other provision of the laws of this State In the event the aggregate amount payable under such agreement to the states involved is less than the maximum credit allowable to the estate against the United States estate tax imposed with respect thereto the personal representatives forthwith shall also pay to the department so much of the difference between such aggregate amount and the amount of such credit as the amount payable to the department under the agreement bears to such aggregate amount A copy of any such agreement shall be filed in the office of the proper register of wills and any existing appraisement shall be deemed modified according to said agreement in the event no appraisment has been made and filed prior to said agreement the Department of Revenue shall direct an appraisement to be made and filed in the office of the proper register of wills in accordance with said agreement

Section 2 The provisions of this act shall become effective immediately upon final enactment and shall apply to estates of decedents dying before or after the enactment of this act

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—48

Barr,	DiSilvestro,	Lanius,	Stevenson,
Bartlett,	Ealy,	Letzler,	Stiefel,
Becker,	Edmonds,	Mallery,	Tallman,
Carr,	Farrell,	McCreesh,	Taylor,
Cavalcante,	Frey,	McGinnis,	Thomas,
Chapman,	Geltz,	McQuiddy,	Tyler,
Coleman,	Haluska,	Miller,	Wade,
Cox,	Heyburn,	Mundy,	Walker,
Crider,	Homsher,	Reed,	Watkins,
Crowe,	James,	Ruth,	Wilson, H. I.,
Deitrick,	Jaspan,	Shapiro,	Wilson, T. B.,
Dent,	Kephart,	Snowden,	Woodward,

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same with amendments in which the concurrence of the House is requested.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 1224, (House Bill No. 1013), as follows:

An Act to repeal section five of the act approved the fourth day of May one thousand nine hundred and five P. L. 385), entitled "An act creating the Water Supply Commission of Pennsylvania defining its duties fixing the scope of its authority and powers and making an appropriation for the payment of the salaries and expenses connected therewith" prohibiting the issuance of letters patent to water companies until approved by the Water Supply Commission

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section five of the act approved the fourth day of May one thousand nine hundred and five (P. L. 385), entitled "An act creating the Water Supply Commission of Pennsylvania defining its duties fixing the scope of its authority and powers and making an appropriation for the payment of the salaries and expenses connected therewith" is hereby repealed absolutely

Section 2 This act shall become effective immediately upon final enactment

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—48

Barr,	DiSilvestro,	Lanius,	Stevenson,
Bartlett,	Ealy,	Letzler,	Stiefel,
Becker,	Edmonds,	Mallery,	Tallman,
Carr,	Farrell,	McCreesh,	Taylor,
Cavalcante,	Frey,	McGinnis,	Thomas,
Chapman,	Geltz,	McQuiddy,	Tyler,
Coleman,	Haluska,	Miller,	Wade,
Cox,	Heyburn,	Mundy,	Walker,
Crider,	Homsher,	Reed,	Watkins,
Crowe,	James,	Ruth,	Wilson, H. I.,
Deitrick,	Jaspan,	Shapiro,	Wilson, T. B.,
Dent,	Kephart,	Snowden,	Woodward,

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 1237, (House Bill No. 1643), as follows:

An Act to amend the act approved the ninth day of April one thousand nine hundred and twenty-nine (P. L. 343), entitled "An act relating to the finances of the State government providing for the settlement assessment collection and lien of taxes bonus and all other accounts due the Commonwealth the collection and recovery of fees and other money or property due or belonging to the Commonwealth or any agency thereof including escheated property and the proceeds of its sale the custody and disbursement or other disposition of funds and securities belonging to or in the possession of the Commonwealth and the settlement of claims against the Commonwealth the resettlement of accounts and appeals to the courts refunds of moneys erroneously paid to the Commonwealth auditing the accounts of the Commonwealth and all agencies thereof of all public officers collecting moneys payable to the Commonwealth or any agency thereof and all receipts of appropriations from the Commonwealth and imposing penalties affecting every department board commission and officer of the State government every political subdivision of the State and certain officers of such subdivisions every person association and corporation required to pay assess or collect taxes or to make returns or reports under the laws imposing taxes for State purposes or to pay license fees or other moneys to the Commonwealth or any agency thereof every State depository and every debtor or creditor of the Commonwealth" by providing for the manner of payment of escheator's fees informant's commissions and other lawful charges due from moneys escheated to the Commonwealth and escheatable moneys paid to the Commonwealth without escheat designating the funds to which such moneys shall be credited and making an appropriation

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows:

Section 1 Article thirteen of the act approved the ninth day of April one thousand nine hundred and twenty-nine (P. L. 343), entitled "An act relating to the finances of the State government providing for the settlement assessment collection and lien of taxes bonus and all other accounts due the Commonwealth the collection and recovery of fees and other money or property due or belonging to the Commonwealth or any agency thereof including escheated property and the proceeds of its sale the custody and disbursement or other disposition of funds and securities belonging to or in the possession of the Commonwealth and the settlement of claims against the Commonwealth the resettlement of accounts and appeals to the courts refunds of moneys erroneously paid to the Commonwealth auditing the accounts of the Commonwealth and all agencies thereof of all public officers collecting moneys payable to the Commonwealth or any agency thereof and all receipts of appropriations from the Commonwealth and imposing penalties affecting every department board commission and officer of the State government every political subdivision of the State and certain officers of such subdivisions every person association and corporation required to pay assess or collect taxes or to make returns or reports under the laws imposing taxes for State purposes or to pay license fees or other moneys to the Commonwealth or any agency thereof every State depository and every debtor or creditor of the Commonwealth" is hereby amended by adding thereto after section one thousand three hundred and fourteen a new section to read as follows:

Section 1315 Manner of Payment of Escheator's Fees Informant's Commissions and Other Charges Due from Escheated Moneys All moneys which shall be escheated to the Commonwealth and all moneys subject to escheat but paid to the Commonwealth without escheat and transmitted to the Treasury Department shall be credited to separate accounts which shall be designated "escheat accounts"

All escheator's fees informant's commissions and other lawful costs in any case chargeable against any particular escheat account shall be paid therefrom upon requisition of the Department of Revenue and warrant of the Auditor General and so much of said moneys in such escheat account as may from time to time be necessary to pay such fees commissions and charges against such escheat account is hereby appropriated for such purposes

When all escheator's fees informant's commissions and other lawful charges against any escheated moneys or any funds subject to escheat but paid to the Commonwealth without escheat have been paid in any escheat case or when there are no such fees commissions or charges due the Department of Revenue shall so certify to the Treasury Department Upon receipt of the certification of the Department of Revenue that all such fees commissions and charges have been paid in a particular escheat case or that none are due the Treasury Department shall transfer the net proceeds from that case if it be from an escheated decedent's estate to the State School Fund and if it be from any other escheat or escheatable property to the General Fund

Section 2 All acts or parts of act inconsistent herewith are hereby repealed

Section 3 This act shall be effective immediately upon final enactment

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—48

Barr,	DiSilvestro,	Lanius,	Stevenson,
Bartlett,	Ealy,	Letzler,	Stiefel,
Becker,	Edmonds,	Mallery,	Tallman,
Carr,	Farrell,	McCreesh,	Taylor,
Cavalcante,	Frey,	McGinnis,	Thomas,
Chapman,	Geltz,	McQuiddy,	Tyler,
Coleman,	Haluska,	Miller,	Wade,
Cox,	Heyburn,	Mundy,	Walker,
Crider,	Homsher,	Reed,	Watkins,
Crowe,	James,	Ruth,	Wilson, H. I.,
Deitrick,	Jaspan,	Shapiro,	Wilson, T. B.,
Dent,	Kephart,	Snowden,	Woodward,

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 1238, (House Bill No. 1648), as follows:

An Act to amend the act approved the first day of May one thousand nine hundred and twenty-nine (P. L. 1005) entitled "An act relating to and regulating tractors and trailers and their operation providing for their registration and the licensing of certain operators by the Department of Revenue upon payment of prescribed fees

prescribing and limiting the powers of local authorities to deal with the subject matter of this act conferring powers and imposing duties upon the Department of Revenue the Department of Highways peace officers mayors burgesses magistrates aldermen justices of the peace the courts and the clerks thereof owners of tractors and trailers providing that records are admissible as evidence imposing upon owners counties cities boroughs incorporated towns and townships within the Commonwealth liability for damages caused by the negligent operation of tractors and trailers imposing penalties imposing certain costs upon counties providing for the disposition of fines forfeitures fees and miscellaneous receipts making an appropriation and providing for refunds" as variously amended by changing registration years fractions of registration years operators' license years extending the time or exemption from fees for transfer of registration to conform with changed registration year reducing operator's license fee and giving the secretary power to determine whether certain motor vehicles are of tractor type

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The definition of the term "tractor" appearing in section one hundred two section two hundred three and subsection (e) of section two hundred eight of the act approved the first day of May one thousand nine hundred and twenty-nine (P. L. 1005) entitled "An act relating to and regulating tractors and trailers and their operation providing for their registration and the licensing of certain operators by the Department of Revenue upon payment of prescribed fees prescribing and limiting the powers of local authorities to deal with the subject matter of this act conferring powers and imposing duties upon the Department of Revenue the Department of Highways peace officers mayors burgesses magistrates aldermen justices of the peace the courts and the clerks thereof owners of tractors and trailers providing that the records are admissible as evidence imposing upon owners counties cities boroughs incorporated towns and townships within the Commonwealth liability for damages caused by the negligent operation of tractors and trailers imposing penalties imposing certain costs upon counties providing for the disposition of fines forfeitures and miscellaneous receipts making an appropriation and providing for refunds" as amended by the act approved the twenty-second day of June one thousand nine hundred and thirty-one (Pamphlet Laws 815) are hereby further amended to read as follows

Section 102 Definitions The following words and phrases when used in this act shall for the purpose of this act have the meanings respectively ascribed to them in this section except in those instances where the context clearly indicates a different meaning.

* * * * *

"Tractor" Every vehicle of the tractor type which is self-propelled excepting power shovels road rollers concrete mixers ditch diggers or vehicles used exclusively upon stationary rails or tracks In the case of motor vehicles as defined in the Vehicle Code upon which machinery has been permanently mounted the secretary may determine in each case whether or not such motor vehicle is of the tractor type and in making such determination the secretary shall consider the purpose for which such motor vehicle shall be used

* * * * *

Section 203 Classification Tractors for the purposes of this act shall be divided into two classes

(a) First Class Tractors used exclusively for agricultural purposes road grading well drilling and transportation of supplementary machinery and appliances and also any motor vehicle as defined in the Vehicle Code upon which machinery has been permanently mounted and used exclusively for agricultural purposes road grading well drilling and transportation of supplementary machinery and appliances and determined by the secretary to be of the tractor type

(b) Second class Tractors used for industrial purposes and for all hauling on any highway except such hauling as is specified in subsection (a) of this section and also any motor vehicle as defined in the Vehicle Code upon which machinery has been permanently mounted and used for industrial purposes and for all hauling on any highway except such hauling as is specified in subsection (a) of this section and determined by the secretary to be of tractor type

Section 208 Transfer of Registration

* * * * *

(e) When a transfer of registration is made after a vehicle has been registered for the succeeding year and the transfer application has been received and completed by the department prior to [January] April first of such succeeding year the transfer fee provided in this act shall not be required

* * * * *

Section 2 Sections two hundred nine three hundred nine four hundred ten and five hundred five of said act are hereby amended to read as follows

Section 209 Expiration of Registration All registration for the year one thousand nine hundred and forty-one shall expire [December thirty-first of the year for which they are issued unless sooner] March thirty-first one thousand nine hundred and forty-two Commencing with the year one thousand nine hundred and forty-two and thereafter registrations shall be issued for a registration year commencing on April first of one year and expiring March thirty-first of the year following Registrations shall also expire when suspended for cause by the secretary [but registration cards] Registrations for the succeeding year may at the option of their holders be used on and after [December] March fifteenth of the current year

Section 309 Expiration of Registration Plates (a) All registration plates shall expire [December thirty-first of the year for which they are issued unless sooner] March thirty-first one thousand nine hundred and forty-two Commencing with the year one thousand nine hundred and forty-two and thereafter registration plates shall be issued for a registration year commencing on April first of one year and expiring March thirty-first of the year following Registration plates shall also expire when suspended for cause by the secretary [but the registration] Registration plate for the succeeding year may at the option of the owner be used on and after [December] March fifteen of the current year

(b) No tractor or trailer shall be operated on any highway [after December thirty-first] with registration plates [for the previous year] which have expired nor without registration plate on claim by the owner or operator that registration plate for the current year has been applied for but not received

Penalty Any person violating any of the provisions of subsection (b) of this section shall upon summary conviction before a magistrate be sentenced to pay a fine of ten ($10) dollars and costs of prosecution and in default of the payment thereof shall undergo imprisonment for not more than five (5) days

Section 410 Expiration of Operator's License All operators' licenses issued for the year one thousand nine hundred and forty-one shall expire on the last day of [February of each year unless sooner] January one thousand nine hundred and forty-two Commencing with the year one thousand nine hundred and forty-two and thereafter operators' licenses shall be issued for a license year commencing on February first of one year and expiring January thirty-first of the year following Operators' licenses shall also expire when suspended for cause by the secretary [but operators'] Operators' licenses for the succeeding year may at the option of their owners be used on and after [February] January fifteenth of the current year

Section 505 Reduction of Registration Fees in Certain Cases The fee for registration of a tractor or trailer when registration is issued on or after [August first] the beginning of the seventh month of the registration year but prior to the beginning of the tenth month of the registration year shall be one-half (½) of the fee for annual registration [Provide That the] The fee for registration of any tractor or trailer when registration is

issued on or after [November first] the beginning of the tenth month of the registration year shall be one-fourth (¼) of the fee for annual registration herein specified

Section 3 Section five hundred six of said act as amended by the act approved the twenty-second day of June one thousand nine hundred and thirty-one (Pamphlet Laws 815) is hereby further amended to read as follows

Section 506 Operator's Licenses Duplicate Registration or Operator's License Card (a) The fee for issuing an operator's license shall be [two ($2.00) dollars] one ($1.00) dollar

(b) The fee for a duplicate operator's license card or duplicate registration card shall be fifty (50) cents

Section 4 Subsection (f) of section five hundred twelve of said act as re-lettered subsection (e) by the act approved the twenty-second day of June one thousand nine hundred and thirty-one (Pamphlet Laws 815) is hereby amended to read as follows

Section 512 Exemptions from fees

* * * * *

(e) No fee shall be required for transfer of registration for the succeeding year when such transfer has been received and completed by the department prior to [January] April first of such succeeeding year

Section 5 One of the purposes and intentions of this act is to change the registration year from the calendar year to a registration year commencing April first of one year and ending March thirty-first of the year following and to accomplish that end registrations issued for the year one thousand nine hundred and forty-one shall be valid for that entire calendar year and the months of January February and March of the year one thousand nine hundred and forty-two and also to change the commencement of the operator's license year from March first to February first and to accomplish that end operator's license issued for the year one thousand nine hundred and forty-one shall be valid only from March first one thousand nine hundred and forty-one to January thirty-first one thousand nine hundred and forty-two

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—48

Barr,	DiSilvestro,	Lanius,	Stevenson,
Bartlett,	Ealy,	Letzler,	Stiefel,
Becker,	Edmonds,	Mallery,	Tallman,
Carr,	Farrell,	McCreesh,	Taylor,
Cavalcante,	Frey,	McGinnis,	Thomas,
Chapman,	Geltz,	McQuiddy,	Tyler,
Coleman,	Haluska,	Miller,	Wade,
Cox,	Heyburn,	Mundy,	Walker,
Crider,	Homsher,	Reed,	Watkins,
Crowe,	James,	Ruth,	Wilson, H. I.,
Deitrick,	Jaspan,	Shapiro,	Wilson, T. B.,
Dent,	Kephart,	Snowden,	Woodward,

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

BILL OVER IN ORDER

Mr. HOMSHER. Mr. President, I ask unanimous consent that Senate Bill No. 1263, (House Bill No. 846), on third reading, entitled:

An Act requiring school boards in all school districts to grant leaves of absence to all school employes who shall volunteer or be called for military or naval service in time of war or during a state of national emergency preserving certain contracts salaries increments retirement rights seniority State contributions and grants to local school boards eligibility lists re-employment authorizing school boards to employ substitutes in place of such employes reserving all rights and privileges of employes granted leaves of absence under the provisions herein superseding or repealing all contrary laws.

go over in its order temporarily.

The PRESIDENT. Is there objection? The Chair hears none.

BILL ON THIRD READING

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 1310, (House Bill No. 602), entitled:

An Act to amend sections eight hundred one and nine hundred seventy-six of the act approved the third day of June one thousand nine hundred thirty-seven (P. L. 1333) entitled "An act concerning elections including general municipal special and primary elections the nomination of candidates primary and election expenses and election contests, creating and defining membership of county boards of elections imposing upon the Secretary of the Commonwealth courts county boards of elections county commissioners imposing penalties for violation of the act and codifying revising and consolidating the laws relating thereto and repealing certain acts and parts of acts relating to elections" by further defining parties and political bodies providing procedure for rejection of nomination petitions papers or certificates in certain cases imposing duties on the Governor and the Attorney General and imposing additional duties on county boards of elections the Secretary of the Commonwealth and the courts

And said bill having been read at length the third time,

On the question,

Will the Senate agree to the bill?

Mr. CAVALCANTE. Mr. President, this bill, House Bill No. 602, is practically word for word identical with Senate Bill No. 172, which we have already passed in the Senate, and which has been over in the House for quite some months. This House bill is another illustration of the way that this Legislature has been working. We pass bills here in the Senate and send them over to the House, and then instead of acting on our bills, they take the provisions of the bills and put them in their own bills, with their own names on them, thinking sponsorship means something, and they send them over here for us to pass all over again.

I really think on a point of order we ought to be sustained that we have already passed this bill. We have already taken one vote on a bill of this kind and we ought not to vote on the House bill.

However, I do not want to do that, because I want to see legislation of this character pass, but I do want to call the attention of those who sponsored the House bill—they are not here, of course—but I do call certain matters to the attention of my colleagues here in the Senate, that the bill we passed, Senate Bill No. 172, is by far the more complete bill and there are no mistakes or errors in that bill, but the bill we are now asked to pass upon contains an omission here that I think I ought to call to your attention. If you have the bill before you, I call your attention to page 6, of House Bill No. 602, Printer's No. 1102. That is where the big amendment starts, and as

you will see on line 12, it states, "provided further that no nomination petition, nomination paper or nomination certificate shall be permitted," and so forth. Those are three distinct documents that are referred to, the nomination petition, the nomination paper and the nomination certificate.

Then you come down, on the same page 6, to lines 21 and 22, and there you have the same thing, "The authority to reject such nomination, petition, paper or certificate," and so forth. Then, at the bottom of that page, on the last line, line 29, you will find, "acceptance of such nomination petition, paper or certificate should be refused." There are always three. Then, you come to page 7, right at the top, lines 1 and 2, and you again have, "such nomination, petition, paper or certificate." On lines 12 and 13, on page 7, you have the same phraseology, "said nomination petition, paper or certificate." On line 17, on page 7, you have the same thing, "nomination petition, paper or certificate." On lines 19 and 20, you have the same. Now, on page 8, line 14, they have omitted one of them. They say, "accept and file the nomination paper or certificate." They have left out the nomination petition, which shows whoever prepared this bill over in the House did not prepare it as carefully as my colleague, Senator Walker, prepared his bill, and on which I appear as sponsor with him.

Mr. President, I think that omission ought to be inserted if we are going to vote on this bill. Of course, it is up to the members of the Senate. If you want to leave that omission in it, it is all right, but I think we ought to include that, we ought to include nomination petitions also, instead of just nomination papers or nomination certificate, and we ought to have nomination petition also included.

I just wanted to call your attention to that omission in the bill and I think it ought to be inserted before we pass the bill.

Mr. WALKER. Mr. President, I want to join with my colleague from Fayette, Senator Cavalcante, in commenting on the sudden appearance of this bill on our calendar. In remarking on the coincidence of the exactness of the bill, I want to first say to our very distinguished President Pro Tempore that I have deeply appreciated the honor he conferred upon me early in the session when he appointed me Chairman of the Committee on Judiciary General; it has been a task that was beyond my ability, but I did the best I could with the tools I had. During the course of my duties as chairman of the committee, we introduced the bill which Senator Cavalcante has discussed, and we had a public hearing on that bill. For seven hours, Mr. President, the committee—and I will say most of them stuck it out—sat there and listened to the expositions of the proponents as well as the opponents of the bill, and in oder not to be accused of unfairness, we heard the opponents of the bill first, and for hours we listened to this group of people, who admitted truthfully enough they belong to the Communist Party, attempt to tell us what was wrong with the bill.

Now, Mr. President, before we held that hearing I was full of a spirit of cooperation and I went over to the Speaker of the House and advised him that we were going to hold this hearing, and I asked the distinguished gentleman from Philadelphia, who is Speaker of the House if he would appoint several members as a committee from the House to come over and sit with us in this public hearing so that they could get the benefit of all of this information and misinformation that would be supplied to us. He appointed a committee, Mr. President, and incidently, that is where I made a mistake—he appointed a committee and they came over and got all the information and they got the same ideas we had gotten, because they all appear in the bill.

I have a perfect record this year, Mr. President. I introduced a number of bills—some good and some bad; some of them got through the Senate and some of them never got out of committee. Those that managed to escape the eagle eye of the Senate and passed here are languishing in committees in the House. Not one bill bearing the name of Walker has been able to get through a House Committee. Part of that is probably due to the fact that in my vaults in the Judiciary General Committee room are a large number of House bills which are peacefully sleeping, and with any kind of luck will stay there, and in reciprocation, all the Walker bills are being sidetracked in House committees. Rather than pass a bill, Mr. President, that bears the name of Walker, or the name of Cavalcante, over in the House they took our bill and re-wrote and re-copied it and put a new name on it, a name that will appear to all of us, and sent it over to us and asked us to pass, in amended form, what we passed in the Senate as Senate Bill No. 172.

Now, Mr. President, I want to urge my colleagues not to feel pride, but to vote for this bill, because as the gentleman from Fayette has said, we are interested in putting these subversive elements off the ballot, and we have no pride of authorship, and we are not going off in a corner and pout because the House refused to pass the Cavalcante-Walker bill. We want this bill passed so we can suppress these subversive elements, and I urge all my colleagues to vote in favor of this bill.

Mr. BARR. I wish to remind my colleague from Allegheny, Senator Walker, that his memory is a little short. It seems to me one of his bills recently passed.

Mr. COLEMAN. Every now and then, Mr. President, in debate on the Senate floor there are things said, clothed in terms of ambiguity, that may be misunderstood. The Chairman of the Committee on Judiciary General has made a remark, and in order to have any element of doubt removed, I desire to interrogate him.

The PRESIDENT. Will the gentleman from Allegheny permit himself to be interrogated?

Mr. WALKER. I will, Mr. President.

Mr. COLEMAN. Mr. President, I desire to ask the gentleman whether or not when he was telling about the very nice assignment he got as chairman of the Committee on Judiciary General, and he said that he did the best job he could with the tools he had, I desire to know whether or not he referred to the members of that committee.

Mr. WALKER. Mr. President, that shows that the gentleman from Lackawanna is not on that committee. In answer to my distinguished colleague from Allegheny, my step-brother Senator Barr, may I suggest to him when Senate Bill No. 24, which bears my name, came back from the House there were only two things in the bill that were in the bill when it left the Senate, one was the number 24, and the other was the name Walker.

Mr. MILLER. Mr. President, I feel that I would be re-

miss in my duty if I did not make some comment in connection with this bill, and to further advise the Senate that this body not only passed one bill of this nature but that it passed two bills of this nature, and they are both reposing in a committee of the House, Senate Bill No. 78, incidentally, passed this body and went over to the House, so that with both bills in their possession, they certainly had plenty of favorable information in drawing up a bill.

I want to vote for this bill, but I really feel we should take cognizance of the fact, as brought out by the gentleman from Fayette, and we should amend this bill to include the word "petition."

Therefore, Mr. President, I would like to ask that this bill go over, I might say, temporarily, and ask the Senator from Fayette if he would not be kind enough to prepare an amendment and have it inserted.

Mr. SHAPIRO. Mr. President, I want to call attention of the Senators to the fact that the reason this bill came over, instead of the Walker Bill, has been disclosed; in order to clear up any misapprehension on the record, the House was required to choose between two bills of a similar nature, they had to choose between the Miller Bill and the Walker-Cavalcante Bill, and they decided to bring out a bill of their own in order not to hurt the feelings of either of these gentlemen.

BILL OVER IN ORDER

Mr. MILLER. Mr. President, I ask uninamous consent that Senate Bill No. 1310, (House Bill No. 602), on third reading go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILL ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 1311, as follows:

An Act to further amend the act approved the twenty-fourth day of June one thousand nine hundred and thirty-seven (P. L. 2051) entitled "An act relating to public assistance providing for and regulating assistance to certain classes of persons designated and defined as dependent children aged persons blind persons and other persons requiring relief providing for the administration of this act by the Department of Public Assistance and county boards of assistance hereby created for this purpose authorizing the Department of Public Assistance to cooperate with and to accept and disburse moneys received from the United States Government for assistance to such persons providing for the liquidation of the State Emergency Relief Board Boards of Trustees of the Mothers' Assistance Fund and Boards of Trustees of Pension Fund for the Blind and repealing laws relating to mothers' assistance pensions for the blind old age assistance and the State Emergency Relief Board" limiting the grant of general assistance to unemployable persons transferring the administration of this act from the Department of Public Assistance to the Department of Welfare abolishing the Department of Public Assistance and the State Board of Public Assistance conferring powers on the State Welfare Commission changing the powers and duties of local boards and imposing certain duties in respect to employable persons on the Department of Labor and Industry

The Generaly Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section two of the act approved the twenty-fourth day of June one thousand nine hundred and thirty-seven (P. L. 2051) entitled "An act relating to public assistance providing for and regulating assistance to certain classes of persons deignated and defined as dependent children aged persons blind persons and other persons requiring relief providing for the administration of this act by the Department of Public Assistance and county boards of assistance hereby created for this purpose authorizing the Department of Public Assistance to cooperate with and to accept and disburse moneys received from the United States Government for assistance to such persons providing for the liquidation of the State Emergency Relief Board Board of Trustees of the Mothers' Assistance Fund and Boards of Trustees of Pension Fun for the Blind and repealing laws relating to mothers' assistance pensions for the blind old age assistance and the State Emergency Relief Board" as last amended by section one of the act approved the twenty-sixth day of June one thousand nine hundred thirty-nine (P. L. 1091) is hereby further amended to read as follows

Section 2 Definitions As used in this act unless otherwise indicated

"Assistance" means assistance in money goods shelter medical care or services provided from or with State or Federal funds for indigent persons who reside in Pennsylvania and need assistance to enable them to maintain for themselves and their dependents a decent and healthful standard of living [and for indigent homeless or transient persons] The word assistance shall be construed to include only assistance to unemployable indigent persons dependent children aged persons and pensions for those blind persons who are entitled to pensions as provided in this act and to include also burial for those indigent persons who were receiving assistance at the time of their death

"General Assistance" means assistance provided from or with State funds only to unemployable indigent persons entitled under this act to assistance other than dependent children aged person and blind persons

"Local Board" means any county board of assistance established under the provisions of this act

"Unemployable" means an indigent person who because of physical or mental infirmity needs public assistance to enable him to maintain for himself and his dependents a decent and healthful standard of living but who does not need public care The word unemployable does not include dependent children aged persons and blind persons

The masculine pronoun includes the feminine

Section 2 Section three of said act is hereby amended to read as follows

Section 3 Administration of Act This act shall be administered by the Department of [Public Assistance] Welfare and the local boards in the several counties of this Commonwealth

Section 3 Section four of said act as amended by section two of the act approved the twenty-sixth day of June one thousand nine hundred thirty-nine (P. L. 1091) is hereby amended to read as follows

Section 4 General Powers and Duties of Department of [Public Assistance] Welfare The Department of [Public Assistance] Welfare shall have the power and its duty shall be

(a) To allocate to the several assistance programs funds with which to provide assistance and funds for administrative expenses and as may be needed from time to time to keep reasonable emergency funds in the hands of local boards which shall be used [by the executive director] for the furnishing of assistance and pensions respectively in emergency cases upon application [to him or] under the direction of any member of the local board

(b) To establish with the approval of the [State Board of Public Assistance] State Welfare Commission rules regulations and standards consistent with law as to eligibility for assistance and as to its nature and extent

(c) To supervise the local boards and to establish for such boards rules regulations and standards consistent with law

(d) To cooperate with other agencies including any agency of the United States or of another state in all matters concerning the powers and duties of the depart-

ment under his act and particularly in projects for child welfare [for the relief of persons in areas of special need and for the care of transient and homeless persons] and to make such reports in such form and containing such information as the Social Security Board of the United States Government or any other agency of the United States may from time to time require and to comply with such provisions as such board or agency may from time to time find necessary to insure the correctness and verification of such reports

(e) To receive and to supervise the disbursement of funds provided by the Federal Government or from any other source for use in this Commonwealth for assistance

(f) To gather and study current information constantly and to report at least annually to the Governor as to the nature and need of assistance as to the amounts expended under the supervision of each local board and as to the work of each local board and to cause such reports to be published for the information of the public

(g) To report at least annually to the Governor as to the cost of living in the various counties as related to the standards of assistance and the amounts expended for assistance and to cause such reports to be published for the information of the public

(h) To collect and report to the Governor and to cause to be published for the information of the public information as to the work of the department

[(i) To direct and supervise the liquidation of the affairs of the Boards of Trustees of the Mothers' Assistance Fund the Boards of Trustees of Pension Fund for the Blind and the State Emergency Relief Board

(j)] (i) Whenever the department deems it necessary and advisable to purchase credit reports and other services on a fee basis for the purpose of supplementing the investigation of eligibility for assistance

[(k)] (j) To recommend to the Governor that any person employed by the department be suspended or removed from service Upon receipt of such recommendation the Governor shall have power to suspend or remove such employe if he deems the same to the best interests of the public service

Section 4 Section six of said act is hereby amended to read as follows

Section 6 Rules and Regulations The [State Board of Public Assistance] Department of Welfare with the approval of the State Welfare Commission shall have power to promulgate rules and regulations concerning the administration of this act including the establishment of standards of eligibility for assistance and its nature and extent

The county boards shall determine the eligibility of an applicant under the standards so established subject to the right of appeal as provided under subsection (d) of section seven as of this act

Section 5 Section seven of said act as amended by section two of the act approved the twenty-sixth day of June one thousand nine hundred thirty-nine (P. L. 1091) is hereby further amended to read as follows

Section 7 Powers and Duties of County Boards of Assistance Each county board of assistance shall have the power and its duty shall be

(a) In accordance with the laws regulating employment in the Department of [Public Assistance] Welfare of employes engaged in the administration of this act to appoint transfer lay off suspend and remove its employes which employes shall [on behalf of the board and under the supervision of the Executive Director] provide assistance in the territory under its jurisdiction in accordance with law Provided however That the county board may recommend to the Governor that any person employed by it be suspended or removed without regard to the laws regulating employment in the Department of [Public Assistance] Welfare Upon receipt of such recommendation the Governor shall have power to suspend or remove such employe if he deems the same to the best interests of the public service

(b) [To appoint and remove an executive director without regard to the laws regulating employment in the Department of Public Assistance But every such executive director shall be appointed only from among those certified by the Department of Public Assistance as having qualified for appointment through an unassembled examination conducted by the Employment Board of the Department of Public Assistance or its successor

(c)] To conform to the rules regulations and standards established by the Department of [Public Assistance] Welfare as to accounting and as to forms records and reports

[(d)] (c) To submit assistance and administrative budgets to the Department of [Public Assistance] Welfare as the basis of the allocation of funds to the several assistance programs and for administrative costs

[(e)] (d) To hear and determine appeals from actions of its employes affecting the rights of those applying for or receiving assistance Any person applying for or receiving assistance of any type covered by the public assistance provisions of the Federal Social Security Act may appeal to the Department of [Public Assistance] Welfare from any decision of the board refusing or discontinuing his assistance in whole or in part in every such appeal an opportunity for a fair hearing shall be granted and the decision of the department on such appeal shall be final All such appeals shall be in accordance with rules and regulations established by the department with the approval of the State [Board of Public Assistance] Welfare Commission

[(f)] (e) To supervise the administration of and promote any other public function related to assistance or to the work of the Department of [Public Assistance] Welfare or of the county board of assistance which shall be committed to the board by a political subdivision of the Commonwealth [with the approval of the State Board of Public Assistance]

[(g)] (f) To receive and spend contributions from any source for purposes related to assistance or to the work of the Department of [Public Assistance] Welfare

[(h)] (g) To make recommendations to the Department of [Public Assistance] Welfare as to rules regulations and standards as to eligibility for assistance and as to its nature and extent

[(i)] (h) To study report and interpret its policies problems and work to the Department of [Public Assistance] Welfare and to the public

[(j)] (i) To establish policies and practices as to the amounts of assistance granted in individual cases but no grants may exceed the maximum amounts for which families of a given size and of given circumstances are eligible as established by the Department of [Public Assistance] Welfare with the approval of the State [Board of Public Assistance] Welfare Commission

[(k) To appoint committees of the county board or of local citizens in various communities of the county as circumstances may require to cooperate with the county board in (1) supplying information as to the eligibility of persons for assistance (2) recommending local policies and (3) stimulating local employment and on petition of fifty or more residents of any community it shall be mandatory upon the board to appoint a committee to function in such community

(l) To encourage employable recipients of assistance to accept full or part-time employment by providing that such recipients will again be granted assistance upon the termination of such employment if in need thereof and any rule or regulation of the Department of Public Assistance or of the State Board of Public Assistance or of the county board of assistance heretofore or hereafter adopted contrary hereto is hereby avoided

(m) To appoint labor review committees composed of representative citizens of the county who shall serve without compensation and whose duty it shall be to pass on the eligibility of any applicant for or recipient of general assistance who shall refuse an offer of employment and whose case shall be referred to such a committee by the county board]

[(n)] (j) As need may require to employ the services of commercial credit rating agencies for the purpose of determining eligibility for general assistance

[(o)] (k) To make available for inspection and ex-

amination during office hours to any taxpayer in such manner as the county board of assistance may prescribe the names addresses and amount of assistance granted to all persons then receiving eneral assistance

Section 6 Section nine of said act as amended in part of section three of the act approved the twenty-sixth day of June one thousand nine hundred thirty-nine (P. L. 1091) is hereby further amended to read as follows

Section 9 Eligibility for Assistance Except as hereinafter specifically otherwise provided in the case of pensions for the blind all persons of the following classes shall be eligible to receive assistance in accordance with rules regulations and standards established by the Department of [Public Assistance with the approval of the State Board of Assistance] Welfare as to eligibility for assistance and as to its nature and extent

(a) Dependent Children A dependent child is defined as any child under the age of sixteen who (1) has been deprived of parental support or care by reason of the death continued absence from the home or physical or mental incapacity of a parent and who is living with his father mother grandfather grandmother brother sister stepfather stepmother stepbrother stepsister uncle or aunt in a place of residence maintained by one or more of such relatives as his or their own home and (2) has resided in this Commonwealth for one year immediately preceding the date of application for assistance or has been born in this Commonwealth within one year immediately preceding the date of such application of a mother who has resided in this Commonwealth for one year immediately preceding the birth of the child

(b) Aged Persons An aged person is defined as one who (1) [is seventy years of age or more or who after December thirty-first one thousand nine hundred thirty-nine] is sixty-five years of age or more (2) resides in this Commonwealth and has so resided therein for five years during the nine years immediately preceding the date of making application for assistance and has so resided continuously for one year immediately preceding the date of making such application (3) is not at the time of receiving assistance an inmate of a public institution and (4) has not conveyed or transferred his real or personal property of the value of five hundred dollars ($500) or upwards without fair consideration within two years preceding the date of making such application

Absence in the service of the Commonwealth or of the United States shall not be deemed to interrupt residence of an aged person in the Commonwealth if a domicile has not been acquired outside the Commonwealth

(c) Blind Persons A blind person is defined as one who (1) is twenty-one years of age or more (2) his three-sixtieth or ten-two hunderths or less normal vision (3) has resided in the Commonwealth for at least five years during the nine years immediately preceding his application for pension and has resided therein continuously for one year immediately preceding the application (4) is not receiving assistance as an aged person during the period for which he is receiving assistance as a blind person (5) is not at the date of making application an inmate of any prison jail insane asylum or any other public reform or correctional institution The pension of a blind person shall be thirty dollars ($30) per month Provided That any blind person with an actual income of twelve hundred dollars ($1,200) or upwards and any blind person having real property with an assessed valuation of over five thousand dollars ($5,000) is not entitled to such pension And provided further That where a blind person has an income of less than twelve hundred dollars ($1,200) per year the pension shall be fixed in such amount so that the combined income and pension shall not exceed twelve hundred dollars ($1,200) a year No person shall be denied a pension because of the fact that he or she is not a citizen of the United States In the event that any act of Congress providing Federal aid toward pension for the blind requires the recipients to be citizens no such Federal aid moneys shall be expended in the payment of pensions to non-citizens but such persons shall receive pensions out of moneys appropriated by this Commonwealth

(d) Other unemployable indigent persons who are citizens of the United States and who have a settlement in Pennsylvania and have resided therein for at least two years immediately preceding the date of application for general assistance and all unemployable indigent aliens who have within two years previous to the first day of January one thousand nine hundred and forty filed their declaration of intention to become a citizen and who have a legal settlement in Pennsylvania and have resided therein for a period of not less than two years immediately preceding the date of application for general assistance and need assistance to enable them to maintain for themselves and their dependents a decent and healthful standard of living and who do not require institutional care because of physical or mental infirmity

(e) Any person within any group defined in this section who has a quasi-settlement in this Commonwealth until he is removed to his place of legal settlement

Section 7 Sections ten eleven and twelve of said act are hereby amended to read as follows

Section 10 Trustees for Certain Beneficiaries The Department of [Public Assistance] Welfare may appoint a trustee to take charge of the expenditure of assistance granted any person under this act when in its opinion such trustee is necessary In any such case payment shall be made direct to the trustee A trustee shall serve without compensation and shall be subject to such rules regulations and accounting as the department shall prescribe

Section 11 Assistance due Deceased Beneficiaries Upon the death of any person entitled to assistance under this act the Department of [Public Assistance] Welfare may authorize the payment of any assistance due to such person to the spouse child father mother sister or brother (preference being given in the order named) of such deceased person as the department directs without requiring letters testamentary or of administration to be issued upon the estate of such person

Section 12 Federal Contributions Restitution (a) All contributions received by the Department of [Public Assistance] Welfare from the United States Government for assistance shall be paid into the State Treasury through the Department of Revenue and credited to the biennial appropriation made to the Department of [Public Assistance] Welfare for the purpose of carrying out the purposes of this act

(b) So long as required as a condition of Federal participation one-half of the net amount collected or recovered by way of restitution from any aged person or from his estate by or for the Department of [Public Assistance] Welfare shall be promptly paid to the United States and the remainder thereof shall be paid into the State Treasury and shall be credited to the current appropriation to the Department for Public Assistance as provided by law

Section 8 Said act is hereby further amended by adding immediately after section thirteen thereof a new section to read as follows

Section 13.1 Employable Persons All employable persons applying to any county board shall be certified by the board to the nearest employment office of the Department of Labor and Industry It shall be the duty of said department as promptly as circumstances will permit to secure employment for all employable unemployed persons not receiving unemployment compensation

Section 9 The Department of Public Assistance and the State Board of Public Assistance are hereby abolished as of the first day of January one thousand nine hundred forty-three and their property and all their powers and duties are hereby transferred to the Department of Welfare Any balance of cash remaining from State appropriations to the Department of Public Assistance and from Federal funds is hereby reappropriated to the Department of Welfare for the same purposes The Department of Welfare shall exercise the powers and discharge the duties of the Department of Public Assistance in each county through the present county boards of assistance

Section 10 The provisions of this act shall become effective immediately on the first day of January one thousand nine hundred forty-three

And said bill having been read at length the third time,

On the question,

Will the Senate agree to the bill?

Mr. REED. Mr. President, this bill and the bill following are very important ones. This bill, No. 1311, is a bill to change the law relating to public assistance. In 1937 and prior thereto, running back to the time of the beginning of relief assistance, those who were in favor of legislation along that line told the people at all times that it would be a temporary arrangement, and just as soon as times got better, the law would be changed or repealed.

Now, Mr. President, in the mind of the gentleman from Philadelphia, Senator Woodward, that time is now here. He believes, and many other members in this body also believe, that if relief as we have it today is going to be curtailed or rooted out, no time is better than the present. We have today in the nation, and likewise in the state, a beehive of activity; everywhere industry is running full time. I saw in the paper the other evening where industry in the nation is at its high for all times.

Now, Mr. President, if we can not get rid of a certain part of our relief burden at the present time, it seems to me that the nation will never find a time when we can get rid of it. Everywhere today in the nation those who are in control of government are asking the people to do their part. Industry is calling for men and also many other lines of activities are asking for men. With those conditions prevailing, I believe that a bill of this kind should be enacted. The only people that I see today who would be employable and who would be agaisnt this bill or would be in favor of continuing relief as it is today, are those who never worked or never intend to work, and we should today, before we leave this session, pass a bill that will be the beginning at least of the rooting out of all idleness and indolence in this Commonwealth. I know in my activities in an endeavor to curtail relief I have received communications from different organizations relative to such activity; I have traced some of those down and find that those people belong to a group that do not intend to work. Pennsylvania is giving to thousands of people of that brand food, clothing, milk and money, and at the same time, Mr. President, those same people are doing everything in their power to overthrow our present democratic form of government. I have no sympathy for those people, I would give them no relief, because they are people who are able to work and they do not intend to work, they are here to get what they can while they at the same time are trying to wreck our system of government.

The reports furnished today by the Department of Public Assistance show that our relief rolls are going down daily and we are at a place where we only have, relatively speaking, a few million employables on relief. If that is the case, under this arrangement of the gentleman from Philadelphia, Dr. Woodward, we can find employment for those who are able to work in this beehive of activity today, and if we do that, the gentleman from Cambria will perhaps have money, at least more money than we have today to take care of that group that he represents, consisting of the worthy aged, the blind, the widow and the maimed. Unquestionably our government must take care of those people, because they are worthy, but to take care of the group of people in this state and in this nation that I have referred to as being of employable age and who do not intend to work, will take a process such as we have here today, courageous action on the part of the Legislature of this great state.

Relief as we know it is absolutely inconsistent with the Democratic process of government and I am glad that our President, just a few days ago, has advocated that philosophy. I saw in the paper this morning a clipping that was given to the press at a press conference yesterday or the day before by the President, bearing on this very important subject, and with the indulgence of the Senate I wish to read that into the record. Some portions of it may not be of interest, but there are certain parts of it that the Senate should have, and with your indulgence, I wish now to carefully read this into the record.

That article, Mr. President, reads as follows:

"MISSOURI WORKMAN DISCOVERS AMERICA

"Washington, July 8.—President Roosevelt today gave the American press an idea of what he means by true Americanism.

"At his press conference the President set correspondents guessing by declaring that he receives, from time to time, items in his mail which are appealing from the human interest point of view.

"And then, without further ado, the President sat back comfortably in his swivel chair and, with apparent pleasure, read a lengthy letter written with a simplicity and sincerity of an obscure Missouri foundry worker. It read:

"Dear President Roosevelt:

"I am a married man, 28-years-old; a boy 3, a girl 1. Here's how I feel about being an American.

"My ancestors were Czechosolovakians, my wife's English; but we're Americans.

"I look at my refrigerator, my heater, and my radio. I'm glad I'm an American.

"My children get cod liver oil, nourishing food, and a doctor's watchful care. They'll be glad they're Americans.

"This morning, I went to church. Amongst my neighbors, unafraid and unmolested. I thanked God for giving us America.

"I went home to my wife and kiddies. My little boy, Douglas, came running and said, 'Hi, Pop. You gonna take me to see the ribber.'

"And I said, 'Sure, Doug. I'll take you to see the river.'

"And we'll stand on the bridge, and see the cars. Pop.'

" 'Sure Doug.'

" 'Pop, see the sun. Look see, Pop. It shine in the car cars windows.'

" 'Yes, Doug, the sun's shining on all America.'

"After our walk, we came home and sat down to veal chops, baked potatoes, fresh green beans and corn on the cob. I said Grace with tears in my eyes. I'm so happy I'm an American.

"This afternoon, we listened to a radio rebroadcast of British children, here in America, talking to their parents in England, and I was proud to be an American.

"Tomorrow, I'll go to work. I work in an electrotype foundry, and I love my job. I made it in fact, from errand boy to production manager in two years. I had ideas and I told the boss about them. He's an American.

"Tonight, before going to bed, I told my wife, 'Honey, I'm going to buy a large flag and hang it out the window Friday. The President wants everyone to pledge allegiance to a new and united America. And, Honey, I'm going to do my part, because I'd rather be an American, than anything else on earth.'

"The President did not reveal the name of the writer, but said the letter was written June 29. He had the letter mimeographed and distributed to assembled correspondents, indicating his appreciation for the Missourian's simple expression of patriotism."

Mr. President, this article is headed "Missouri Workman Discovers America." That is a misstatement. This is not a new doctrine, it is an old doctrine, an old American doctrine upon which this Republic was long since founded; this is a rededication of that doctrine and the bill we have before us is in line with that philosophy.

This man certainly has expressed the American Philosophy. I quote: "and I love my job." Mr. President, you may ask where lies the seal of American democracy and I would reply in the hearts of contented American workmen. That is the philosophy upon which the Republic was built and that is the philosophy that will preserve this Republic, and it would be inconsistent to continue a state form of relief if we are to perpetuate this high and fine philosophy that the President certainly must believe in, in giving such a report to the newspaper men on July 8th.

Now, Mr. President, you may say who is going to preserve America. I say it will not be those who are indolent and lazy. I will say it will not even be the froth of American society at the top. We can dispense with that part of society and our democracy will still live. I will say we can dispense with the dregs at the bottom, the vice and the crime at the bottom, but I tell you, Mr. President and members of the Senate, we can not dispense with that fine, strong, powerful middle class in America and preserve democracy and that is why, Mr. President, it is so essential at this time to endeavor to begin a process, followed by education that will teach and instruct our young people that this relief system is not going to be with us always, that we are going back and refortify America with the old philosophy that thrift is one of the fundamentals of this great American democracy, and were this bill of the gentleman from Philadelphia, Senator Woodward, to pass, I think we would be taking a step in that direction. It must be done sometime or our democracy falls and vanishes and it seems that now is an appropriate time to teach our young people at least that in America and in Pennsylvania we are not going to continue a philosophy which says that we need not work, that the government of your nation and the government of your state will keep you.

So, my friends, I am glad to know that we have a Senator in this body who has the courage to introduce such a bill as this, and I sincerely hope we have enough Senators in this body with American fortitude and courage sufficient to pass this bill this afternoon.

Mr. GELTZ. Mr. President, we have heard a great deal of discussion in this session against Communists and communism and subversive activities. I believe that most of the members of this body are definitely opposed to subversive activities, I hope all the members of this body are opposed to subversive activities. We are opposed to communism and subversive activities, Mr. President, because it is a disease in the American system of government. I hope however, in thinking about and against communism, we do not fail to take into consideration other forms of subversive activities in this country. We should be opposed, and very much opposed, to all forms of subversive activity, whether it be Communism, Nazism, or Fascism.

Last evening over the radio there came a report that Nazi Germany was spending four hundred million dollars annually in the Americas for the purpose of promoting their kind of government and their doctrines. Mr. President, that is bad enough, but when, in addition to that, we have a system in this Commonwealth which pays individuals monthly salaries so that they can go about and do that same kind of thing, it seems to me something radical must be done.

It is my opinion, Mr. President, in accordance with what Senator Reed has said, that we will never reach that point in this Commonwealth or in this country until we can get the American people and the American citizens again back to a belief in individual initiative instead of paternalistic ideas. It is also my belief, Mr. President, that in this Department of Public Assistance there are a great number of those individuals who may be visitors or junior visitors or whatever their classification might be, who are day by day going into the homes of the unfortunate, where the soil is fertile for the promotion and sowing of these subversive ideas, day by day, although being paid by the Commonwealth, a part of these great United States of America, and at the same time while accepting that money are sowing in the minds of those unfortunates the seeds of discontent.

I am certain, Mr. President, that there are many decent and many good people who are in the Department of Public Assistance, but I am also certain that there are many of those who are in that department protected by civil service who can do an untold amount of harm and damage to this nation, to the kind of government which we have, in such a subtle way, by not coming out into the open, and because of their civil service protection, that there is nothing else we can do and for that reason, Mr. President, I ask the members of this Senate to vote in favor of both of these bills which have been sponsored by Dr. Woodward.

Mr. DENT. Mr. President, I agree that many of us would like to see a change in the Department of Public Assistance. I believe, early in this session, I made a statement it was my belief that a more proper system would be one to put the unemployables in the Department of Welfare. That is exactly what Dr. Woodward does in this bill, but he does something else in the bill and I do not know whether many of the Senators realize exactly what is happening. He takes the position that from the time this bill passes and it becomes a law there are no longer any persons in Pennsylvania who are employable and still in need. I do not believe the defense program has yet reached that point of industrial production where it has taken up all the employable persons in Pennsylvania.

I suggested earlier in the session that we divide all relief recipients into two classes, the employables and the unemployables, and put the unemployables in the Department of Welfare, where I believe they belong. You would cut down thousands of dollars of administrative costs, you would put that into a department that is properly set up to handle that particular type of relief. Then, Mr. President, put the employables, persons who are employable, under the jurisdiction of the Department of Labor in the Bureau of Employment. In every city of any size you have an employment agency run by the

state. Why cannot that department take charge of unemployed persons who are employable?

This bill deliberately says employable persons can not receive relief any longer. I want to say that I too am proud to be an American such as the man who wrote the letter to the President, but I am proud not only for the reasons that man gave; I am proud to be an American because during the years of the depression this government of ours provided food and clothing and housing for our less fortunate members; I am proud to be an American because we fed our unemployed persons, and I think in our list of reasons for being proud we could pretty nearly put that claim to the top of the list. There is nothing closer to godliness than charity and it is charity when you give to those individuals, to those who are unemployed and have not anything.

Mr. President, I do not think this state has reached a position where every person who wants a job can get one, and yet that is the assumption in this bill. I say if Dr. Woodward will take and add that feature to the bill it will be a more substantial piece of legislation, and workable. As it is now, under this bill, suppose we pass this bill, what are you going to do about persons who are unemployed and who still can be considered employable persons? Read the section of the bill that covers unemployables. On page 4, in determining what he would receive, it says, "Unemployable means an indigent person who bacause of physical or mental infirmity needs public assistance to enable him to maintain for himself and his dependents a decent and healthful standard of living."

I want to say to you there are a great many persons who do not come under that classification who still are entitled to relief. I have always fought against those who say that Americans are lazy, that Americans want relief because they will not work. There may be a small percentage, but I will venture to say to you that if you can provide the jobs I will get the people that will take them. I do not have any trouble in getting people to work. I have heard said on the Senate floor you can not get them to work. You do not see any signs hanging out anywhere "Help Needed", do you? Certainly there are people that do not care to work, there are people in the Senate that do not work as hard as they should.

I want to say to all of you here now that this bill is a bad piece of legislation in its present form; under the guise of doing a good thing the bill deliberately does a very bad thing. If you are willing to say that you have jobs for all the persons in Pennsylvania who want them and you are going to have jobs for them for the next two years, then perhaps I would go along with you and be glad to help by voting for this bill, but suppose this war is over in the near future—it is not beyond reason to say that this war may finish up suddenly this fall or this winter, and we might enter the same sort of a serious depression, when you would find thousands of employable persons out of work again, and if this bill is then in effect and part of the laws of this Commonwealth, what are you going to do with them? You have got to feed them to preserve the very thing you are proud of, to preserve the democratic form of government. If you want to know what breeds Communism and Fascism and Nazism, it is persons in need who can not get help, dissatisfied fathers and mothers of families who see their neighbor's children well fed and well dressed and well housed, and they themselves, because of no reason whatsoever for which they can have anything to do with, can not feed and can not clothe and can not house their own family.

I want to say again and again that so long as I am able I want to pay taxes to help those who need help. I would much rather be in a position of crying about being overtaxed than having to sit around and cry because I was underfed. I want to say that when a person is overtaxed he is never underfed.

I perhaps can not agree with some of you in your philosophy but I will tell you frankly that this bill starts out to do the right thing. I agree with Dr. Woodward. I agree that the unemployables ought to be put in the Department of Welfare, I agree that is the proper department to handle them; I agree the Department of Public Assistance is a bad thing; it is a department of government that we do not need; we have sufficient departments to handle relief in Pennsylvania. We are burdening the taxpayer with additional administrative costs that never should have been put on them. If I remember rightly I said the same thing when that bill passed; I was against it from the beginning and I am more against it today, but Doctor Woodward must admit, if he says no longer will any person who is employable be entitled to relief, then he is assuming that all employables can find jobs, and that is a point I can not agree with. I do not believe all employables can find jobs yet, I do not believe for the next two years they will be able to find jobs. You assume the next two years are going to be years of prosperity and that every employable person can find a job. If that is the case then the bill ought to be voted for, but if that is not the case the bill ought either to be amended or defeated.

Mr. WOODWARD. I would like to answer that objection, Mr. President, and I admit the truth of a great deal of what the Senator from Westmoreland has said. It is very difficult to draw a hard line without doing an apparent injustice.

In the first place, the bill does not go into effect until January 1, 1943, and in the second place, what the Senator I think overlooked is that even the county boards will not allow these employable persons to starve. The county boards are clothed with considerable power and certainly if they have any sense at all they will look after certain cases of employable persons, and not kick them off relief until there is some employment found for them.

I think the Senator ought to realize those two things, first that it is very difficult to draw a line without making it appear unjust, and in the second place he ought to give some credit to the sense and good judgment of the county boards in this matter.

Mr. SHAPIRO. Mr. President, I do not think it helps the question covered in this bill by discussing Communism, or Fascism; I think that rather beclouds the issue. There are two bills. One of them deals with the subject of who is the person entitled to relief, and the second amends the administrative code to set up machinery in the Department of Welfare to carry out the terms of this bill.

I find in this session such inconsistencies as make me hesitate which way to turn. We have just gotten through a series of conferences for the purpose of attempting to settle the fiscal problems of the Commonwealth. In those

conferences we were told by the Republican Party that it was necessary to establish a W.P.A., and my first reaction was a shock to find that the party which had traditionally opposed the W.P.A. now found it necessary to sponsor it. In the discussion concerning W.P.A., when it was suggested that W. P. A. was a necessity, I suggested the W.P.A. was dwindling in both federal and state, in view of the national emergency program, which would result in expenditures this year of over seventeen billion dollars and next year of over twenty-three billion dollars as against one billion, seven hundred million dollars last year, and I was told even that would not help the state and would not take up all of the employables because the dropping off on W.P.A. would creates a condition in Pennsylvania that would make necessary provisions for those persons who are willing to work but as yet can not get work.

The figures are that we have 108,000 cases on relief now, including what are called categorical relief, which I think is mother's assistance, old age pensions and blind pensions, and of those 108.000 there are at least 50,000 who are unemployable. There are two kinds of unemployables, those who are physically unfit and those who are so old—not entitled to old age pensions by virtue of years and limitations, but so old industry will not take them unless they can not get other more productive employes.

Now, with 50,000 taken from 108,000, we have 58,000 who are now on relief in Pennsylvania. In 1940, in January, the federal government was spending $17,000,000 per month in Pennsylvania for relief by way of public works, that is, W.P.A. That amount has dwindled now to somewhere around $9,000,000 per month. Pennsylvania is spending around $7,000,000 per month; that means that $16,000,000 per month is being spent in order to take care of persons who do not have employment. Fifty thousand of those persons will never be able to be employed, or if they are able to be employed they will be employed only on makeshift work.

Do you decide that problem by deciding to pass an act which does only two things—and that is the effect of this act, to do two things; one is to transfer whatever relief will be given to the Department of Welfare, and the other is to say that only those persons who are physically unable to work, physically handicapped, shall be the persons who will receive assistance, through the Department of Welfare instead of the Department of Public Assistance.

I am quite sure that will not solve the problem; I am quite sure you do not answer the problem by throwing some of those people off, when the Governor of this Commonwealth says that the notices he is receiving from the federal government indicate that there will be very shortly around sixty thousand persons dropped from the W.P.A. rolls, who will of course have to be taken up either by industry or by relief. In either event there will be thousands of people on the relief rolls for several years to come. Those who will not be employable will be on relief either through the Department of Welfare, under this bill, or the Department of Public Assistance.

I say the inconsistency of it gets me dizzy. The Governor says he must have a W.P.A. to take up the burden that will be imposed upon us by this additional number of men who would be otherwise thrown on relief. The Senate says we ought to throw those fellows not on relief—but where? Obviously what this bill means is to throw them on the county, because the only comfort they can get under this bill from the local public assistance board; is that which is provided in the act, namely they shall try to get them a job; there is not another word in that bill—and I have read it from beginning to end—which imposes any further duty on the local public assistance boards, except to try to get them a job.

When they try earnestly and sincerely and do not get them jobs, what will happen? The state has no funds, because this bill says the state does not pay, so the localities are obliged to pay. The cost in Philadelphia today, rather before today, ran as high as $460,000 to $560,000 a week. Philadelphia has not been in a position to carry that burden for years and will not be even in prosperous times able to carry that burden. At present it runs somewheres around $250,000. The condition in other localities is not any better. I do not hear of any localities reducing the tax rate, and that is indicative of the fact—national defense or no national defense—they still have that burden. Why? Because their costs are advancing and their requirements will be excessive.

I think the motive behind this bill is a good one, or rather I should the cause that gives rise to the theory of this bill is a good one. It seems to me that it has been expressed by the gentleman from Philadelphia on a number of occassions, and by others in various ways, and it is this that the Department of Public Assistance is composed of a group of people who make this their business. They do not make it a duty to try to take these people off the lists; it is to their interests to increase their clients, as they call them, for the purpose of perpetuating themselves in their jobs. There is no doubt that criticism is justified from the facts we have had. Today, even though relief expenditures have dropped from twelve million dollars, the high mark, to around seven million dollars, the administrative costs run very close to what they did on the twelve million dollar level. In other words, on the twelve million dollar basis the administration costs fluctuated between eight and nine hundred thousand dollars. Today it is between $780,000 and $850,000, although relief monies expended in dollars and cents are practically fifty per cent.

While it is true, though, that there is justifiable criticism, the question is: are you going to have any less criticism, by transferring this same group of employes, who are protected under civil service under the same methods in this Department of Welfare as they are under the Department of Public Assistance? Will you eradicate the cause by transferring that group? I do not see how you would do so.

I would be more inclined in favor of a bill which would do what I have said for years: place in charge of this $120,000,000 or $240,000,000—because that is what it is—the same type of indivdual, some capable, experienced business man such as any other industry would place in charge of his important business departments. We pay a man ten or twelve thousand dollars a year to manage a $250,000,000 business and we do not place in charge, even at that salary, a man who has had business experience; we take men who have trained themselves in psychology and in all forms of human welfare, without ever having any contact with actual business, the actual

functions of business, and we give them the responsibility of handling these millions of dollars, and they surround themselves with theorists who also have never had any personal or practical experience. You do not, as I say, solve the problem by transferring them from one department to another. I would vote in favor of a bill which would spend fifty thousand dollars for a single man, take him out of some industry, one of those large companies, and place him in charge of this, a man with a heart, not necessarily with social service experience, but one who would apply the common sense to this business that he would to any other business, and then you would get the result of being able to remove persons that you and I feel we are able to identify as incompetent but who are properly on the list, because I think that type of a business man would be just as able to select proper persons as those we have, but even then you will not solve the problem, which will remain with you, because I still say the Department of Welfare is no more competent to handle this than is the Department of Public Assistance and I still say that it is of sufficient importance and size, even with the unemployables, so that it requires the attention of a single person.

Remember this: today the cost of unemployables in this Commonwealth runs up to four million dollars a month, $48,000,000 a year, or approximately one hundred million dollars a biennium. Now, Mr. President, if you had a business of a hundred million dollars a biennium transferred to the Department of Welfare, do you think you would get it more competently administered, do you think you would get rid of the reliefers? I do not think so. Our experience has not been such, because we first had it in what we called the S.E.R.R. That was another department which I think was under the Department of Welfare, if my recollection serves me correctly. We separated it not because we wanted to get the social service workers but because we thought we would get more efficient attention to it.

The fact that there are Communists on the pay roll is no reflection on the system, but on the managers of the system. The fact there is no provision in the law to correct that is not a reflection on the system, but either on the legislators or the managers of the system.

I am quite sure if I had an active Communist on my pay roll I would not wait for an act of legislature or any civil service provisions because that would not bother me, and we would be able to get rid of him because there is nothing in the present civil service law, properly interpreted, which prevents the dismissal of any person who has subversive doctrines.

Mr. WALKER. Mr. President, I suggest the gentleman from Philadelphia, Senator Shapiro, is not speaking on the bill.

Mr. SHAPIRO. Mr. President, I am talking about this, because if this bill passes, and passes the House, you are going to upset the program which has been agreed upon. That is the last subject on which I would like to talk.

We have the Department of Public Assistance, the law governing which is to be amended by giving the Department of Public Assistance the right to create W. P. A. projects. If this bill passes, while you may tell me it does not become effective until 1943, I do not know how long this W. P. A. is going to be effective, and if this bill passes, I do not know what effect it will have on the program. In any event, you are answering your Governor by saying to him, "we do not need any W. P. A.; why we are going to throw these fellows off relief. You do not need a W. P. A. You do not have to bother about the law, the counties are going to take care of them." Now, stripped of a lot of the verbiage, this bill in effect does this: it says to the counties, get ready to take care of all your relief cases when the effective date of this act arrives, and it also says to the Department of Welfare, you now take over these social service workers who have been called by various names here, you take them over and you have the headache, and then we will get rid of this man, Russell, whom some of us may not like.

In closing, Mr. President, I want to say this, in fairness to Mr. Russell, who is in charge of that department, knows his business within his own limitations, and when I say that I mean the limitations that are imposed upon people who make that work their life study. He is a capable person in his way, in his work; I mean he has always been thoroughly honest with every member of this Legislature, he knows his facts and his figures, and you will never be able to get a better man as long as you choose from that type, but if you want to correct the condition, correct it by placing in charge a business man.

Let us not fool ourselves about this bill. I do not think this bill is going to pass the House, I do not think the Governor would sign this bill, but I do feel the whole subject is of sufficient importance that it should be discussed as it has been discussed here today, but I hope it will be discussed without bringing in Communists and Nazis and all the rest of the world. That has nothing to do with the problem we have before us.

Mr. President, I am going to ask those members of this Senate who agree with me to record their opinion on the matter by voting "no" on this bill.

Mr. HALUSKA. Mr. President, I am informed there is to be a dinner tonight; I would like to speak on this bill, but if there is to be a recess, I shall be glad to yield.

The PRESIDENT. The gentleman from Cambria may proceed.

Mr. HALUSKA. Mr. President, I shall try to be very brief. The inhumanity of man to man has always been a mystery to me, and I have always been bewildered, but at this time I certainly am bewildered to see the inhumanity of man to man.

I can not see how the men in this Senate can sincerely vote for this bill if they read it. I say that sincerely, without any malice, because I think this is the most important bill we have had on our Calendar for many days, affecting the rank and file.

As pointed out by my friend from Philadelphia, Mr. Shapiro, the Governor is asking us for a Little W.P.A. Now, under this bill, a person must be indigent, mentally or physically; up until the present time, he must be indigent but not mentally or physically. Therefore, no person who is sane or able bodied, regardless of age, will have an opportunity of getting relief. So, how is it possible to run your Little W. P. A.? A person must be employable to get relief, and then he is assigned to W. P. A. Under this act, if he is employable he can not get relief. It just does not make sense. You are affecting many many thousands of persons, and as I have said to you, you have thousands upon thousands of men and women who never again will be called back to private industry,

broken down miners, as I have stated this afternoon, farmers, mill workers who are still employable, but who because of previous injuries can not pass the physical test to be called back into private industry. They are employables, but under the act not permissible to be given relief.

Gentleman, I trust that you men who come from communities where you have poor people will at this time forget your party lines and vote "no" on this most important measure.

And the question recurring,

Will the Senate agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—33

Bartlett,	Farrell,	Miller,	Tyler,
Becker,	Geltz,	Reed,	Wade,
Carr,	Heyburn,	Ruth,	Walker,
Cavalcante,	Homsher,	Snowden,	Watkins,
Chapman,	James,	Stevenson,	Wilson, H. I.,
Crider,	Kephart,	Tallman,	Wilson, T. B.,
Crowe,	Letzler,	Taylor,	Woodward,
Ealy,	Mallery,	Thomas,	Ziesenheim,
Edmonds,			

NAYS—13

Barr,	Frey,	Lanius,	Mundy,
Coleman,	Haluska,	McGinnis,	Shapiro,
Cox,	Jaspan,	McQuiddy,	Stiefel,
Dent,			

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

BILLS ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 1312, as follows:

An Act to add section 2321 to the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 177) entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments boards commissions and officers thereof including the boards of trustees of State Normal Schools or Teachers Colleges abolishing creating reorganizing or authorizing the reorganization of certain administrative departments boards and commissions defining the powers and duties of the Governor and other executive and administrative officers and of the several administrative departments boards commissions and officers fixing the salaries of the Governor Lieutenant-Governor and certain other executive and administrative officers providing for the appointment of certain administrative officers and of all deputies and other assistants and employes in certain departments boards and commissions and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments boards and commissions shall be determined" by providing for the administration of public assistance by the Department of Welfare providing for the appointment by the Governor of an Employment Board and defining its powers and duties conferring additional powers on the State Welfare Commission providing for a civil service system for the employes of the Department of Welfare and Local Boards engaged in public assistance work and repealing the provisions of this act relating to the Department of Public Assistance

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 177) entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments boards commissions and officers thereof including the boards of trustees of State Normal Schools or Teachers Colleges abolishing creating reorganizing or authorizing the reorganization of certain administrative departments boards and commissions defining the powers and duties of the Governor and other executive and administrative officers and of the several administrative departments boards commissions and officers fixing the salaries of the Governor Lieutenant-Governor and certain other executive and administrative officers providing for the appointment of certain administrative officers and of all deputies and other assistants and employes in certain departments boards and commissions and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments boards and commissions shall be determined" is hereby amended by adding thereto section 2321 to read as follows

Section 2321 Public Assistance And Its Administration (a) As used in this section "assistance" means assistance as defined by the Public Assistance Law "local board" means a board established by law and authorized to provide assistance in one or more counties

(b) The Department of Welfare shall have power and its duties shall be to administer and carry out the provisions of the public assistance law and in so doing to supervise local boards and to allocate to them on the basis of need and as may be required for blind pensions funds out of which to provide assistance and funds for administrative expenses and to take any other action authorized or required by this section or any other law

(c) The Governor shall appoint by and with the consent of the Senate an Employment Board of three members who shall hold no other public position to which a salary is attached and shall receive actual expenses and such per diem compensation not exceeding twenty-five dollars ($25) per day as shall be fixed by the Executive Board and the Governor The Employment Board shall prepare and continue examinations for employment of persons in the Department of Welfare in the administration of the public assistance law which examinations shall be practical in their character and so far as may be possible shall relate to those matters directly bearing on and which will fairly test the relative capacity and fitness of persons examined to discharge the duties of the service into which they seek to be appointed But no applicant shall be required to have had any scholastic education in social service work nor to have had any other special scholastic education or special training or experience In written examinations the identity of each applicant shall be unknown to the examiners Each person taking an examination shall be graded by a method of rating published as part of the announcement of the test except that in the final rating on applications persons who have served in the military or naval service during any war in which the United States was engaged shall be entitled to the preferences and credits provided for by existing law

(d) The qualifications of persons seeking examinations shall be such as will best promote the most efficient administration of public assistance and shall provide that persons applying for positions in the administration of public assistance in the offices designated by the Secretary as central administrative offices (which shall include all those having jurisdiction throughout the state) shall

be citizens of the United States and shall have been legal residents of Pennsylvania for a period of not less than one year before making application and that persons applying for positions in district offices (which shall include all those whose jurisdictions is limited to a particular county or district) shall be citizens of the United States and shall have been legal residents of Pennsylvania for a period of not less than one year and in the county or district in which such office is located for a period of not less than six months before making application

(e) The Secretary of Welfare and the local boards shall make all appointments of employes engaged in the administration of public assistance from a list of eligibles who shall have passed the required examination as provided by this section Such lists shall be used and the names on them shall be placed in an order fixed by the rules of the Employment Board but no name shall remain on such list longer than two years In an emergency if there is no such list an employer may with the approval of the Employment Board nominate a person for non-competitive examination and may appoint him provisionally if he passes the required examination but no such provisional appointment shall be valid for more than ninety (90) days

(f) Every employe appointed by the Secretary of Welfare or local boards shall be on probation for a period of not less than three nor more than six months as fixed by the rules and regulations of the Employment Board During this period the employer may terminate the employment for just cause

(g) A transfer to a new class of employment having the same or a higher maximum penalty shall be made only after examination as in the case of an original appointment

(h) An employer may for just cause suspend an employe without pay for periods totaling not more than thirty (30) days in a salary year Written reasons for every suspension shall be public and be sent to the Employment Board and shall become part of its public records

(i) An employer may demote or remove an employe for just cause only after giving him written reasons for such action and an opportunity to file a written answer Both of such writings shall be properly reported to Employment Board and shall be part of its records Such employes may appeal to the Employment Board under rules and regulations established jointly by the Department of Welfare and the Employment Board

(j) An employe may be removed subject to the right of appeal as above provided if he shall (1) during his employment be a member of a political committee or an officer of a political organization (2) solicit or receive a contribution for political purposes (3) injure or benefit any employe or one who applies for or receives assistance or threatens or promises to do so because of making or withholding a contribution for political purposes because of any past or future vote or because of taking or refraining from any political action (4) at the time of his examination have lacked the minimum qualifications for appointment (5) have falsified his applicant for examination (6) be incompetent (7) be inefficient (8) be insubordinate (9) be dishonest (10) be immoral (11) violate any laws or the rules and regulations of the department (12) be physically or mentally disabled (13) be addicted to the use of intoxicating liquor or narcotic drugs or (14) be a member of any organization or political party which is affiliated with or bears allegiance to any foreign power or which advocates the overthrow of the American form of democratic government

(k) No employer shall demand from any employe before or at the time of appointment any registration or agreement to resign No employe shall receive any compensation until the Employment Board shall certify that its for lawful employment

(l) Race or religion or political or labor union affiliation shall not be a qualification of an applicant nor a cause for deduction in compensation suspension lay-off demotion or removal

(m) The Employment Board shall make rules and regulations not inconsistent herewith to carry this section into effect

(n) The Department of Welfare and the Employment Board shall jointly perform the following functions and duties (1) to classify employments according to the duty involved and the qualifications required (2) to fix maximum and minimum salaries for each class of employment (3) to establish qualifications for applicants for any class of employment (4) to promulgate rules and regulations establishing the procedure to be followed by an employer in demoting or removing an employe

Section 2 Upon the effective date of this act all books papers documents of the Department of Public Assistance and all employes of said department shall be transferred to the Department of Welfare and such employes shall thereupon become employes of the Department of Welfare subject to the provisions of this act All lists of eligibles established for the Department of Public Assistance shall be deemed valid lists for the Department of Welfare and Local Boards and appointments made from such lists shall be deemed valid

Section 3 Article XXV-A of this act be and the same is hereby repealed

Section 4 This act shall become effective on the first day of January one thousand nine hundred and forty-three

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—33

Bartlett,	Farrell,	Miller,	Tyler,
Becker,	Geltz,	Reed,	Wade
Carr,	Heyburn,	Ruth,	Walker,
Cavalcante,	Homsher,	Snowden,	Watkins,
Chapman,	James,	Stevenson,	Wilson, H. I.,
Crider,	Kephart,	Tallman,	Wilson, T. B.,
Crowe,	Letzler,	Taylor,	Woodward,
Ealy,	Mallery,	Thomas,	Ziesenheim,
Edmonds,			

NAYS—13

Barr,	Frey,	Lanius,	Mundy,
Coleman,	Haluska,	McGinnis,	Shapiro,
Cox,	Jaspan,	McQuiddy,	Stiefel,
Dent			

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 1314, as follows:

An Act authorizing the Department of Property and Supplies to acquire on behalf of the Commonwealth certain land upon which the historic Fort Roberdeau once stood in Blair County as a memorial providing for the control management supervision restoration and maintenance thereof authorizing the Pennsylvania Historical Commission to make and enforce rules and regulations for the preservation and visitation thereof and making an appropriation

Whereas In the year one thousand seven hundred and seventy-eight during the American Revolutionary War period Fort Roberdeau was constructed by named after and for a time commanded by the Honorable Daniel Roberdeau in Sinking Valley Bedford County (now Blair

County) Pennsylvania under the direct encouragement of Congress and the promise of indemnity for financial loss by the General Assembly of this Commonwealth for the express purpose of protecting lead mines located at that point and

Whereas The said fort was garrisoned by the Federal Government and stood as a bulwark of protection for the settlers in that district during the remainder of their turbulent times through the Revolutionary War and the later troubles with the savage redskin and

Whereas the exact site of the old fort has been located and some work done on the rebuilding and restoration of the same and

Whereas If the old log fort could be entirely rebuilt and restored as it was at the time of its construction it would be a historical shrine of national interest therefore

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The Department of Property and Supplies with the approval of the Pennsylvania Historical Commission is hereby authorzied to acquire by gift from the County of Blair in the name of the Commonwealth of Pennsylvania in whole or in part the real estate upon which the original Fort Roberdeau was built in what is now known as Sinking Valley Blair County Pennsylvania together with any structure or part of a structure thereon and provide for the rebuilding and restoration of said fort

Section 2 The Pennsylvania Historical Commission after the property has been acquired shall make and enforce rules and regulations for the preservation visitation and maintenance thereof so that the property can be used as a recreational and educational center by the people of the Commonwealth and the Nation and the said commission shall be assisted by a local advisory board to be composed of five members two of whom shall be chosen by the Tourist and Publicity Bureau of the Chamber of Commerce of Altoona Pennsylvania and three of whom shall be chosen by the Blair County Historical Society

Section 3 The sum of four thousand dollars ($4,000) or so much as may be necessary is hereby specifically appropriated to the Pennsylvania Historical Commission for the continuance of restoration management supervision repair and maintenance of the property acquired and restored under the provisions of this act

Section 4 This act shall become effective immediately upon final enactment

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—48

Barr,	DiSilvestro,	Lanius,	Stiefel,
Bartlett,	Ealy,	Letzler,	Tallman,
Becker,	Edmonds,	Mallery,	Taylor,
Carr,	Farrell,	McGinnis,	Thomas,
Cavalcante,	Frey,	McQuiddy,	Tyler,
Chapman,	Geltz,	Miller,	Wade,
Coleman,	Haluska,	Mundy,	Walker,
Cox	Heyburn,	Reed,	Watkins,
Crider,	Homsher,	Ruth,	Wilson, H. I.,
Crowe,	James,	Shapiro,	Wilson, T. B.,
Deitrick,	Jaspan,	Snowden,	Woodward,
Dent,	Kephart,	Stevenson,	Ziesenheim,

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

BILLS OVER IN ORDER

Mr. GELTZ. Mr. President, I ask unanimous consent that Senate Bill No. 1315, on third reading, entitled:

An Act to reenact and further amend the title and the provisions of the act, approved the twenty-fifth day of May, one thousand eight hundred ninety-seven (P. L. 83), entitled "An act to provide for the maintenance, care and treatment of the indigent insane in county and local institutions," as amended by reviving said act for a limited period of time and including institution districts within the act, in conformity with existing law

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. GELTZ. Mr. President, I ask unanimous consent that Senate Bill No. 1316, on third reading, entitled:

An Act to further amend section three hundred nine of the act approved the twenty-fourth day of June, one thousand nine hundred thirty-seven (P. L. 2017), entitled "An act creating in each county (except of the first class) as a separate corporation, and in each city of the first and second class as a part of the city government, an institution district for the care and maintenance of certain indigent persons and children; prescribing the powers and duties of county commissioners, county treasurers, city departments of public welfare, the State Department of Welfare and the State Department of Public Assistance in respect thereto; abolishing certain poor districts and terminating the terms of directors, overseers, guardians and managers of the poor and poor district auditors, and providing for the temporary employment of certain of them; providing for the transfer, vesting, sale and disposition of the property of poor districts and the payment of their obligations; imposing certain existing obligations on institution districts and on the Commonwealth; regulating the affairs of poor districts until abolished; revising, amending, changing and consolidating the law relating to the care of the poor; and repealing existing laws," by authorizing county institution districts to adopt a supplemental budget and to borrow money to operate institutions for mental patients heretofore transferred to the Commonwealth

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. GELTZ. Mr. President, I ask unanimous consent that Senate Bill No. 1317, on third reading, entitled:

An Act to reenact and further amend the title and section one of the act, approved the twenty-fifth day of April, one thousand nine hundred twenty-nine (P. L. 707), entitled "An act fixing the liability of the counties, poor districts, and the Commonwealth for the support of the indigent and partly indigent insane in State institutions," by reviving the provisions of said act for a limited period of time; further fixing the liability of counties, institution districts and the Commonwealth; and conforming the title and the act to existing law

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

SENATE BILL No. 1310, (HOUSE BILL No. 602), ON THIRD READING CALLED UP

Mr. CAVALCANTE. Mr. President, I now call up Senate Bill No. 1310, (House Bill No. 602), on third reading, which went over in its order, on page 11 of the Calendar.

Mr. HALUSKA. Mr. President, I second the motion.

The motion was agreed to.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 1310, (House Bill No. 602), entitled:

An Act to amend sections eight hundred one and nine hundred seventy-six of the act approved the third day of June one thousand nine hundred thirty-seven (P. L. 1333) entitled "An act concerning elections including general municipal special and primary elections the nomination of candidates primary and election expenses and election contests, creating and defining membership of county boards of elections imposing duties upon the Secretary of the Commonwealth courts county boards of elections county commissioners imposing penalties for violation of the act and codifying revising and consolidating the laws relating thereto and repealing certain acts and parts of acts relating to elections" by further defining parties and political bodies providing procedure for rejection of nomination petitions papers or certificates in certain cases imposing duties on the Governor and the Attorney General and imposing additional duties on county boards of elections the Secretary of the Commonwealth and the courts.

And said bill having been read at length the third time,

On the question,

Will the Senate agree to the bill?

Mr. CAVALCANTE. Mr. President, I ask unanimous consent to amend, Section 2, page 8, line 14, by inserting after the word "paper" and before the word "or" the following: "petition".

The PRESIDENT. Is there objection? The Chair hears none.

The amendments were agreed to.

On the question,

Will the Senate agree to the bill on third reading, as amended?

It was agreed to.

Ordered, That said bill as amended be printed for the use of the Senate.

HOUSE MESSAGE

HOUSE BILL FOR CONCURRENCE

The Clerk of the House of Representatives being introduced presented for concurrence bills of the House, as follows:

House Bill No. 1952, (Senate Bill No. 1327), entitled:

An Act fixing the salary of the Parliamentarian of the House of Representatives.

Which was committed to the Committee on Appropriations.

REPORTS FROM COMMITTEES

Mr. FARRELL. Mr. President, I ask unanimous consent to make report from committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. FARRELL, from the Committee on Appropriations, re-reported as amended, Senate Bill No. 937, (House Bill No. 11), entitled:

An Act to create a uniform and exclusive system for the administration of parole in this Commonwealth establishing the "Pennsylvania Board of Parole" conferring and defining its jurisdiction duties powers and functions including the supervision of persons placed upon probation in certain designated cases providing for the method of appointment of its members regulating the appointment removal and discharge of its officers clerks and employes dividing the Commonwealth into administrative districts for purposes of parole fixing the salaries of members of the board and of certain other officers and employes thereof making violations of certain provisions of this act misdemeanors providing penalties therefor and for other cognate purposes and making an appropriation.

Mr. SHAPIRO. Mr. President, I ask unanimous consent to make reports from committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. SHAPIRO, from the Committee on Appropriations, reported as committed, Senate Bill No. 1204, (House Bill No. 1511), entitled:

An Act making an appropriation for the expenses of the Committee of the House of Representatives created by House Resolution Serial Number thirty-five adopted the twenty-fourth day of February one thousand nine hundred and forty-one.

Mr. STIEFEL, from the Committee on Appropriations, reported as committed, Senate Bill No. 1234, (House Bill No. 1530), entitled:

An Act authorizing and directing the Department of Highways to erect and construct a bridge over the Lackawanna River between a point in or near the borough of Blakely, Lackawanna County, and a point in or near the borough of Olyphant in Lackawanna County to provide the necessary approaches thereto; and making an appropriation.

He also, from the Committee on Appropriations, reported as committed, Senate Bill No. 1136, (House Bill No. 353), entitled:

An Act making an appropriation to the Department of Military Affairs for the maintenance and education of children of soldiers sailors marines female field clerks yeomen (female) and nurses who were killed in action or died during the World War and conferring certain duties upon the State Veterans' Commission

SENATE BILL No. 598 CALLED UP ON THIRD READING

Mr. HOMSHER. Mr. President, I now call up Senate Bill No. 598, on third reading, page 5 of the Calendar, which went over in its order.

Mr. GELTZ. Mr. President, I second the motion.

The motion was agreed to.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 598, entitled:

An Act to add section two thousand two and one-tenths to the act approved the eighteenth day of May, one thousand nine hundred eleven (P. L. 309), entitled "An act to establish a public school system in the Commonwealth of Pennsylvania, together with the provisions by which it shall be administered, and prescribing penalties for the violation thereof; providing revenue to establish and maintain the same, and the method of collecting such revenue; and repealing all laws, general, special or local, or any parts thereof, that are or may be inconsistent therewith," providing for cooperation with other agencies in furthering national defense programs and activities.

And said bill having been read at length the third time

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Will the Senate agree to the bill?

Mr. HOMSHER. Mr. President, I ask unanimous consent to Amend title, page 1, last line on page, by inserting after the word "cooperation" the following: "of State Teachers Colleges, at the request of the State Council of Defense"; Amend sec. 1 (Sec. 2002.1), page 2, line 23, by striking out the word "The" and inserting in lieu thereof: "At the request of the State Council of Defense, the"; Amend sec. 2, page 3, line 8, by striking out the word "until" and inserting in lieu thereof: "during the present emergency and not later than".

The PRESIDENT. Is there objection? The Chair hears none.

On the question.

Will the Senate agree to the amendments?

Mr. COLEMAN. Mr. President, I desire to interrogate the gentleman from Lancaster.

The PRESIDENT. Will the gentleman from Lancaster permit himself to be interrogated?

Mr. HOMSHER. I will, Mr. President.

Mr. COLEMAN. Mr. President, I desire to ask the gentleman from Lancaster if these amendments are as a result of a conference at which I understood representatives of the Liberal Arts Colleges were in attendance, and the amendments resulted from that conference, on which everybody was in agreement.

Mr. HOMSHER. Yes sir. They correspond with amendments as brought to me by representatives of the Liberal Arts Colleges.

There was a conference held today by representatives of the State Council of Education, Committee of State Teacher's Colleges, State Council of Defense, representatives of Selective Service, representatives of the Libral Arts Colleges, and representatives of the Department of Education. Representatives of the Liberal Arts Colleges brought to me these amendments on which they had agreed; later, the Department of Public Instruction sent amendments to me and they conformed with the amendments of the Liberal Arts Colleges.

Mr. COLEMAN. Mr. President, will the gentleman from Lancaster tell me the names of the representatives of the Liberal Arts Colleges?

Mr. HOMSHER. Mr. President, the names of the representatives were:

Dr. E. V. Stanford, President of Villanova College;

Dr. Henry W. A. Hanson, President of Gettysburg College;

Dr. Fred P. Corson, President of Dickinson College;

Dr. C. C. Leslies, President of Juniata College;

Dr. C. C. Williams, President of Lehigh University;

Dr. R. H. Revenberg, Vice President of Bucknell University; and

Dr. Frank Davis, Bucknell University.

The conference also was attended by Dr. Marts, executive director of the State Council of Defense, and Mr. D. L. Helffreich, Chairman of the State Council of Education, and also a representative of Ursinus College.

The PRESIDENT. Does the Chair understand that was at the request of the State Council of Defense?

Mr. GELTZ. Mr. President, the gentleman from Lancaster, said that Dr. Marts, Executive Director of the State Council of Defense. was one of the conferees.

Mr. President, my understanding is that among the names read as representatives of the Liberal Arts Colleges, was the name of Dr. Marts, whom I believe is also Executive Director of the State Council of Defense.

The PRESIDENT. That is perfectly all right, if he is talking for the college, but not if he is speaking for the Council of Defense, because the State Council of Defense has not had a meeting for six weeks.

Mr. GELTZ. Mr. President, the gentleman from Lancaster was not representing that Dr. Marts was there on behalf of the State Council of Defense. He mentioned the name of Dr. Marts, as vice-president of Bucknell College.

And the question recurring,

Will the Senate agree to the amendments?

The amendments were agreed to.

On the question,

Will the Senate agree to the bill on third reading, as amended?

It was agreed to.

BILL OVER IN ORDER

Mr. HOMSHER. Mr. President, I ask unanimous consent that Senate Bill No. 598, on third reading, go over in its order.

The PRESIDENT. Is ther objection? The Chair hears none.

RECESS

Mr. GELTZ. Mr. President, I move that the Senate do now take a recess until 9:30 o'clock, E. S. T.

Mr. EALY. Mr. President, I second the motion.

The motion was agreed to.

AFTER RECESS

The PRESIDENT. The time of recess having elapsed the Senate will be in order.

REPORTS FROM COMMITTEES

Mr. CHAPMAN. Mr. President, I ask unanimous consent to make report from committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. CHAPMAN, from the Committee on Appropriations, reported as amended, Senate Bill No. 1150, (House Bill No. 1487), entitled:

An Act providing for the construction and maintenance by the Department of Forests and Waters with the advice of the Bushy Run Battlefield Commission of a Bushy Run Museum Building on land owned by the Commonwealth in Westmoreland County and making an appropriation

He also, from the Committee on Appropriations, reported as amended, Senate Bill No. 906, entitled:

An Act prescribing the powers and duties of the Department of Forests and Waters in respect to the Brandywine Battlefield; and making an appropriation.

Mr. BARTLETT. Mr. President, I ask unanimous consent to make report from committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. BARTLETT, from the Committee on Welfare, Public Assistance and Pensions, reported as amended, Senate Bill No. 1309, (House Bill No. 448), entitled:

An Act to further amend clause (e) of section seven and to amend the first paragraph of section nine of the act, approved the twenty-fourth day of June, one thousand nine hundred and thirty-seven (P. L. 2051), entitled "An act relating to public assistance; providing for and regulating assistance to certain classes of persons designated and defined as dependent children, aged persons, blind persons and other persons requiring relief; Providing for the administration of this act by the Department of Public Assistance and county boards of assistance hereby created for this purpose; authorizing the Department of Public Assistance to cooperate with, and to accept and disburse moneys received from, the United States Government for assistance to such persons; providing for the liquidation of the State Emergency Relief Board, Boards of Trustees of Mothers' Assistance Fund, and Boards of Trustees of Pension Fund for the Blind and repealing laws relating to mothers' assistance, pensions for the blind, old age assistance, and the State Emergency Relief Board," by redefining eligibility for assistance, providing for appeals from certain decisions of the Department of Public Assistance to common pleas courts, and imposing powers and duties on common pleas courts.

Mr. BECKER. Mr. President, I ask unanimous consent to make report from committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. BECKER, from the Committee on Banking, reported as committed, Senate Bill No. 1326, (House Bill No. 355), entitled:

An Act to provide for the change of object of the corporate existence of beneficial and relief associations as herein defined and authorizing and providing a mode for the dissolution and surrender of the charter of such associations.

He also, from the Committee on Judiciary General, reported as committed, Senate Bill No. 754, (House Bill No. 652), entitled:

An Act authorizing any county, city, borough, town, township, poor district, school district or institution district to execute a special warranty deed for any real property which it has acquired at any sale for the nonpayment of taxes or municipal claims.

Mr. STIEFEL. Mr. President, I ask unanimous consent to make report from committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. STIEFEL, from the Committee on Appropriations, reported as committed, Senate Bill No. 1327, (House Bill No. 1952), entitled:

An Act fixing the salary of the Parliamentarian of the House of Representatives.

Mr. MILLER. Mr. President, I ask unanimous consent to make report from committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

RESOLUTION REQUESTING GOVERNOR TO SET ASIDE MAY 3RD AS "CORN FLOWER DAY" IN HONOR OF POLISH WAR VETERANS

Mr. MILLER, from the Committee on Military Affairs, to which was referred on June 23, 1941, the following resolution from the House of Representatives reported the same with amendments as follows, viz:

In the House of Representatives, May 20, 1941.

Whereas, The Polish Army Veterans' Association of America is an organization of veterans composed of the Polish Army, who enlisted as volunteers in 1917 and 1918, from the United States, for service with the Polish forces in France and in Poland; and

Whereas, By special permission of the State and War Departments, and by proclamation of President Woodrow Wilson, the Polish Military Commission was authorized to recruit from among the Poles in the United States Volunteers for the army, after this country entered as a participant in the World War on the side of the Allies; and

Whereas, In addition to the 250,000 soldiers of Polish extraction, who served in the AEF, the Poles contributed some 27,000 volunteers for service with the Polish Army in France who trained at Niagara-on-the-Lake, Ontario at Fort Niagara, N. Y.; and

Whereas, Ninety per cent. of these men saw service in France in 1918 and later in Poland in 1919 and 1920, and upon termination of hostilities between Poland and Soviet Russia, they were returned to the United States, under an agreement between this country and Poland; and

Whereas, In May 1921, the Polish Army Veterans' Association of America was formed in Cleveland, Ohio, for the sole purpose of aiding the physically disabled and otherwise incapacitated veterans; and

Whereas, The task that lay before the founders and succeeding leaders of the organization was tremendous, in as much as neither the American nor the Polish governments felt any responsibility for the care of these unfortunates, for purely technical reasons; and

Whereas, With each succeeding year, the need for aid for these disabled veterans has grown; and

Whereas, This association has found a method of raising funds by adopting the corn flower as its official flower, and selling it on the highways in a manner similar to that in which poppies are now sold; be it therefore

Resolved (if the Senate concur), That the Governor be requested to issue a proclamation setting aside May 3, 1942, and May 3rd of all succeeding years, as "Corn Flower Day," so that the corn flower may be sold by the Polish Army Veterans' Association of America, and the proceeds of such sales applied to the maintenance and upkeep of disabled Polish war veterans.

Laid over for one day under the Rules.

Mr. WATKINS. Mr. President, I ask unanimous consent to make report from committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. WATKINS, from the Committee on Judiciary General, reported as committed, Senate Bill No. 1127, (House Bill No. 1328), entitled:

An Act to reenact and amend the title and the act, approved the twenty-ninth day of April, one thousand nine hundred thirty-seven (P. L. 526), entitled "An act providing for and regulating joint purchases by counties (other than counties of the first and second classes), cities of the third class, boroughs, towns, townships, school districts, and poor districts," by including second class counties cities of the second class and institution districts within the provisions of the act.

He also, from the Committee on Judiciary General, reported as committed, Senate Bill No. 537, (House Bill No. 579), entitled:

An Act relating to acknowledgments of written instruments and to make uniform the law with relation thereto.

HOUSE MESSAGES

RECALLING HOUSE BILL No. 892 (PRINTER'S No. 1049) FROM THE GOVERNOR

The Clerk of the House of Representatives being introduced, presented an extract from the Journal of the House of Representatives, which was twice read, considered and agreed to:

In the House of Representatives, July 9, 1941.

Resolved (if the Senate concur), That House Bill No. 892, (Printer's No. 1049), entitled:

An Act authorizing a commission to study recreational facilities available in first class cities; imposing powers and duties on said commission; and making an appropriation

be recalled from the Governor for the purpose of amendment.

Ordered, That the Clerk inform the House of Representatives accordingly.

HOUSE ADOPTS REPORT OF COMMITTEE OF CONFERENCE ON SENATE BILL No. 418

He also informed the Senate that the House of Representatives has adopted the Report of the Committee of Conference on Senate Bill No. 418, entitled:

An Act requiring the Governor of the Commonwealth to issue a proclamation setting apart September thirteenth of this year as Commodore John Barry Day.

HOUSE CONCURS IN AMENDMENTS TO HOUSE BILL No. 820

He also presented communication from the House of Representatives informing the Senate that the House has concurred in amendments made by the Senate to House Bill No. 820, entitled:

An Act to amend section one of the act, approved the second day of May, one thousand eight hundred and ninety-nine (P. L. 184), entitled "Mercantile License Tax Law," as amended, exempting from the mercantile license tax so much of the business of manufacturers and mechanics as comprises the vending of goods of their manufacture from their factories and workshops.

HOUSE CONCURS IN AMENDMENTS TO HOUSE BILL No. 639

He also presented communication from the House of Representatives informing the Senate that the House has concurred in amendments made by the Senate to House Bill No. 639, entitled:

An Act requiring the Department of Property and Supplies, with the approval of the Department of Military Affairs to complete and thereafter maintain "The Twenty-eighth Division Shrine," at Boalsburg, Centre County; dedicating the same to the officers and men of the Twenty-eighth Division; and making an appropriation.

HOUSE CONCURS IN AMENDMENTS TO HOUSE BILL No. 361

He also presented communication from the House of Representatives informing the Senate that the House has concurred in amendments made by the Senate to House Bill No. 361, entitled:

An Act making an appropriation to the City of Harrisburg to compensate for the extra police protection afforded by the Harrisburg police force for the properties and activities of the Commonwealth within the Capital City.

HOUSE CONCURS IN AMENDMENTS TO HOUSE BILL No. 1611

He also presented communication from the House of Representatives informing the Senate that the House has concurred in amendments made by the Senate to House Bill No. 1611, entitled:

An Act creating a presumption of release or discharge of certain mortgages held by the Commonwealth and requiring the Department of Justice to enter satisfaction thereof at the cost of the property owners

HOUSE CONCURS IN AMENDMENTS TO HOUSE BILL No. 1095

He also presented communication from the House of Representatives informing the Senate that the House has concurred in amendments made by the Senate to House Bill No. 1095, entitled:

An Act to further amend section six of the act approved the fifth day of May one thousand nine hundred and eleven (P. L. 198) entitled "An act to establish a county court for the county of Allegheny and prescribing its powers and duties regulating the procedure therein and providing for the expenses thereof" by conferring upon said county court jurisdiction in certain civil actions transferred to it by the Court of Common Pleas of Allegheny County.

HOUSE CONCURS IN AMENDMENTS TO HOUSE BILL No. 723

He also presented communication from the House of Representatives informing the Senate that the House has concurred in amendments made by the Senate to House Bill No. 723, entitled:

An Act to further amend section fourteen of the act, approved the eighteenth day of July, one thousand nine hundred and seventeen (P. L. 1043), entitled "School Employes Retirement Law," extending the retirement provisions relating to former teachers to additional cases who separated from school service because of physical or mental disability prior to the first day of July, one thousand nine hundred and nineteen.

HOUSE CONCURS IN AMENDMENTS TO HOUSE BILL No. 220

He also presented communication from the House of Representatives informing the Senate that the House has concurred in amendments made by the Senate to House Bill No. 220, entitled:

An Act to amend section four of the act, approved the twenty-second day of June, one thousand nine hundred and thirty-one (P. L. 720) entitled "City State Highway Law," requiring the Department of Highways to take over bridges and viaducts on State highways in cities of the third class.

HOUSE CONCURS IN AMENDMENTS TO HOUSE BILL No. 49

He also presented communication from the House of Representatives informing the Senate that the House has concurred in amendments made by the Senate to House Bill No. 49, entitled:

An Act making an appropriation for the maintenance, repair, and improvement of the Port of Philadelphia

HOUSE CONCURS IN AMENDMENTS TO HOUSE BILL No. 1488

He also presented communication from the House of Representatives informing the Senate that the House has concurred in amendments made by the Senate to House Bill No. 1488, entitled:

An Act preserving the rights of persons enlisting or being inducted or drafted into the military or naval service of the United States, under licenses or registrations issued by the Department of Public Instruction and the Department of Insurance to practice professions or to work at trades or occupations; and providing for renewals after discharge from such service.

HOUSE CONCURS IN AMENDMENTS TO HOUSE BILL No. 1760

He also presented communication from the House of Representatives informing the Senate that the House has concurred in amendments made by the Senate to House Bill No. 1760, entitled:

An Act creating a commission to make a study and investigation of the various problems related to the surface subsidence frequently caused by the mining of anthracite coal, directing such commission to make a report and recommendations to the General Assembly; conferring certain powers upon such commission, including the power to issue subpoenas, administer oaths and affirmations, retain employes and expend funds; and making an appropriation.

HOUSE CONCURS IN AMENDMENTS TO HOUSE BILL No. 1716

He also presented communication from the House of Representatives informing the Senate that the House has concurred in amendments made by the Senate to House Bill No. 1716, entitled:

An Act to further amend sections three and ten of the act, approved the fifth day of May, one thousand nine hundred and thirty-three (P. L. 284), entitled as amended "Beverage Tax Law," by prescribing malt beverage tax rates for certain original containers or standard fractions thereof; fixing a minimum quantity of malt or brewed beverages which may be sold in cases, cartons or boxes; and providing for refunds of tax for malt or brewed beverages sold to commissaries, ship's stores and voluntary unincorporated organizations of the Army or of the Navy personnel operating under regulations promulgated by the Secretary of War or the Secretary of the Navy.

HOUSE CONCURS IN AMENDMENTS TO HOUSE BILL No. 1650

He also presented communication from the House of Representatives informing the Senate that the House has concurred in amendments made by the Senate to House Bill No. 1650, entitled:

An Act providing for the cooperation of the Commonwealth and certain political subdivisions thereof with the United States in respect to flood control projects; authorizing the Secretary of Highways on behalf of the Commonwealth, and the authorities of the various counties, cities, boroughs and townships to grant and convey certain rights and easements thereof and lands bordering the same over which such governmental units may have control.

HOUSE CONCURS IN AMENDMENTS TO HOUSE BILL No. 1919

He also presented communication from the House of Representatives informing the Senate that the House has concurred in amendments made by the Senate to House Bill No. 1919, entitled:

An Act to amend section 103, 301, 304, 305, 307, 308, 310, 311, 401, 402, 403, 404, 405, 410, 501, 502, 503, 505, 506, 508, 510, 511, 512, 513, 703, 801, 802, 803, 804, 807, 808, 809, 904, 1013, and 1101 of the act approved the twenty-eighth day of April one thousand nine hundred and thirty-seven (P. L. 417) entitled "Milk Control Law," by adding the term "handler" as a synonym for the term "milk dealer", defining the terms "handle" and "handler"; extending the provisions of the act to those who handle milk by bailment, brokerage, consignment or purchase; authorizing special agents or examiners to conduct hearings on behalf of the Milk Control Commission; enabling certain officers, employes and agents to administer oaths; providing the method and effect of service of certain orders and the posting of rules, regulations and certain orders; enabling employes of the commission to photograph, photostat, mark or stamp for indentification books and papers that they have inspected; providing for action with milk control agencies of other states and of the United States in holding hearings and promulgating and enforcing orders; requiring milk dealers or handlers to be licensed; stating grounds for refusal, suspension, revocation of licenses and the right to transfer licenses; stating grounds for refusal of the right to apply for a license; stating the effect of service by registered mail; enlarging requirements of milk dealers or handlers to file bonds to secure payment to producers and certain milk dealers or handlers; prescribing the effective date and term of such bonds and providing for their release; providing for the increase or decrease of the amounts of bonds; prescribing the effect or orders and findings of fact of the commission relating to licenses in suits or bonds; providing for payment to those entitled thereto of moneys in the hands of the commission owing from dealers or handlers to producers and from subdealers or subhandlers to dealers or handlers; increasing the scope of regulation of subdealers or subhandlers; making certain information available to cooperatives and producers' groups; clarifying the requisities of orders fixing prices for milk; providing for the competency of certain statistical thereof stating the effect of partial invalidity of price-fixing orders shall be presumed to be valid and placing the burden of proving any invalidity of any order or part thereof stating the effect of partial invalidity of price-fixing orders; defining violations of orders of the commission fixing prices; making milk dealers or handlers responsible for acts of their directors, officers, agents or other persons acting for or on behalf of them; giving certain additional rights to co-operatives and producers' and farmers' unions or organizations of producers of milk; further regulating and imposing duties on milk dealers or handlers; prescribing procedure on appeal from orders of the commission; further defining and prescribing penalties, defenses, rights and remedies; and providing for the payment of funds in the hands of the commission owing producers or dealers or handlers to those entitled thereto.

HOUSE CONCURS IN AMENDMENTS TO HOUSE BILL No. 1572

He also presented communication from the House of Representatives informing the Senate that the House has concurred in amendments made by the Senate to House Bill No. 1572, entitled:

An Act to amend the act, approved the second day of March, one thousand nine hundred thirty-three (P. L. 6), entitled "An act to enable persons, associations, partnerships and corporations engaged in farming, and raising, breeding, fattening and marketing livestock, to borrow

money and secure the repayment thereof by the execution and recordation of chattel mortgages on livestock, farm machinery, farm equipment, and crops; and designating the operation and effect of the lien of such mortgages," as amended, by extending, enlarging, and removing the limitations upon the class of those who may become chattel mortgagees, by making further provisions respecting the fees of recorders of deeds in connection with chattel mortgages, the extension of the lien and defaults of said mortgages and by defining violations and prescribing penalties

HOUSE CONCURS IN AMENDMENTS TO SENATE BILL No. 252 RECALLED FROM THE GOVERNOR

He also informed the Senate that the House has concurred in amendments made by the Senate to Senate Bill No. 252, entitled:

An Act to amend section one of the act approved the sixth day of April, one thousand eight hundred and fifty-nine (P. L. 387), entitled "An act to authorize execution of process in certain cases in equity, concerning property within the jurisdiction of the court, and on defendants not resident or found therein," authorizing execution of process in certain cases for the perpetuation of testimony

Said bill having been recalled from the Governor for the purpose of amendment. The votes had on final passage and third reading were reconsidered in the Senate and the bill amended.

HOUSE CONCURS IN AMENDMENTS TO SENATE BILL No. 566 RECALLED FROM THE GOVERNOR

He also informed the Senate that the House has concurred in amendments made by the Senate to Senate Bill No. 566, entitled:

An Act to amend clause (b) of section twenty-seven of the act, approved the seventh day of June, one thousand nine hundred and seventeen (P. L. 447), entitled "An act relating to the administration and distribution of the estates of decedents and of minors, and of trust estates: including the appointment, bonds, rights, powers, duties, liabilities, accounts, discharge and removal of executors, administrators, guardians, and trustees, herein designated as fiduciaries; the administration and distribution of the estates of presumed decedents; widow's and children's exemptions; debts of decedents, rents of real estate as assets for payment thereof, the lien thereof, sales and mortgages of real estate for the payment thereof, judgments and executions therefor, and the discharge of real estate from the lien thereof; contracts of decedents for the sale or purchase of real estate; legacies, including legacies charged on land; the discharge of residuary estates and of real estate from the lien of legacies and other charges; the appraisement of real estate devised at a valuation; the ascertainment of the curtilage of dwelling houses or other buildings devised; the abatement and survival of actions, and the substitution of executors and administrators therein, and suits against fiduciaries; investments by fiduciaries, the organization of corporations to carry on the business of decedents; the audit and review of accounts of fiduciaries; refunding bonds; transcripts to the court of common pleas of balances due by fiduciaries; the rights powers and liabilities of non-resident and foreign fiduciaries the appointment bonds, rights, powers, duties, and liabilities of trustees durante absentia; the recording and registration of decrees; reports and other proceedings, and the fees therefor, appeals in certain cases; and, also generally dealing with the jurisdiction powers, and proceedings of the orphans court in all matters relating to fiduciaries concerned with the estates of decedents," by further regulating the discharge of charges on real estate.

Said bill having been recalled from the Governor for the purpose of amendment. The votes had on final passage and third reading were reconsidered in the Senate and the bill amended.

BILLS SIGNED

The PRESIDENT (Lieutenant-Governor Samuel S. Lewis) announced that the Chief Clerk having reported that the following bills had passed both houses of the General Assembly and the same being correct, the titles were publicly read as follows:

House Bill No. 183, entitled:

An Act to amend section seven hundred two and to further amend section nine hundred five of the act, approved the first day of May, one thousand nine hundred and thirty-three (P. L. 103), entitled "The Second Class Township Law," authorizing the establishment and maintenance of fire hydrants and fire hydrant water service and the levy of a special tax therefor with the assent of electors.

House Bill No. 223, entitled:

An Act authorizing the Department of Property and Supplies to acquire on behalf of the Commonwealth of Pennsylvania certain land upon which is still standing the birthplace of Robert Fulton in Fulton Township, Lancaster County; or so much thereof as may be necessary, as a memorial; providing for the control, management, supervision, improvement, restoration and maintenance thereof; authorizing the Pennsylvania Historical Commission to make and enforce rules and regulations for the preservation and visitation thereof; and making an appropriation.

House Bill No. 251, entitled:

An Act to amend section eleven of the act approved the first day of July, one thousand nine hundred and thirty-seven (P. L. 2532), entitled "Workmen's Compensation Security Fund Act," by providing that payment of an award from the funds established by said act shall not provide any right of recovery against the employer; and that the employer may pay the award in advance of payment from the fund and shall thereupon be subrogated to the rights of the employe or any other party in interest against the fund.

House Bill No. 434, entitled:

An Act making an appropriation to the Pennsylvania Department of Highways for the improvement of roads and parking areas within the Daniel Boone Homestead.

House Bill No. 1101, entitled:

An Act to amend section one thousand five hundred and one, and one thousand five hundred and eight of the act, approved the first day of May, one thousand nine hundred and thirty-three (P. L. 103), entitled "The Second Class Township Law," further regulating sewer connections and sewer district assessments in certain cases.

House Bill No. 1370, entitled:

An Act to amend section eighteen of article nineteen of the act, approved the twenty-fifth day of June, one thousand nine hundred and nineteen (P. L. 581), entitled "First Class City Charter Law" further regulating the removal, discharge or reduction in pay or position of officers, clerks and employes in the classified civil service.

House Bill No. 1442, entitled:

An Act making an appropriation to the Department of Commerce out of the Motor License Fund for the proper conduct of a specific portion of its work.

House Bill No. 1501, entitled:

An Act authorizing the Secretary of the Department of Forests and Waters to lease a tract of land in Jackson Township Dauphin County to the Susquehannock Indian Tribe.

House Bill No. 49, entitled:

An Act making an appropriation for the maintenance, repair, and improvement of the Port of Philadelphia.

House Bill No. 220, entitled:

An Act to amend section four of the act, approved the twenty-second day of June, one thousand nine hundred and thirty-one (P. L. 720) entitled "City State Highway Law," requiring the Department of Highways to take over bridges and viaducts on State highways in cities of the third class.

House Bill No. 361, entitled:

An Act making an appropriation to the City of Harrisburg to compensate for the extra police protection afforded by the Harrisburg police force for the properties and activities of the Commonwealth within the Capitol City.

House Bill No. 639, entitled:

An Act requiring the Department of Property and Supplies, with the approval of the Department of Military Affairs to complete and thereafter maintain "The Twenty-eighth Division Shrine," at Boalsburg, Centre County; dedicating the same to the officers and men of the Twenty-eighth Division; and making an appropriation.

House Bill No. 723, entitled:

An Act to further amend section fourteen of the act, approved the eighteenth day of July, one thousand nine hundred and seventeen (P. L. 1043), entitled "School Employes Retirement Law," extending the retirement provisions relating to former teachers to additional cases who separated from school service because of physical or mental disability prior to the first day of July, one thousand nine hundred and nineteen.

House Bill No. 820, entitled:

An Act to amend section one of the act, approved the second day of May, one thousand eight hundred and ninety-nine (P. L. 184), entitled "Mercantile License Tax Law," as amended, exempting from the mercantile license tax so much of the business of manufacturers and mechanics as comprises the vending of goods of their manufacture from their factories and workshops.

House Bill No. 1095, entitled:

An Act to further amend section six of the act, approved the fifth day of May, one thousand nine hundred and eleven (P. L. 198), entitled "An act to establish a county court for the county of Allegheny, and prescribing its powers and duties; regulating the procedure therein, and providing for the expenses thereof," by conferring upon said county court jurisdiction in certain civil actions transferred to it by the Court of Common Pleas of Allegheny County.

House Bill No. 1488, entitled:

An Act preserving the rights of persons enlisting or being inducted or drafted into the military or naval service of the United States, under licenses or registrations issued by the Department of Public Instruction and the Department of Insurance to practice professions or to work at trades or occupations; and providing for renewals after discharge from such service.

House Bill No. 1572, entitled:

An Act to amend the act, approved the second day of March, one thousand nine hundred thirty-three (P. L. 6), entitled "An act to enable persons, associations, partnerships and corporations engaged in farming, and raising, breeding, fattening and marketing livestock, to borrow money and secure the repayment thereof by the execution and recordation of chattel mortgages on livestock, farm machinery, farm equipment, and crops; and designating the operation and effect of the lien of such mortgages," as amended, by extending, enlarging, and removing the limitations upon the class of those who may become chattel mortgagees, by making further provisions respecting the fees of recorders of deeds in connection with chattel mortgages, the extension of the lien and defaults of said mortgages and by defining violations and prescribing penalties.

House Bill No. 1611, entitled:

An Act creating a presumption of release or discharge of certain mortgages held by the Commonwealth and requiring the Department of Justice to enter satisfaction thereof at the cost of the property owners.

House Bill No. 1650, entitled:

An Act providing for the cooperation of the Commonwealth and certain political subdivisions thereof with the United States in respect to flood control projects; authorizing the Secretary of Highways on behalf of the Commonwealth, and the authorities of the various counties, cities, boroughs and townships to grant and convey certain rights and easements thereof and lands bordering the same over which such governmental units may have control.

House Bill No. 1716, entitled:

An Act to further amend sections three and ten of the act, approved the fifth day of May, one thousand nine hundred and thirty-three (P. L. 284), entitled, as amended, "Beverage Tax Law," by prescribing malt beverage tax rates for certain original containers or standard fractions thereof; fixing a minimum quantity of malt or brewed beverages which may be sold in cases, cartons or boxes; and providing for refunds of tax for malt or brewed beverages sold to commissaries, ship's stores and voluntary unincorporated organizations of the Army or of the Navy personnel operating under regulations promulgated by the Secretary of War or the Secretary of the Navy.

House Bill No. 1760, entitled:

An Act creating a commission to make a study and investigation of the various problems related to the surface subsidence frequently caused by the mining of anthracite coal, directing such commission to make a report and recommendations to the General Assembly; conferring certain powers upon such commission, including the power to issue subpoenas, administer oaths and affirmations, retain employes and expend funds; and making an appropriation

House Bill No. 1919, entitled:

An Act to amend section 103, 301, 304, 305, 307, 308, 310, 311, 401, 402, 403, 404, 405, 410, 501, 502, 503, 505, 506, 508, 510, 511, 512, 513, 703, 801, 802, 803, 804, 807, 808, 809, 904, 1013, and 1101 of the act approved the twenty-eighth day of April, one thousand nine hundred and thirty-seven (P. L. 417) entitled "Milk Control Law," by adding the term "handler" as a synonym for the term "milk dealer," defining the terms "handle" and "handler"; extending the provisions of the act to those who handle milk by bailment, brokerage, consignment or purchase; authorizing special agents or examiners to conduct hearings on behalf of the Milk Control Commission; enabling certain officers, employes and agents to administer oaths; providing the

method and effect of service of certain orders and the posting of rules, regulations and certain orders; enabling employes of the commission to photograph, photostat, mark or stamp for identification books and papers that they have inspected; providing for action with milk control agencies of other states and of the United States in holding hearings and promulgating and enforcing orders; requiring milk dealers or handlers to be licensed; stating grounds for refusal, suspension, revocation of licenses and the right to transfer licenses; stating grounds for refusal of the right to apply for a license; stating the effect of service by registered mail; enlarging requirements of milk dealers or handlers to file bonds to secure payment to producers and certain milk dealers or handlers; prescribing the effective date and term of such bonds and providing for their release; providing for the increase or decrease of the amounts of bonds; prescribing the effect or orders and findings of fact of the commission relating to licenses in suits or bonds; providing for payment to those entitled thereto of moneys in the hands of the commission owing from dealers or handlers to producers and from subdealers or subhandlers to dealers or handlers; increasing the scope of regulation of subdealers or subhandlers; making certain information available to cooperatives and producers' groups; clarifying the requisites of orders fixing prices for milk; providing for the competency of certain statistical testimony and data; providing that all provisions of price-fixing orders shall be presumed to be valid and placing the burden of proving any invalidity of any order or part thereof; stating the effect of partial invalidity of price-fixing orders; defining violations of orders of the commission fixing prices; making milk dealers or handlers responsible for acts of their directors, officers, agents or other persons acting for or on behalf of them; giving certain additional rights to cooperatives and producers' and farmers' unions or organizations of producers of milk; further regulating and imposing duties on milk dealers or handlers; prescribing procedure on appeal from orders of the commission; further defining and prescribing penalties, defenses, rights and remedies; and providing for the payment of funds in the hands of the commission owing producers or dealers or handlers to those entitled thereto

Whereupon,

The PRESIDENT (Lieutenant-Governor Samuel S. Lewis) in the presence of the Senate signed the same.

HOUSE MESSAGES

AMENDMENT TO HOUSE BILL No. 803, RECALLED FROM THE GOVERNOR

The Clerk of the House of Representatives being introduced, presented for concurrence bill of the House of Representatives, as follows:

House Bill No. 803, entitled:

An Act to amend section six hundred and forty-three of the act, approved the twenty-fourth day of June, one thousand nine hundred and thirty-nine (P. L. 872), entitled "The Penal Code," prohibiting selling, giving away or permitting or employing minors under eighteen to sing, dance, act or exhibit in dance houses, concert saloons, theatres, places of entertainment, tap rooms, clubs, cafes, restaurants or eating houses, where or connected with which, wines or spirituous or malt liquors are sold or given away.

Said bill having been recalled from the Governor for amendment, the votes had on final passage and third reading were reconsidered in the House and the bill amended, in which amendments the concurrence of the Senate is requested.

The PRESIDENT. The bill as amended will be noted on tomorrow's Calendar.

AMENDMENT TO HOUSE BILL No. 1323, RECALLED FROM THE GOVERNOR

He also presented for concurrence bill of the House of Representatives, as follows:

House Bill No. 1323, entitled:

An Act authorizing the Department of Property and Supplies, with the consent of the Department of Military Affairs and the approval of the Governor, to sell and convey the property of the Pennsylvania State Arsenal at Harrisburg to the city of Harrisburg, in exchange for the conveyance by said city of Wildwood Park to the Commonwealth for the use of the Pennsylvania Game Commission in maintaining a wild life sanctuary.

Said bill having been recalled from the Governor for amendment, the votes had on final passage and third reading were reconsidered in the House and the bill amended, in which amendments the concurrence of the Senate is requested.

The PRESIDENT. The bill as amended will be noted on tomorrow's Calendar.

AMENDMENT TO HOUSE BILL No. 1676, RECALLED FROM THE GOVERNOR

He also presented for concurrence bill of the House of Representatives, as follows:

House Bill No. 1676, entitled:

An Act to further amend the act, approved the second day of May, one thousand nine hundred and twenty-nine (P. L. 1518), entitled, as amended, "Elevator Regulation Law," by defining and making further provision relative to the installation and use of "man lift" elevators.

Said bill having been recalled from the Governor for amendment, the votes had on final passage and third reading were reconsidered in the House and the bill amended, in which amendments the concurrence of the Senate is requested.

The PRESIDENT. The bill as amended will be noted on tomorrow's Calendar.

HOUSE INSISTS ON ITS AMENDMENTS NON-CONCURRED IN BY THE SENATE TO SENATE BILL No. 24

He also informed the Senate, that the House of Representatives insists on its amendments non-concurred in by the Senate to Senate Bill No. 24, entitled:

An Act defining and prohibiting unfair sales providing remedies for violations thereof, and establishing penalties therefor.

SENATE INSISTS UPON ITS NON-CONCURRENCE IN HOUSE AMENDMENTS TO SENATE BILL No. 24

Mr. EALY. Mr. President, I move that the Senate insist upon its non-concurrence in the amendments made by the House to Senate Bill No. 24, entitled:

An Act defining and prohibiting unfair sales providing remedies for violations thereof, and establishing penalties therefor.

Mr. MILLER. Mr. President, I second the motion.

The motion was agreed to.

Ordered, That the Clerk inform the House of Representatives accordingly.

HOUSE INSISTS ON ITS AMENDMENTS NON-CONCURRED IN BY THE SENATE TO SENATE BILL No. 169

He also informed the Senate that the House of Representatives insists upon its amendments non-concurred in by the Senate to Senate Bill No. 169, entitled:

An Act to amend the act approved the twenty-fifth day of May, one thousand nine hundred and thirty-seven (P. L. 814), entitled "An act to provide for the permanent personal registration of electors in cities of the second class as a condition of their right to vote at elections and primaries, and their enrollment as members of political parties as a further condition of their right to vote at primaries; prescribing certain procedure for the conduct of elections and primaries and the challenge and proof of qualifications of electors; and prescribing the powers and duties of citizens, parties, political bodies, registration commissions, commissioners, registrars, inspectors of registration and other appointees of registration commissions, county election boards, election officers, municipal officers, departments and bureaus, police officers, courts, judges, prothonotaries, sheriffs, county commissioners, peace officers, county treasurers, county controllers registrars of vital statistics, certain public utility corporations, real estate brokers, rental agents, and boards of school directors; and imposing penalties," abolishing the existing registration commission for cities of the second class and providing that the county commissioners of each county in which any such city is located shall act as a registration commission therefor, providing for the consolidation of the second class city general register with the general register of cities of the third class and boroughs, towns and townships of the county, providing for the transfer of the registration of electors upon change of residence from a third class city, borough, town or township in the same county, changing the period during which changes of enrollment of political party may be made, eliminating preparation and distribution of street lists, and permitting the destruction of certain records.

COMMUNICATION LAID ON TABLE

Mr. EALY. Mr. President, I move that the communication be laid on the table.

Mr. GELTZ. Mr. President, I second the motion.

The motion was agreed to.

HOUSE INSISTS ON ITS AMENDMENTS NON-CONCURRED IN BY THE SENATE TO SENATE BILL No. 561

He also informed the Senate, that the House of Representatives insists on its amendments non-concurred in by the Senate to Senate Bill No. 561, entitled:

An Act to amend the act approved the thirtieth day of March one thousand nine hundred thirty-seven (P. L. 115) entitled "An act to provide for the permanent personal registration of electors in cities of the first class as a condition of their right to vote at elections and primaries and their enrollment as members of political parties as a further condition of their right to vote at primaries prescribing certain procedure for the conduct of elections and primaries and the challenge and proof of qualifications of electors and prescribing the powers and duties of citizens parties bodies of electors and registration commissions commissioners registrars inspectors of registration and other appointees of registration commission election officers municipal officers departments and bureaus police officers courts judges prothonotaries sheriffs county commissioners peace officers county treasurers county controllers registrars of vital statistics real estate brokers rental agents certain public service companies persons firms and corporations operating vehicles for moving furniture and household goods and boards of school directors and imposing penalties" as amended by amplifying and changing the powers and duties of the commission its employes and commissioners further regulating and changing the provisions of said act relating to the appointment and removal of registrars and the powers privileges rights and duties of registrars watchers election officers and electors revising and changing the provisions of said act relating to the times places and manner of registering electors and their enrollment as members of political parties change of party enrollment cancellation of registrations preparation and distribution of street lists appeals to the commission and to courts and the procedure thereon providing for appeals by the commission to appellate courts changing certain provisions of said act relating to removal notices providing for the manner of reckoning time imposing additional duties on certain city officers clarifying and coordinating certain provisions of said act and imposing additional penalties.

SENATE INSISTS ON ITS NON-CONCURRENCE IN AMENDMENTS MADE BY THE HOUSE TO SENATE BILL No. 561 AND APPOINTS COMMITTEE OF CONFERENCE

Mr. EALY. Mr. President, I move that the Senate insist on its non-concurrence in amendments made by the House, and a Committee of Conference be appointed to confer with a similar committee of the House of Representatives (if the House shall appoint such a committee) to consider the differences existing between the two houses in relation of said bill.

Mr. MILLER. Mr. President, I second the motion.

The motion was agreed to.

The PRESIDENT. The President Pro Tempore appoints Messrs. Farrell, Kephart and Stiefel to be said committee on the part of the Senate, and that the Clerk inform the House of Representatives accordingly.

SENATE BILL No. 254. RETURNED WITH AMENDMENTS

He also returned to the Senate, Senate Bill No. 254, entitled:

An Act authorizing municipalities to file liens against real estate beyond the municipal limits for certain municipal rates; validating liens heretofore filed; and providing for the procedure thereon.

with the information that the House has passed the same with amendments, in which the concurrence of the Senate is requested.

The PRESIDENT. The bill as amended will be noted on tomorrow's Calendar.

SENATE BILL No. 269, RETURNED WITH AMENDMENTS

He also returned to the Senate, Senate Bill No. 269, entitled:

An Act providing for the redemption of real property purchased by political subdivisions at tax sales, upon the payment of the amount charged against the same and costs, by installment payments; and prescribing the procedure therefor.

with the information that the House has passed the same with amendments, in which the concurrence of the Senate is requested.

The PRESIDENT. The bill as amended will be noted on tomorrow's Calendar.

SENATE BILL No. 908, RETURNED WITH AMENDMENTS

He also returned to the Senate, Senate Bill No. 908, entitled:

An Act to amend section seventeen of the act, approved the seventh day of June, one thousand nine hundred and seventeen (P. L. 415), entitled "An act relating to the qualification, jurisdiction, powers, and duties of registers of wills, and regulating proceedings before said registers, and the costs thereof, the effects of their acts, and appeals therefrom," further regulating proceedings before the register of wills and in the orphans' court

with the information that the House has passed the same with amendments, in which the concurrence of the Senate is requested.

The PRESIDENT. The bill as amended will be noted on tomorrow's Calendar.

SENATE BILL No. 1102, RETURNED WITH AMENDMENTS

He also returned to the Senate, Senate Bill No. 1102, entitled:

An Act to further amend the act approved the eleventh day of March one thousand nine hundred and nine (P. L. 13) entitled "An Act for the protection of the public health by prohibiting the sale offering for sale exposing for sale or having in possession with intent to sell of eggs unfit for food as therein defined and prohibiting the use of such eggs in the preparation of food products providing penalties for the violation thereof and providing for the enforcement thereof" by providing for the licensing by the Department of Agriculture of persons copartnerships associations and corporations engaged in the business of breaking eggs and separating the contents thereof for any purpose regulating the opening of eggs unfit for food and providing for the denaturing of such eggs authorizing the Department of Agriculture to take samples of eggs for the purpose of analysis further regulating the right to sell or otherwise deal with eggs subjected to incubation providing that certain violations of the act shall be punishable in summary proceedings prescribing penalties and repealing certain legislation.

with the information that the House has passed the same with amendments, in which the concurrence of the Senate is requested.

The PRESIDENT. The bill as amended will be noted on tomorrow's Calendar.

SENATE BILL No. 843, RETURNED WITH AMENDMENTS

He also returned to the Senate, Senate Bill No. 843, entitled:

An Act to further amend section two hundred nine of the act, approved the ninth day of April, one thousand nine hundred and twenty-nine (P. L. 177), entitled "An act providing for the reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments, boards, commissions, and officers thereof, including the boards of trustees of State Normal Schools, or Teachers Colleges; abolishing, creating, reorganizing or authorizing the reorganization of certain administrative departments, boards, and commissions; defining the powers and duties of the Governor and other executive and administrative officers, and of the several administrative departments, boards, commissions and officers; fixing the salaries of the Governor, Lieutenant-Governor, and certain other executive and administrative officers; providing for the appointment of certain administrative officers, and of all deputies and other assistants and employes in certain departments, boards, and commissions; and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments, boards and commissions shall be determined," by further prescribing the compensation of the Lieutenant-Governor of the Commonwealth.

with the information that the House has passed the same with amendments, in which the concurrence of the Senate is requested.

The PRESIDENT. The bill as amended will be noted on tomorrow's Calendar.

SENATE BILL No. 51, RETURNED WITH AMENDMENTS

He also returned to the Senate, Senate Bill No. 51, entitled:

An Act authorizing and empowering school districts of the first class to furnish food, including milk, to undernourished and poor school children in their districts.

with the information that the House has passed the same with amendments, in which the concurrence of the Senate is requested.

SENATE NON-CONCURS IN THE AMENDMENTS MADE BY THE HOUSE TO SENATE BILL No. 51

Mr. EALY. Mr. President, I move that the Senate nonconcur in the amendments made by the House to Senate Bill No. 51, entitled:

An Act authorizing and empowering school districts to furnish food, including milk to undernourished and poor school children in their districts.

Mr. MILLER. Mr. President, I second the motion.

On the question,

Will the Senate agree to the motion?

QUESTION OF PARLIAMENTARY INQUIRY

Mr. CAVALCANTE. Mr. President, I rise on a question of parliamentary inquiry.

The PRESIDENT. The gentleman from Fayette will state his question of parliamentary inquiry.

Mr. CAVALCANTE. Mr. President, I can not find the amendments made by the House any place on my desk, so that I may vote intelligently on whether we should concur or non-concur on these amendments. Therefore, I can not see how we can intelligently vote.

The PRESIDENT. For the information of the Senator from Fayette, Senate Bill No. 51, Printer's No. 554, will be found in the Senator's file.

And the question recurring,

Will the Senate agree to the motion?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—29

Bartlett,	Farrell,	Mallery,	Thomas,
Becker,	Geltz,	Miller,	Tyler,
Carr,	Heyburn,	Reed,	Wade,
Chapman,	Homsher,	Snowden,	Walker,
Crider,	James,	Stevenson,	Watkins,
Crowe,	Kephart,	Tallman,	Wilson, H. I.,
Ealy,	Letzler,	Taylor,	Wilson, T. L.,
Edmonds,			

NAYS—12

Cavalcante,	Dent,	Jaspan,	Mundy,
Coleman,	Frey,	McGinnis,	Shapiro,
Cox,	Haluska,	McQuiddy,	Stiefel,

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk inform the House of Representatives accordingly.

HOUSE NON-CONCURS IN THE AMENDMENTS MADE BY THE SENATE TO HOUSE BILL No. 1465

He also informed the Senate that the House non-concurs in the amendments made by the Senate to House Bill No. 1465, entitled:

An Act to amend the act, approved the twenty-ninth day of April, one thousand nine hundred thirty-seven (P. L. 487) entitled "The Permanent Registration Act for Boroughs, Towns and Townships," as amended, by requiring and providing for the registration of persons in military service before they shall be entitled to vote at any election.

HOUSE NON-CONCURS IN THE AMENDMENTS MADE BY THE SENATE TO HOUSE BILL No. 1466

He also informed the Senate that the House non-concurs in the amendments made by the Senate to House Bill No. 1466, entitled:

An Act to amend the act, approved the third day of June, one thousand nine hundred and thirty-seven (P. L. 1333), entitled "Pennsylvania Election Code," by changing the procedure for and regulating elections by persons in actual military service, imposing duties upon the Secretary of the Commonwealth, courts, county boards of elections, and county commissioners, providing for reimbursement of counties for actual expenses incurred for canvassing the vote of electors in actual military service.

HOUSE NON-CONCURS IN THE AMENDMENTS MADE BY THE SENATE TO HOUSE BILL No. 1467

He also informed the Senate that the House non-concurs in the amendments made by the Senate to House Bill No. 1467, entitled:

An Act to amend the act, approved the first day of June, one thousand nine hundred thirty-seven (P. L. 1132), entitled "The Permanent Registration Act in Cities of the Second Class A" as amended, by requiring and providing for the registration of persons in military service to entitle them to vote at any election.

HOUSE NON-CONCURS IN THE AMENDMENTS MADE BY THE SENATE TO HOUSE BILL No. 1468

He also informed the Senate that the House non-concurs in the amendments made by the Senate to House Bill No. 1468, entitled:

An Act to amend the act, approved the twenty-fifth day of May, one thousand nine hundred thirty-seven (P. L. 814) entitled "The Permanent Registration Act in Cities of the Second Class" as amended, by requiring and providing for the registration of persons in military service to entitle them to vote at any election.

HOUSE NON-CONCURS IN THE AMENDMENTS MADE BY THE SENATE TO HOUSE BILL No. 1469

He also informed the Senate that the House non-concurs in the amendments made by the Senate to House Bill No. 1469, entitled:

An Act to amend the act, approved the twenty-fifth day of May, one thousand nine hundred thirty-seven (P. L. 849) entitled "The Permanent Registration Act in Cities of the Third Class" as amended, by requiring and providing for the registration of persons in military service to entitle them to vote at any election.

MOTION THAT THE SENATE INSISTS ON ITS AMENDMENTS TO THE FOREGOING HOUSE BILLS

Mr. EALY. There are a number of bills relating to the matter of voting by those in military service. I believe a practical agreement has been reached, but it will be necessary to have a conference committee appointed to iron this matter out and put it in proper form.

Mr. President, I move that the Senate insists upon its amendments non-concurred in by the House to House Bills Nos. 1465, 1466, 1467, 1468 and 1469.

Mr. MILLER. Mr. President, I second the motion.

The motion was agreed to.

Ordered, That the Clerk inform the House of Representatives accordingly.

HOUSE NON-CONCURS IN AMENDMENTS MADE BY THE SENATE TO HOUSE BILL No. 1130

He also informed the Senate that the House non-concurs in the amendments made by the Senate to House Bill No. 1130, entitled:

An Act making an appropriation to the Veterans of Foreign Wars, Department of Pennsylvania, towards expenses of the National Encampment in Philadelphia.

COMMUNICATION LAID ON THE TABLE

Mr. EALY. Mr. President, I move that the Communication from the House of Representatives be laid on the table.

Mr. FARRELL. Mr. President, I second the motion.

The motion was agreed to.

HOUSE NON-CONCURS IN AMENDMENTS MADE BY THE SENATE TO HOUSE BILL No. 1176

He also informed the Senate that the House non-concurs in the amendments made by the Senate to House Bill No. 1176, entitled:

An Act making an appropriation out of the Motor License Fund to the Department of Highways for allocation to and expenditure in the second class townships of the Commonwealth for maintenance, construction, reconstruction, resurfacing or improvement of township roads and bridges during the calendar years one thousand nine hundred forty-two and one thousand nine hundred forty-three; permitting the use of the funds for maintenance and repair of township roads and bridges under certain conditions; and providing for the method of payment to townships.

SENATE INSISTS ON ITS AMENDMENTS TO HOUSE BILL No. 1176

Mr. EALY. Mr. President, I move that the Senate insist on its amendments non-concurred in by the House of Representatives to House Bill No. 1176.

Mr. JAMES. Mr. President, I second the motion.

The motion was agreed to.

Ordered, That the Clerk inform the House of Representatives accordingly.

HOUSE NON-CONCURS IN AMENDMENTS MADE BY THE SENATE TO HOUSE BILL No. 1729

He also informed the Senate that the House non-concurs in the amendments made by the Senate to House Bill No. 1729, entitled:

An Act to add section fourteen and one-tenth to the act, approved the seventh day of August, one thousand nine hundred and thirty-six (P. L. 106), entitled, as amended "Flood Control Law," authorizing the Secretary of Highways and the various political subdivisions, with the approval of the Water and Power Resources Board, to grant easements and flowage rights to the Federal Government, over certain highways, roads, streets and bridges.

SENATE INSISTS ON ITS AMENDMENTS TO HOUSE BILL No. 1729

Mr. EALY. Mr. President, I move that the Senate insist on its amendments non-concurred in by the House of Representatives to House Bill No. 1729.

Mr. JAMES. Mr. President, I second the motion.

The motion was agreed to.

Ordered, That the Clerk inform the House of Representatives accordingly.

HOUSE NON-CONCURS IN AMENDMENTS MADE BY THE SENATE TO HOUSE BILL No. 1526

He also informed the Senate that the House non-concurs in the amendments made by the Senate to House Bill No. 1526, entitled:

An Act to amend section two hundred seven of the act, approved the twenty-fourth day of June, one thousand nine hundred and thirty-one (P. L. 1206), entitled "First Class Township Laws," further prescribing method by which second class townships may be classified as first class townships; and providing for the costs and holding of special elections for that purpose.

SENATE INSISTS ON ITS AMENDMENTS TO HOUSE BILL No. 1526

Mr. EALY. Mr. President, I move that the Senate insist on its amendments non-concurred in by the House of Representatives to House Bill No. 1526.

Mr. TAYLOR. Mr. President, I second the motion.

The motion was agreed to.

Ordered, That the Clerk inform the House of Representatives accordingly.

SENATE BILL No. 599, (HOUSE BILL No. 1731), CALLED UP FROM THE TABLE

Mr. COX. Mr. President, I now call up from the table Senate Bill No. 599, (House Bill No. 1731).

Mr. GELTZ. Mr. President, I second the motion.

The motion was agreed to.

RECONSIDERATION OF SENATE BILL No. 599, (HOUSE BILL No. 1731)

Mr. COX. Mr. President, I move that the Senate do now reconsider the vote by which Senate Bill No. 599, (House Bill No. 1731), entitled:

An Act to amend section three of the act approved the twenty-third day of March one thousand eight hundred and sixty-five (P. L. 607) entitled "An act for the better management of the Allegheny county prison" by requiring all contracts involving an expenditure of one hundred dollars to be in writing and prohibiting the making of any contract involving the expenditure of over five hundred dollars unless made with the lowest and best bidder after due advertising and requiring all purchases to be made through the purchasing department of the county.

was passed finally, June 18, 1941.

The PRESIDENT. How did the Senator vote?

Mr. COX. Mr. President, I voted "aye."

Mr. GELTZ. Mr. President, I second the motion.

The PRESIDENT. How did the Senator vote?

Mr. GELTZ. Mr. President, I voted "aye."

The motion was agreed to.

And the question recurring,

Shall the bill pass finally?

Mr. COX. Mr. President, I move to reconsider the vote by which the bill passed third reading.

The PRESIDENT. How did the Senator vote?

Mr. COX. Mr. President, I voted "aye."

Mr. GELTZ. Mr. President, I second the motion.

The PRESIDENT. How did the Senator vote?

Mr. GELTZ. Mr. President, I voted "aye."

The motion was agreed to.

And the question recurring,

Will the Senate agree to the bill on third reading?

Mr. COX. Mr. President, I ask unanimous consent to amend page 1, line 6 of the title, by striking out after the word "expenditure" and before the word "one" the word: "[of]"; and inserting in lieu thereof the word: "exceeding"; amended page 1, line 6 of the title, by inserting at the end of the line the following: "and filed with the county controller"; amend page 1, line 11 of the title, by inserting at the end of the line the following: "and providing for the opening of bids and the award of contracts."

The PRESIDENT. Is there objection? The Chair hears none.

The amendments were agreed to.

On the question,

Will the Senate agree to the bill on third reading, as amended?

It was agreed to.

Ordered, That said bill as amended be printed for the use of the Senate.

APPOINTMENT OF COMMITTEE OF CONFERENCE ON SENATE BILL No. 24

The PRESIDENT. The President Pro Tempore appoints as a committee of Conference Messrs. Walker, Thomas and Dent, to be a committee on the part of the Senate to consider the differences existing between the two Houses in relation to Senate Bill No. 24.

Ordered, That the Clerk inform the House of Representatives accordingly.

PERMISSION TO ADDRESS SENATE

Mr. MUNDY. Mr. President, I ask permission to address the Senate.

The PRESIDENT. The gentleman from Luzerne will proceed.

Mr. MUNDY. Mr. President, I realize the members of the Senate are probably tired of listening to members talk, but I want to invite their attention to the big type headlines in one of the Philadelphia papers, which says "Eight Miners Were Shot and That Rioting Spreads in the Pottsville Area."

Mr. President, a situation has developed in the town of Donaldson, sixteen miles outside of Pottsville, which has become a very serious one, serious in the fact that as I develop the situation here on the floor I want to prove to the members of the Senate of Pennsylvania that this serious situation has developed with full knowledge of the Superintendent of the State Police of Pennsylvania, with full knowledge of the Attorney General of Pennsylvania, and with full knowledge of the Governor of the State of Pennsylvania.

This rioting today has brought forth a very important point in the government of the State of Pennsylvania. The point developed, and the question now asked, is any property or any equity in anything in Pennsylvania worth anything? If the sovereign State of Pennsylvania refuses to give to people who own property proper protection, after they have requested that protection through proper channels, are we to deduce the fact that the present government of Pennsylvania has taken the stand that it has ceased and will no longer afford protection to industry of all types and permit that industry to conduct its business along its usual lines?

Mr. President, the coal properties in question, where the rioting occurred today, were acquired in a proper manner under due process of law. The Reading Coal and Iron Company, due to the economic depression in the anthracite region was forced, as you all know, to go into bankruptcy and, functioning under Section 77-B of the bankruptcy act, it was thought wise in the reorganization to let go of certain parcels of property, and so under proper legal direction, certain companies were formed and certain parcels of property were turned over to those companies, which sold them at public auction to individual buyers.

Mr. President, these properties in Donaldson were bought in this manner and were paid for in good American dollars. The man who purchased these properties had confidence in Pennsylvania and in the executive branch of the Pennsylvania government to the extent that these men invested heavily to the extent of putting several millions of dollars in improvements in these properties, in building breakers and in opening mines. These men were careful to conform to the fact that only union labor was employed in and about these operations, and these operations today have the full sanction of the United Mine Workers of America.

Because of certain economic conditions, of which I have spoken several times on this floor, there has developed in and about Schuylkill County a free lance mining system in which men out of employment pick out a section of those coal lands and start small mining operations. In an investigation that occurred up in that county it was found that these so called free lance miners themselves hardly eked out an existence in this mining, but there have come from outside into this community a great many promoters, high pressure promoters, who have built breakers and who have taken this coal from free lance miners and prepared it for the market, and the only money that is made is made by those outside promoters who sell the coal at a reduced rate in the metropolitan centers and at the markets at tidewater.

As a result of that situation these men who purchased these lands, realizing conditions up there, tried to afford and give an opportunity of employment to all of those in the immediate vicinity. There are probably, as a result of these operations, I am reliably informed, about six people left in the town of Donaldson who today are unemployed. On several occasions groups ranging anywhere from two hundred to today, I am now informed, fifteen or eighteen hundred men, have gathered and in riotous fashion have seized these works, have destroyed expensive equipment and have threatened bodily injuries to men employed in and about them.

As a result of this the men who have their money invested in these properties, and believing they are in a legitimate business, first appealed to the sheriff of Schuylkill County, and the sheriff informed them he was unable to cope with the situation, and they pressed him still further for the protection that they thought was due to them as heavy taxpayers in that community, and the sheriff on numerous occasions, by telegram, by personal letter and by visit to the office of the superintendent of the State Police, to the office of the Attorney General, and to the office of the Governor of Pennsylvania, fully apprised them all of the situation, and still no aid was forthcoming. Again, and on five distinct occasions, this appeal was made through the sheriff, and nobody came to their aid to protect these properties.

Finally, in desperation, the situation was called to my attention and, gentlemen of the Senate, I wrote a letter to the Attorney General of Pennsylvania, asking him if it was true that the sheriff of Schuylkill County had appealed to him and to the Governor's office and if it was not possible in the State of Pennsylvania somewhere to get the protection for this operation which I believe they justly deserve. I wrote another letter, a personal letter, to the Governor of Pennsylvania, setting forth the same facts. I was surprised and astounded when I received a very fine and a very courteous letter from the Attorney General of Pennsylvania, acknowledging the facts but saying to me in his letter the matter had been taken entirely out of his hands, that the Governor of Pennsylvania himself had taken over the personal direction of this affair.

My letter was sent, of which I retain a copy and I shall submit it to the Senate—unfortunately this occurred today and I do not have my correspondence with me, but I have copies of the letter and a copy of the letter returned from the Attorney General, which I will submit to you—but up to this date neither the Governor of Pennsylvania nor any one in his office has been courteous enough to answer the letter I sent to him.

Now, gentlemen, to deny the fact that that high once —we might say that would be responsible for execution of constituted law—was notified in the State of Pennsylvania on many occasions, and by me personally, and apprised of the entire situation, if they deny that, when I shall produce to you the proof that those people are not telling you the truth about the situation today, of which they were warned.

You gentlemen can not tell me that anywhere in the State of Pennsylvania eighteen hundred people—eighteen hundred men—can assemble from other areas to an area extending over a hundred fifty miles, and come by truck and by other means of conveyance, and meet at a certain point, without full knowledge of the state police of the State of Pennsylvania, and I tell you, gentlemen, without fear of contradiction, I know the state police of Pennsylvania were apprised of the fact that this was going to occur yesterday, but they stood idly by and became accessories before and after the fact of having eleven of our citizens shot down and about fifty-two of them injured, in the hospital.

The question that we have to decide is this, we who sit here day after day making and formulating laws, and this condition of lack of execution occurs, then we are truly wasting our time in the General Assembly of Pennsylvania, and for us to come back here and go through this mockery of reading into the statute certain laws, when we have an executive department over there which refuses to carry them out, and when you permit this thing to start, the time is coming when none of your property, not a single bit of property that any man owns—if that is permitted to go on—will be safe under Pennsylvania law, because they have taught by their absence of action, by their staying away from the situation, they have taugnt those people up there to disrespect that law, because they think there is no law enforcement.

Mr. President, if there is any political significance in this you will at least give me credit for this, that I come on this floor after having taken into consideration all these facts and say to you the primary importance in the State of Pennsylvania is this, it is the thing that the Republican majority of Pennsylvania has always boasted as its cardinal principle, that you shall protect industry and that you shall protect money invested, and that you shall give to them the proper police protection for which they have paid in good American dollars, in taxes, to continue this form of government, and if you do not do that, and if we do not get any execution, then you must admit we deserve the whole thing, there will be dissolution and no property in Pennsylvania will have any source from which to seek succor or to ask help in the pursuit of its manufacturing and its industrial endeavor.

Gentlemen, I have read the columns of the metropolitan papers, scare headlines and editorials, condemning Communism here in America, looking under the seats of the benches seeking out some Communistic movement. We have accused school teachers down in Philadelphia, and in other districts, of being guilty of Communism and teaching to the younger generation Communistic theories, and yet we put ourselves in the paradoxical position, right within the shadow of the Capitol, right within the Dome of the Capitol at Harrisburg, where the executive and the executive form of government tolerates not Communism but tolerates absolute anarchy in the State of Pennsylvania. You can speak about your whiskey rebellion or any of those other things that have occurred in Pennsylvania, but there were men then with courage and with the intestinal fortitude to go out and suppress those things, and I tell you today the time is coming, regardless of political significance, when the Executive Department has got to march up into Schuylkill County, or any other county where these things arise, and say to those gentlemen we shall do everything in the world to provide you with employment, give you honest employment, we shall do everything in the world to see that you are fed and that you are clothed, but at the same time we shall make you live up to the law, we shall make you conform to the statutes of Pennsylvania, and this sovereign State of Pennsylvania will not tolerate anarchy on the part of any of its citizens within the borders and confines of this great state.

Gentlemen, if you do not think this is a real serious proposition confronting the State of Pennsylvania, I would suggest that you go up into that area and make an investigation of the situation that is confronting them. There are many reports avaliable from commissions that have been sent up there, data has been brought in to a commission of the Senate or to the executive office, but not one single act was done to correct it.

Let us not condemn the Governor of Pennsylvania only in this instance of absentia of action: Mr. Pinchot passed this up—it was thrown on his desk and he passed it up, he did not have the courage to act, and let me say about our Democratic Governor, George Earle, it was presented to him and he did not have the courage to go in there and clear this thing up, and now it is back, forcibly back in the hands of the present executive of Pennsylvania, and he fails to act, and I am asking you, the Senate of Pennsylvania, whether you have the courage to take this situation in hand and go up there and stamp out anarchy before we destroy our constituted form of government.

Mr. DENT. Mr. President, after listening to my colleague from Luzerne, I believe that every man in this Senate realizes the seriousness of this situation. This is primarily a government based upon laws, laws that govern the actions of all of us. When we have an utter disregard of law by citizens, coupled with a lack of courage on the part of those who are responsible for the enforcement of the laws on the statute books, we have, as has truly been said by the Senator from Luzerne, and so ably said, a state of anarchy.

I deem it important and serious enough that this Senate should immediately consider the adoption of a resolution calling for an immediate investigation by members of this Senate. It is our job; it must be done because those who are charged with the responsibility of doing it have failed to do so.

Any time that two thousand persons can gather in any given section of this state and take over private property when they are not connected in any manner whatsoever with that private property, as former employes or as employes, when they can destroy the means of production at that particular place, I say that we have entered a very serious time, and a crisis. There are in the anthracite regions, according to figures that have been given to us, between forty and sixty thousand so-called illegal bootleg miners. If we permit this thing to go unnoticed without some action on the part of this Senate, after it has been called to our attention by a member of this Senate, then we say to forty to sixty thousand bootleg coal miners that you can do your own free will, choose your time, and destroy legal operations in the anthracite without fear of repercussions on the part of the chief executive or on

the part of the state police, or on the part of the local police.

So to you, gentlemen of the Senate, I present you here with a resolution, simple in its form, calling for an unbiased impartial investigation, with facts only, there are no political sections added in any of the whereas clauses, and I ask, Mr. President, that this resolution be read. Every member of the Senate has a copy on his desk.

RESOLUTION AUTHORIZING APPOINTMENT OF SENATE COMMITTEE TO INVESTIGATE RIOTING IN DONALDSON, SCHUYLKILL COUNTY

Mr. DENT. Mr. President, I ask unanimous consent to offer a resolution at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. DENT offered the following resolution which was twice read:

In the Senate, July 9, 1941.

Whereas, Newspaper dispatches appearing in late newspapers this afternoon and evening carry an account of a civil disturbance in the Town of Donaldson in Schuylkill County; and

Whereas, It is reported that shooting took place between guards of an operating coal company and a number of rioters estimated at between five hundred and fifteen hundred; and

Whereas, This disturbance is serious and far reaching, and one in which many issues are involved, and, because of the urgency and seriousness of the situation, it is imperative that an immediate and thorough investigation be made by this Senate; therefore be it

Resolved, That the President Pro Tempore of the Senate name an investigating committee of five members of this Senate to determine the actual and true facts connected with this disturbance, and make a report immediately with appropriate recommendations based upon their findings to the President of the Senate and the Governor of the commonwealth.

MOTION TO SUSPEND RULE 39

Mr. DENT. Mr. President, I ask unanimous consent that Rule 39, which requires resolutions be referred to an appropriate committee, be dispensed with and the Senate proceed to the consideration of the foregoing resolution.

Mr. HALUSKA. Mr. President, I second the motion.

The PRESIDENT. Is there objection?

Mr. GELTZ. Mr. President, I object to immediate consideration of this resolution, and in doing so I want to state that I am not objecting because I do not believe what our colleague, Dr. Mundy has said, or what our colleague, Senator Dent has said about the seriousness of this situation and the necessity for protecting property in this Commonwealth and in this nation. However, Mr. President, there are proper law enforcing and investigating agencies experienced in making investigations, and therefore in all probability, more capable of making a thorough and proper investigation than any committee, of any size, consisting of members of this Senate.

Mr. President, this might seem to be a rather anamolous situation, to find Democratic Senators taking the floor of this Senate, alarmed at what they find taking place in this Commonwealth, because, Mr. President, the history not only of this Commonwealth but of this nation for the past several years, on the part of New Deal Democratic Party in this Nation and in this Commonwealth, has been one which could only lead to such situations as this which we are told has occurred.

We have read, Mr. President, in the newspapers for years now of situations quite similar to this situation; we have read of rioting, blood shed, disorder all over this Nation, Mr. President, finding that public officials stood idly by and, as a matter of fact they were rather spurred on in that idleness by the Chief Executive of this Nation—not of this Commonwealth.

Even during the period of this defense program, Mr. President, we read day after day of the urgent need of production, and at the same time, in the same papers, magazines and booklets we read of the violations of the law, the riots, the disturbances, the stoppage of production which our colleague, Senator Dent, so deplores, not, Mr. President, only affecting some local community but affecting this great nation in its defense program, and what, Mr. President, has been done by the New Deal Administration in endeavoring to curb those activities? All over this nation, Mr. President, we have had strikes which stopped production in connection with our national defense, and we were advised by the administration at Washington, and others of the same party, that these strikes and stoppages are proper because they are conducted by union members, but the strange part, Mr. President, after these strikes took place for some period of time and an investigation was made into the circumstances surrounding these strikes, the report came back in almost every instance that the strikes were not the work or the will of honest working men in the ranks of union labor, but those strikes, as indicated by the reports of the investigations, were in almost every instance, Mr. President, instigated and led by known Communists in this country.

Mr. President, I agree with Dr. Mundy, I agree that this is a most deplorable situation. There is one bright spot, however, as I see it, and that is we find now public officials, at least a few of them, of the New Deal Party who are beginning to realize just where their tactics and policies have led the citizens of this nation. They apparently, Mr. President, are beginning to realize that there is a limit to everything. They apparently now are becoming somewhat alarmed at this condition of disorder, law violations and bloodshed in this country, and that I say, Mr. President, is a very very bright spot in this situation, because of more of their number will realize that as they now probably do, this rioting and bloodshed will not continue in this nation, or in this state, or in any sub-division of this Commonwealth very long.

Not many weeks ago, Mr. President, this same kind of situation existed in Pittsburgh, where we were able to observe, Mr. President, that the police force under a Democratic administration stood idly by while a hospital was picketed. Just imagine, Mr. President, suffering people in that hospital, unable to secure the care, the assistance and the attention that they needed in their suffering and their agony, because a Democratic administration allowed its law enforcement agencies, and directed them in fact, to stand idly by and permit individuals to stop those who were bent upon administering to the sick and the suffering.

Mr. President, I am sorry that this situation has occurred in Schuylkill County; I am sorry for the families of the persons who are involved, but sometimes, Mr. President, it takes very alarming, distressing and unfortunate situations and circumstances to bring the right people to their

right senses, and I hope since this thing has happened, and, therefore, nothing that we do here tonight can make it unhappen, since it has happened, I trust it will at least have the beneficial effect of causing a continuation of the kind of thinking which apparently has been started on the other side, so that we can again bring back to this great great Commonwealth and to this great Nation the kind of decency, law and order and American citizenship that we should have never been without.

Mr. WATKINS. Mr. President, and members of the Senate, as a representative of Schuylkill County in the Senate, I of course regret the unfortunate occurrence in my county. The only information I have as yet is what I have read in the newspapers. I am hoping that as usual the newspaper story is an exaggeration of what actually did happen.

Now, Mr. President, this story that Dr. Mundy has unfolded before the Senate is not something that has happened in the last couple of months; the story of the independent bootleg miner is something that has been in existence for years. In Schuylkill County particularly, and its neighboring county of Northumberland, this free lance mining, perhaps, is concentrated. I might say that during the administration of Governor Earle, during his four years in office, bootleg mining received encouragement that led to its ultimate strength. I recall a picture on the front page of the Philadelphia Record, a picture of the then Governor of Pennsylvania, with his arms around independent miners in Schuylkill County, and the then Governor of Pennsylvania himself saying to them, "Go ahead, boys, it is virgin coal, go and get it." I recall, too, as Dr. Mundy talked about—being in such favor of law enforcement and criticizing the present administration for its failure to come to the succor of this present operator—I recall when that gallery was filled with the so-called hunger marching Communists, I recall when they were singing here in the Halls of the Senate "The Internationale" of Communistic Russia, and I remember that then Senator Mundy was kowtowing to the gallery; and I remember in 1939 when the administration introduced a measure here in the Senate—whether or not that measure would have done what it was intended to do, I do not know, but at least its purpose was to eliminate the so-called independent mining—and at that time the gallery was filled with citizens from my county, good citizens, members of this group known as independent miners, and Senator Mundy then was kotowing to the gallery, filled with independent miners.

I just took the time to check some of the addresses he made with regard to the independent miners, as he opposed the passage of that bill—and I am not saying as I am arguing this question tonight that Dr. Mundy was in error in voting against the bill; I am just trying to show how inconsistent he is when he takes the Governor of Pennsylvania, and tries to place the responsibility for what happened in Schuylkill County yesterday in the lap of the Governor, and he is so anxious now that the Pennsylvania Senate stop this thing, when at least he had an opportunity at that time to vote for a bill that some people thought would do it two years ago.

In the beginning of his address he referred to the fact that the existence of independent mining was due largely to the failure of operators in the past to properly mine the coal, saying that they were interested solely and alone in making as much money out of it as they could, and then this is what he said: "They went, Mr. President, selfishly, into the virgin coal and ripped out the earth in order to get the readily accessible dollars out: they had no practical sense of mining." That is what he said on May 27, 1939.

Now, Mr. President, to know the situation that resulted in this unfortunate occurrence up in Schuylkill County, you have to know just what happened down in Donaldson. Donaldson is located in what we know as the western end of Schuylkill County, and at one time large operations of the Philadelphia Reading Coal and Iron Company were located there. When the Philadelphia Reading Coal and Iron Company had some economic trouble, brought on by the depression, it was necessary that they reduce their land holdings, and so a lot of their land was sold off and all the operations in the western end of Schuylkill County ceased. Independent mining began, and the citizens in and around Donaldson, in the western end of the county, became independent miners, digging their own holes in the mountainside and selling their coal to keep their families. That continued for years, and then suddenly a land owner began to lease the property to independent operators. Now, Mr. President, many of those independent operators are bona fide coal companies, intending to invest capital and be a fine asset to the county and to the coal industry; many of them are what we know as fly-by-night companies, they see a piece of leasehold coal land where they can go in and take the coal out, as quickly as possible, make a lot of money and leave the open holes for the people of that district to look at for the rest of their lifetimes.

It is necessary in the coal business that a lot of money be invested, because it means sinking shafts, driving tunnels, to see to it that the coal is mined in a way that the coal will be preserved for the workers, not for one or two years in order to give a quicker return, but for the years to come, so that these men are sure of work, not for just a couple of years, and not so that these operators can come in and reap a harvest, but for years and years and years. That has been the trouble with these newcomers in the anthracite field; they want to make money quick, they rip out the bowels, and then when all the gravy is gone, they march off leaving the people unemployed and leaving the condition of the ground and the mines in such shape that no one, unless he has a large amount of capital—that does not exist in the coal business anymore—can possibly think of opening that mine.

Down in Donaldson it so happens, to give you an example, there is another company, the Western Anthracite Company, I think it calls itself, adjoining the very tract where this thing happened. They are operating peacefully, with the citizens of this area saying to them, "go ahead you are doing a good job," because they are not only stripping the ground but they are mining deep mines along the stripping. Understand what I am trying to say: a stripping mine is a kind of mine where a steam shovel comes along and takes the top off and then starts shoveling the coal. A deep mine is where shafts are dug and tunnels are dug to get to the coal. Of course, it takes many more men to mine a deep mine than it does a strip mine, and it is much cheaper to get the coal by strip mining than it is by deep mining.

Mr. President, to show you the thought of the United

Mine Workers of America, in the last contract which was executed between the United Mine Workers and the operators, included in that contract is this clause;

"As a contribution to the solution of the problem of unemployment in the anthracite region, no operator, party to this agreement, shall have more than thirty-five per cent of his total production of coal coming from coal mined by stripping operations for any consecutive three month period, except as to those operators, parties to this agreement and their legal successors, who, for a period of five years prior to the date hereof, have been continuously and legitimately engaged in the mining of coal (as distinguished from stripping it,) or in the vicinity of property from which their stripping coal is obtained, or whereby the opening of a new mine or the re-opening of an old mine makes it impractical temporarily to comply with this ratio."

The United Mine Workers recognized the fact that wholesale strip mining can not continue, because it will destroy the economic safety of an already depressed industry, and therefore they included that in the contract.

Now, Mr. President, we may as well name names. The man of whom Dr. Mundy is talking, as the operator in this region, is a man by the name of Frank Correale, a large contributor to the Democratic Party, and a man who has been interested in the candidacy of Dr. Mundy for the office which he now holds. This Frank Correale and his company leased the land and built a breaker, and when he went to the people to told the people he intended to open a deep mine and work that along with the stripping operation.

Then he started to work, and according to the story that was told to me, he went back on that agreement and attempted to proceed only with the stripping operation, and attempted not to keep his agreement with the people of that area to have deep mining, and because of that, the so-called independent miners, who want this deep mining in order to insure permanent work, and in the hope that this operator—a stranger to them who came from another county, not having operated in their territory before—would not take the gravy away, as it were, and then march out leaving the gaping holes for them to look at for the rest of their lifetimes, these people got up in arms and began to picket the operation.

It is true, Mr. President, that the sheriff of Schuylkill County was called upon, and I might say to you, Mr. President, that the sheriff and the proper law enforcement officers of our county would have settled this matter had not something else happened, because the United Mine Workers and because every responsible mine owner and everyone that is thinking of the welfare of the mining industry wanted to make sure this proper ratio between stripping and deep mining, was maintained, but, because this allocation agreement was being put into effect, I will give you an example of what would happen.

Assume, Mr. President, that an operator dug five million tons of coal on a lease which may have been granted by some other company; that five million tons of coal must be taken from the location of the company that granted the lease, and that five million tons of coal would be mined by stripping operations—twenty-five men could produce the same amount of coal as three hundred men in deep mining, so you can see the ratio of the number of men that would be necessary to produce five million tons by that operator, as compared to the production of five million tons of coal by deep mining.

Coming to this danger to the economic situation, all the law enforcement officers wanted some agreement to be made before this thing went ahead. Then, Mr. Correale decided he was going to have his own police force, and it is strange to me to hear Dr. Mundy and Senator Dent talking about the state police, because I recall not many years ago, if we were trying to get the state police to put down a riot in my county or any other county in the State of Pennsylvania, the Democrats began crying about the Cossacks coming in and destroying things; that was the first cry that went up if you sent for the state police—"The Cossacks are being sent in by the Republicans." Is not that the truth, gentlemen; is not that the truth, members of the Senate? Now, here is a situation where they want the state police in Schuylkill County.

May I say, Mr. President, Governor Earle made a ruling that no state police could be sent anywhere unless first the sheriff of the county would get in touch with the state police and tell him that the matter was out of his hands.

Peaceful picketing we all understand is perfectly proper, but here is what I am told happened in Schuylkill County: a man by the name of Goslin was hired as a private detective to get a force of men together, to drive these citizens of Donaldson into line. It is also told to me—and it was in the newspapers in Schuylkill County—that the operator was going around flashing rolls of money by which he was going to fix things up. That is just what I read in the papers and what I have been told; I am frank to admit I can not prove these things, but I can prove this, Mr. President, the man who was hired as a private detective, at the head of this group of policemen, and whom I believe was responsible for this riot, was a man by the name of Goslin—a former state policeman, with a rather shady record. This man Goslin became a warden of the Schuylkill County prison, first he was in one of the offices in Schuylkill County and then he became warden of the Schuylkill County prison. At the time of the escape of Joe Bruno he was fired by the County Commissioners and he was indicted but was acquitted before a jury; he then got a job from the Democratic organization; and then became a private detective; and then all of a sudden he became the head of the local police force of this operator's company police.

There is another thing the Democrats like so much to say; many years ago I heard so much about the coal and iron policemen, about the Republican Party being the coal and iron police party, and now tonight these coal and iron policemen are being given a halo by the gentlemen on the left. This man Goslin, I am told, and so the press of my county has related, made the statement and carried it out that he was going to gather a force of expugilists and put uniforms on them and make them company police, and he was going to drive those people into line. I heard that several weeks ago. I thought at the time—and you must understand there are newspapers in the county espousing the cause of the group of independent miners, writing all this stuff and giving it to the people of Schuylkill County and so, as a result of all this history that I am giving you, this unfortunate occurrence took place.

I am the last one in the world to argue that this situation should continue; I am the last one in the world to argue that proper law enforcement officers should not protect property, but as I said before, the economic structure in Schuylkill County, as well as in Northumberland County and the other anthracite counties, has torn down many things that were fair and legitimate and it seems to me that we, as the Senate of Pennsylvania, certainly have no place in an investigation of what took place in Schuylkill County. The proper officers will investigate what took place up there, and when all is said and done, I am sure you will find that this riot, this co-called anarchy, was the result of a hot headed group of so-called company policemen, placed there by the operator solely and alone to browbeat the people of this district into line, so that he can insist on making that easy dollar that Dr. Mundy was so against in 1939 but seems to think is the right kind of mining in 1941.

Now, Mr. President, in closing I am going to read to you the conclusion of Dr. Mundy's speech in 1939, taken from the Journal of May 27, 1939 at page 4840. Here is what he said to the people that espoused the cause of that act in 1939: "And all I ask of you is for God's sake, let us alone up in the anthracite, and let us settle our own problems in a good orderly fashion."

I object to immediate adoption of this resolution, Mr. President.

Mr. MUNDY. Mr. President, may I interrogate the Senator from Allegheny, Senator Geltz?

The PRESIDENT. Will the gentleman from Allegheny permit himself to be interrogated?

Mr. GELTZ. I will, Mr. President.

Mr. MUNDY. Did I understand the Senator from Allegheny to say that he thought there were constituted authorities to whom these men might present their case?

Mr. GELTZ. Mr. President, I do not think I understand the question. Will the gentleman from Luzerne please repeat it?

Mr. MUNDY. I understood the gentleman from Allegheny in his speech to say that there are certain constituted authorities, to whom these men might present their problem.

Mr. GELTZ. Mr. President, if I am not mistaken, from a study of history and from a comparatively short life and experience, there is an orderly method of procedure in this nation and in this Commonwealth for such matters as are under consideration at this time. Of course, I can quite well understand my colleague from Luzerne, Dr. Mundy, might not remember that, because the New Deal period of disorder has been growing right along.

Mr. MUNDY. Mr. President, may I ask the Senator not to take in too much territory; let us confine ourselves to the problem at hand, in the State of Pennsylvania. The question of the New Deal was discussed thoroughly before the last election and the electorate registered their opinion on that very conclusively. For the time being, until another referendum is brought before the people of the nation and before they make another decision, on the question before us the Senator did state that there were certain constituted authorities in Pennsylvania to whom these owners might appeal, and I am asking the Senator if he made such a statement.

Mr. GELTZ. I believe I did make a statement that was similar to that in substance, Mr. President, and if my statement was not clear. I might say at this time that what I had in mind was an investigation by the local authorities; if necessary, an investigation, a grand jury investigation in that county, and under the laws of this Commonwealth. Our colleague, Dr. Mundy, might understand that there is no higher authority in the state than a grand jury when it is charged with an investigation.

Mr. MUNDY. Mr. President, the procedure—and I am not directing attention of the members to a knowledge of the law—but the procedure before a grand jury is to investigate the criminal phase of affairs; it is a drawn out and an expensive procedure, but it was my opinion that the law stated that anybody had a right to ask the sheriff of the county in which he resided for protection, and if the sheriff of that county was unable to give it, he could then appeal to the next highest authority, which is the government of the State of Pennsylvania, and then, on an appeal by the sheriff, the Governor of Pennsylvania had the right to go in and give that protection. Now, as a lawyer, I ask the Senator from Allegheny if that is correct

Mr. GELTZ. Mr. President, my colleague is partly correct. at least, when he says that a citizen, property owner or any other person, has a right to ask the sheriff of a county for protection for himself and his property, from riot and disorder, and I believe further, Mr. President, that any individual who suffers as a result of a sheriff refusing to act has an additional right, besides his criminal procedure, and that is a civil suit for whatever damages have occurred.

Mr. MUNDY. Mr. President, I am not talking about civil damages, I am not talking about a grand jury investigation; I am talking about property protection and the gentleman from Allegheny, Senator Geltz, as an attorney, should know specifically what the law states and what remedy there is. My interpretation of the law is, after a sheriff fails to comply or says he is not able to comply, the next constituted authority to ask for protection is the chief executive of the State of Pennsylvania, and I ask the gentleman from Allegheny, Senator Geltz, to answer yes or no whether or not that is correct under the laws of the State of Pennsylvania.

Mr. GELTZ. Mr. President, simply because my colleague, Dr. Mundy, is bent upon hearing one or two words, yes or no, is no reason why I should answer yes or no. I am endeavoring to give the gentleman from Luzerne, Dr. Mundy, an explanation of what are the rights of individuals and property owners. I have endeavored to explain to Dr. Mundy that an individual or a property owner has a right to demand of the sheriff of the county protection for himself and his property and the sheriff of every county, Mr. President, is under bond to fulfill his duty in accordance with his oath of office.

Mr. MUNDY. Mr. President, may I ask the Senator from Allegheny if the sheriff is considered the chief peace officer of a county?

Mr. GELTZ. That is correct, Mr. President.

Mr. MUNDY. And may I also ask the Senator if the Governor of the State of Pennsylvania is not the chief peace officer of the State of Pennsylvania?

Mr. GELTZ. He is Chief Executive of the Commonwealth, Mr. President.

Mr. MUNDY. Mr. President, is he also the chief peace officer?

Mr. GELTZ. If he is, I do not know that, Mr. President.

Mr. MUNDY. Well, Mr. President, I might say with my meager knowledge, that it is my impression the law says he is, so that the natural method of appeal, and an appeal by law, would be from the sheriff to the chief executive. Now, Mr. President, may I further interrogate the gentleman from Allegheny?

The PRESIDENT. If there is no objection, the gentleman from Luzerne may proceed.

Mr. MUNDY. Mr. President, may I inquire of the gentleman from Allegheny whether there is any other constituted body to whom these owners might appeal for protection.

Mr. GELTZ. I think there is, Mr. President.

Mr. MUNDY. May I ask the Senator whom he would suggest that they might appeal to?

Mr. GELTZ. The courts of the particular county, Mr. President.

Mr. MUNDY. For protection, Mr. President? Does he appeal to the court there for protection?

Mr. GELTZ. Yes, Mr. President. In 1939 there was an amendment to a law which was passed by the Democratic Administration, prior to 1939, but now, since that law is still on the books a citizen can get an injunction in the courts of this state. However, if the will of the present House were to be followed and the Senate passed a bill which was introduced in the House, then that right would be seriously interfered with, but I do not want to say to my colleague, Dr. Mundy, that if he wants to advise the individuals back home, his superior or whoever he might be, he might advise him that he can ask for an injunction in the local courts, and he would probaply get an injunction, if, Mr. President, he were in the right.

Mr. MUNDY. Mr. President, I want to know if the Senator would tell me that a man could go to court in anticipation that somebody is going to commit a crime and get an injunction restraining him from such an action.

Mr. GELTZ. Mr. President, if he had proper evidence and proper proof, there is not any reason why he could not secure such an injunction for the protection of himself, his employes or any other persons, or for the protection of his property.

Mr. MUNDY. Mr. President, I desire to further interrogate the Senator and ask does the Senator happen to know, I think his name is Mr. James Lark, from up in that area?

Mr. GELTZ. I am sorry, Mr. President, I do not know him; maybe I am not sorry I do not know him.

Mr. MUNDY. Mr. President, may I interrogate the Senator from Schuylkill?

The PRESIDENT. Will the Senator from Schuylkill permit himself to be interrogated?

Mr. WATKINS. I will, Mr. President.

Mr. MUNDY. Mr. President, does the Senator from Schuylkill know a gentleman by the name of Lark; I think his first name is James.

Mr. WATKINS. I know of a Mr. Lark, Mr. President; he is county chairman of Northumberland County; I do not know his first name.

Mr. MUNDY. County chairman of what county, Mr. President?

Mr. WATKINS. Republican County Chairman of Northumberland County.

Mr. MUNDY. Mr. President, does Mr. Lark own the plot of ground next to that of this so-called friend of mine, Mr. Correale.

Mr. WATKINS. I do not know that, Mr. President.

Mr. MUNDY. Mr. President, may I say to the Senator from Schuylkill that Mr. Lark does own or is trying to operate that property, and Mr. Lark, who is the Republican County Chairman of Northumberland County, Dr. Deitrick's home county, came down in person with many of your influential Republican leaders from that section and had an extensive visit with the Governor of the State of Pennsylvania in his office, and he apprised the Governor in person of the situation existing there and he told the Governor that he had considerable money invested there, and he asked the Governor if it was not possible that the Governor could in some way see that he could operate this coal property, and the Governor of Pennsylvania—and I am quoting Mr. Lark—told him that he was very sorry, but that if he allowed him to operate it might become necessary for him to allow Mr. Correale to operate at the same time, and so he was in duty bound to refuse both of them. Now, Mr. President, may I further interrogate the Senator from Schuylkill?

The PRESIDENT. The gentleman from Luzerne may proceed.

Mr. MUNDY. Mr. President, the Senator from Schuylkill made the statement Mr. Correale was a resident of my Senatorial district; is that correct?

Mr. WATKINS. I understood he was a resident of Luzerne County, Mr. President.

Mr. MUNDY. As a matter of fact, Senator, Mr. Correale was an opponent of Mr. Miller in his district when he ran the last time; is that correct.

Mr. WATKINS. I think that is true.

Mr. MUNDY. How would the gentleman from Schuylkill figure or now believe that Mr. Correale was of such great assistance in my district, when he does not live in my district.

Mr. WATKINS. The same way that the gentleman from Luzerne related the story that the Governor told somebody else; somebody told me.

Mr. MUNDY. Mr. President, that is only one more inaccuracy in some of the statements the Senator from Schuylkill has made. I did not relate anything that the Governor said. I said Mr. Lark, in the presence of bona fied witnesses, made a statement to me, and I have witnesses to prove that he had just come from the Governor's office; that is not quoting gossip, that is quoting Mr. Lark.

Mr. WATKINS. Just a minute. May I answer that?

Mr. MUNDY. Yes.

The PRESIDENT. If the Senator from Luzerne, who has the floor, does not object.

Mr. MUNDY. I will be glad to have the Senator answer, Mr. President.

Mr. WATKINS. Mr. President, there is only one thing I want to say. I have bona fide witnesses that a man told me Mr. Correale was helpful to Dr. Mundy in his campaign; that does not prove he was. All I have is one man's word about it.

Mr. MUNDY. Mr. President, I think the Senator in

becoming a little confused was very helpful. Mr. President, may I interrogate the Senator further.

Mr. WATKINS. With pleasure, Mr. President.

Mr. MUNDY. Mr. President, when the Senator spoke of the hunger march on the Capitol at Harrisburg, he said I was kotowing to the gallery. Does the Senator know what year that hunger march occurred?

Mr. WATKINS. I am not sure, Mr. President.

Mr. MUNDY. For the Senator's benefit I will say that was in 1935, and that was before I was a member of the Senate.

Mr. WATKINS. Then, Mr. President, I apologize to the Senator, but the Democratic Party certainly kowtowed to them.

Mr. MUNDY. Mr. President, I do not want to accept responsibility for everything the Democratic Party does.

The Senator also quoted part statements from a speech I made in this Senate in the session of 1939, in which he said that I defended the activities of the bootlegging industry in his own home county. Mr. President, that was not the point at issue at all at that time. The question was a voluntary allocation plan, as applying to the anthracite industry. So far as I know, the bill in no way applied or was applicable to bootlegging in any respect whatsoever. The statement that I made was made because I did not believe at that time the ratio of allocation of the tonnage of coal to the independent operators was proper and correct, and I arose on this floor to attack the allocation plan as being primarily unfair to the industry all over the anthracite region, and I so informed the Senate at that time, that I would be for my allocation plan that was fair and applied to all of the industry, but when the Senator rises on the floor and quotes extracts of speeches which would carry out the suggestion he would like to convey, without reading the speech in its entirety, he is trying to mislead the Senators as to the exact application of the speech as a whole.

In conclusion, Mr. President, I just want to say this, that I do believe that this man followed out the proper method, the proper manner. Some of the things that I was forced to say tonight, probably in the interrogations, I would not have said except for some of the glaring inaccuracies as stated on the floor of the Senate, but the whole logic of the Senator from Pittsburgh, the whole logic of this gentleman from Schuylkill was this: we admit this thing is wrong, we absolutely know it is wrong, we do not condone it—but then they come out in front of the Senate and cite a lot of wrongs that the Democratic Party did, in their opinion, in a State and national way, and they want us to believe that through that reasoning two wrongs make a thing right.

Mr. President, I am not condoning the things the gentleman said are wrong about the Democratic Party, nor am I condoning this, nor do I say that both of them were wrong and that this thing is right because of that fact. That is trying to argue from an illogical basis. When the Senator from Schuylkill refers to Cossacks and says we were weeping about the Cossacks, he must admit that when the state police were first formed, almost every workman in the State of Pennsylvania frankly did believe they were Cossacks, because they rode rough shod into the mining regions, but as their intelligence and their ability, their knowledge and everything else developed, I think that the average person in Pennsylvania now looks upon the state police as an essential function, and most sound sensible citizens, after seeing this proper development of the state police, are anxious, are willing, and will certainly accept the protection of this, I think, very fine personnel.

In conclusion, Mr. President, I say that I am willing to accept responsibility for statements I make on this floor, but I dislike anybody trying to drive home a half truth by selecting small passages from probably a page and a half speech and trying to build up a logical argument from extracts so that it will support their theory.

I reiterate, Mr. President, in spite of all this calumny about the destruction the New Deal has wrought in a national way, and its effect on the mentality of the people in general, and that it has developed a bad school of thought, as the Senator from Pittsburgh would say, I just want to remind the Senator that as bad as it was, in the New Deal, if you have shut your eyes, you have also evidently closed your ears to conditions under the previous administration. When I was out in Chicago they were sleeping on newspapers and under bridges, and anarchy was just about ripe in the country, and you forget, Senator, that the psychology of a cold and hungry man without a home is a vastly different psychology from that of a well fed and well dressed man who is sure of his domicile, and you must realize that you are dealing with a temperament we had better be very careful of.

Mr. DENT. Mr. President, as the sponsor of this resolution I have listened to the discussions concerning methods of mining and the logic for applying certain particular methods. I just want to say, in answer to the gentleman from Schuylkill whose address I listened to very attentively, that out in the bituminous coal fields a recent development has come into the production of coal, gnow as a coal loading machine, which displaces hundreds of men in the local operations. In the rubber industry, in the glass industry, in the steel industry, in the textile industry, in all the industries of this great country have come innovations, improved methods, production lines, new devices and new inventions. If the logic of the gentleman from Schuylkill is to be followed, then this man's property should be destroyed, out in the anthracite, because he is mining coal by a method which displaces man power.

Then, Mr. President, if that logic is carried further, let us say that men who are disolaced in the rubber industry, in the glass industry, in any industry of this country, have the right to destroy new machines that take their jobs, and yet if I were to say that what the gentleman from Schuylkill has said, I would probably be called a "Red" or an anarchist.

The method of mining has nothing to do with the fact that this man's property was trespassed upon, that his machines were destroyed; whether or not he was operating legally is a question that necessarily belongs to that locality, but a question, mind you, which is properly the interest of, and the business, of this Senate. It is not wrong for this Senate to go into that district and find out whether the statements of the gentleman from Schuylkill are right, or whether the statements of the gentleman from Luzerne are right, or whether the statements in the Philadelphia Inquirer are right, or whether the statements in the Schuylkill paper that I have on my desk are right. It is not wrong that we have passed reso-

lutions and bills in every session of the Legislature since I have been here, setting up large sums of money to investigate school systems, to investigate anthracite, the bituminous, to investigate all manners and methods of life and activities in Pennsylvania. You may say it is wrong to do this, that we must not pass this resolution, because we do not know anything about it; but we do know this: according to newspaper reports there has been a lack of law enforcement in Schuylkill County; where it comes from and from whence it derives its present status is the reason for this investigation, to give the answer to that question.

Mr. President, I want to say further that when the statement was made by the gentleman from Schuylkill, Senator Watkins, that independent miners came in and ripped out big holes in the ground and left them for future generations to stare at, they go in and rip out the gravy, if you please—where did your sixty thousand unemployed coal miners who are now illegally engaged in bootlegging mining come from? They do not come from new operations or lack of business judgment but from failure in anthracite economic conditions within the district. They came from the operations of the old line companies, if you please, they came from operations on lands now leased to independents, and when you come to the question of how we voted on a bill that was before this Senate, which was referred to by the Senator from Schuylkill, I want to say this, that bill was sponsored from New York. However, what did that bill do, if the gentleman wants to know, in that session of the Legislature? It took a certain amount of business from one man, whom they did not like, and gave it to another man whom they did like, and that is all it did. It took an established business quota from an operator operating legitimately, took it from him and gave it to someone else. That is what the bill did, and we were right in voting against it.

Further than that, Mr. President, the gentleman from Allegheny, Mr. Geltz, believes that the New Deal is responsible for everything from the great flood down to the present time. Mr. President, and members of this Senate, no person in this room has a more vivid memory of the lawlessness that attended the last dying days of the Hoover administration, than I do and every man in this room must remember, if he will close his eyes and reflect for a moment, on troops charging into the so-called bonus army of men who had given their all or their near all to this country during its time of need in the last war, when men were charged with bayonets fixed to rifles, tear gas was thrown against men who in every phase of life were good citizens, and who were picketing if you please, the Federal Courts to do something which they later did. Men in this room will remember the strikes of farmers in the western part of these United States, when they took the law into their own hands during the Hoover days, because the food products they raised on their farms were selling at a price so that they could not even pay for the seed from which the produce grew. Men in this room remember the hundreds of thousands of innocent Americans who marched up to the relief centers and received old bacon that could not be sold in legitimate stores—nobody would buy it—they received old coffee and beans and rice, if you please, and if you did not watch it would walk off your plate before you could catch it on your fork.

I want to say to the members of the Senate you can draw all the red herrings you want across the path of this resolution, you can bring in the New Deal and the strikes which the gentleman from Allegheny condemns, but you can not take away from this particular matter the fact—and I say it is a fact—that up in Schuylkill County two thousand persons assembled to do damage to property. This man can not go into court and get an injunction because all he had was rumors to go on. This man knew men were assembling there, but what court, if you please, will grant a man an injunction to prevent something that legally is already present? There is a law on trespass. Those persons are not employes of this man, and I want to tell you there is quite a distinction between picketing by employes of a legitimate operator and unlawful trespass on private property, by persons who are not employed or connected in any way with the company affected.

I do not find anywhere the so-called thousands of disturbances under the New Deal, where men, themselves legitimate members of unions, condemn stoppages of work. In some instances, perhaps, there was some condemnation by a legitimate union, but you can not stand on the floor of this Senate and say that strikes caused in many instances by the employers themselves, were led by men outside of unions, and I want to say if the Republican Party want to now brand us as a Cossack searching and hunting party, I just want to remind them that when the Bethlehem Steel anticipated trouble they asked for the state police, and if you remember when picketers, legitimate employes if you please, of the Bethlehem Steel, attempted to go on the property of the Bethlehem Steel, the Pennsylvania State Police charged them and mowed them down.

These men were not employes of this man. They had nothing to do with it, but you do not find the state police stepping into that hot bed because it is purely a political situation, a political situation, if you please, born of the fact that in 1938 a man who is now chief executive of this Commonwealth appealed for votes on the basis that he knew the anthracite problem. We are now entering into the third year of this breaker boy's administration, and for the first time in many years there is bloodshed in the anthracite. That is the point of importance.

POINT OF ORDER

Mr CARR. Mr. President, I rise on a point of order.

The PRESIDENT. The gentleman from Butler will proceed.

Mr. CARR. Mr. President, what is the matter under discussion before the Senate?

The PRESIDENT. The matter under discussion is a resolution introduced by the gentleman from Westmoreland.

Mr. CARR. Mr. President, there has been objection to immediate consideration of the resolution and automatically it should be referred to committee.

The PRESIDENT. There was objection and then there was a motion, and disposition must be made of the motion before the resolution may be referred to committee.

Mr. DENT. Mr. President, do I still have the floor?

The PRESIDENT. You do.

Mr. DENT. Mr. President, in talking as I have, I am only trying to answer those who, in talking like they did,

cast certain reflections upon men who were interested in the passage of this resolution. Whether or not the man who operates this particular operation in Schuylkill County is a Democrat or a Republican has nothing to do with the merits of this resolution.

I ask this Senate and I charge that this Senate is charged with the responsibility of investigating the facts surrounding this lawlessness in Schuylkill County. If the local authorities are to blame who, better than this Senate, can determine such a fact; who better than an outside agency, one not interested in law enforcement, could better go into the community and investigate whether or not there has been a lack of law enforcement on the part of officials charged with that enforcement?

I know it will be futile to attempt to get this resolution through tonight, but I want to say that it is just this type of action now being taken by the Republican members of this Senate that is the cause of this lawlessness in Schuylkill County, for the simple reason you hide behind subterfuges and half truths, and in so hiding between those subterfuges and half truths you do not face the issues squarely and thoroughly and you give to these men, as I said before, a green light to go ahead and tomorrow, after they have stopped this man's operation, they can go over and stop another man's operation.

Remember, it is reliablly reported in the newspapers that not far from this man's operation a piece of machinery was destroyed today. Other operations within the same locality are now stilled by the lawlessness of these men, and I charge that the chief executive should immediately throw police protection, if necessary, into that area in order that legitimate operations may go on.

Mr. REED. Mr. President, and members of this Senate, I think it is awful to discuss politics in a matter of this nature, where there is no doubt that certain citizens of this great Commonwealth have been injured due to rioting and anarchy. I do not believe anyone in this body has yet said there is not trouble of this nature down in Schuylkill County. I believe there is a legal method already on our books to handle such a situation; I believe, on account of the serious nature of these matters in Schuylkill County, that the resolution of the gentleman from Westmoreland will do little good. Most of these investigating resolutions that I have been connected with do little good. It takes too long.

Here is a situation which the papers say, and I take it they generally know what they are talking about, in big headlines—"Eight Miners Shot, Rioting Spreads in the Pottsville Area."

That to me, Mr. President is very serious. Perhaps tomorrow many of our people might be killed in that area. Now, I know that there is a method to stop that lawlessness. If the local authorities will not handle that situation, then it is the duty of the chief executive of this state to handle that situation. Under the Constitution of Pennsylvania he is given very wide powers in matters of this nature.

Section seven of the Constitution states that the Governor shall be commander in chief of the army and navy of the Commonwealth and of the militia. Mr. President, I know back in Fayette County a few years ago, when we had very serious trouble there, that the then chief executive of the Commonwealth at that time sent the militia into Fayette County, and without hardly any trouble suppressed conditions which at the time seemed very troublesome, in a day or so.

If this were in my district I would attempt to take care of my people by going to see the chief executive of this great Commonwealth and lay the matter before him, and then, if I believed it was his duty to act an he did not act, I would do all in my power to take proper means to see that he did so, and if that did not work I would try the next thing, I would bring him into account in a legal manner, or at least I would attempt to do so.

This is a serious matter, as I view it from the papers, and a matter which ought to be handled promptly, leaving all politics out of it, because a human life to me is far more important than some little petty political activity that may occur in Schuylkill County or some other county of the state. This matter ought to be handled at once, in a proper and a legal manner—and I believe the resolution introduced by the gentleman from Westmoreland will be too slow in order to get action in this very serious situation.

Mr. SHAPIRO. Mr. President, I am obliged and grateful to the gentleman from Schuylkill, Senator Watkins, for giving us in a measure some of the facts of the other side of this case. I regret, and I am sure he does, the injection of the personal element, for which he immediately apologized and for which I think we all should appreciate his frankness and fairness.

I regret the injection of the political aspect in this case because, as I heard the statement of the gentleman from Luzerne, Dr. Mundy, he not only charged that this Governor was lax but he charged that in his opinion a former Democratic Governor had not taken the necessary steps, or had not taken proper steps, to prevent this occurrence, and I agree with the Senator from Washington that this is a very serious situation. I would like to get the political aspect out of this picture by suggesting to the gentleman from Allegheny, Senator Geltz, that whether or not the President of the United States is behaving in accordance with what he thinks is to the best interests of the government, the federal government has nothing to do with this proposition. I would like to suggest to the gentleman that if this were a political discussion I could answer him by saying some people who are complaining about the President's failure, or saying he failed to maintain law and order, are also the gentlemen who voted against his bill to give him not only the right to take possession of industry, but men as well, in the national emergency, and if they had their way the President, whom the gentleman criticizes, would have been unable to do the courageous thing which he did very recently, that is, enforce law and order by taking possession of a factory in the west, which was under a condition of not only strike but riot, quelling the riot, restoring order, and restoring the factory to the owners thereafter, and now the organization is operating peacefully and quietly, and anybody who wants to criticize that kind of a President, his argument falls by its own weight and in face of the facts.

I would like to clear the atmosphere also by saying there is no injunctive power that can give relief. In the first place, the 1939 act has nothing to do with this kind of a situation; it applies only to the question of when an injunction may be granted in a labor dispute. In the second place, if the gentleman from Allegheny followed the history of this act, he would know that only four days

ago the Supreme Court said the act which prohibited picketing was unconstitutional. In the third place, it has no place in this argument, because picketing is not what caused the trouble. In the fourth place, because hospitals are picketed by certain people does not give any excuse or offer an explanation of why riots are not being prevented. Truly, we all deplore that institutions dealing with the health and care of unfortunates should be picketed, but the Supreme Court, consisting of Republican Judges, at least Judges appointed by Republican Presidents, have said that the right to picket is almost an inalienable right; that everybody has the right to picket, and as long as they picket lawfully there is no reason why they should not picket. There is no reason why the Pittsburgh police should interfere with picketing of this hospital, if it was done lawfully and without violence.

While I am grateful to the gentleman from Schuylkill for his statement and the very able and careful way he has given to us the other side of the picture, it makes us say this, if his facts are true, or if the facts as given to us by the gentleman from Luzerne are true, it proves conclusively why something should have been done by the Governor when the sheriff called upon him, because the sheriff said to the Governor, in effect, "I am not going into the right or wrong of this situation, at least not the civil situation; whether this man was properly operating his mine or not does not solve this problem with which I am confronted. These people will not settle their differences in an orderly way, as I see it, and there is great danger of riot, and I am not in position to cope with it, and I am asking you to help me."

Under the Constitution of this Commonwealth the Governor is empowered to furnish that help through the state police. The only injunctive relief that I know of that exists is an injunction to prevent trespass, continuing trespass on property. Suppose a Court issues such an injunction, who would serve the injunction and upon whom would it be served? By the very sheriff upon the very same people whom the sheriff says he can not control. Now, of what practical use is that kind of injunctive relief?

For twelve years, Mr. President, as I recall, this problem has been threatening to break out into just the kind of a situation that we have today, and for twelve years governors have tried in various ways to prevent it, to forestall it, and to see to it that something was done to settle the situation. It does not help the problem to say that Senator Mundy spoke against a certain bill dealing with independent coal operators, Mr. President, it is because of loose use of that term that the confusion arises.

Mr. President, I can not compete with the gentlemen on the outside of this railing, even if I use the microphone.

POINT OF ORDER

Mr. CARR. Mr. President, I rise on a point of order.

The PRESIDENT. The gentleman from Butler will state his point of order.

Mr. CARR. Mr. President, under rule 39, a resolution was offered and unanimous consent was not granted; no motion was made to set aside that rule and all this discussion so far has been out of order.

MOTION TO SUSPEND RULE 39

Mr. SHAPIRO. Mr. President, I understand the Chair has already ruled on that. If the Chair wants to change his ruling, after the gentleman from Allegheny and the gentleman from Schuylkill have made their speeches, and if the Chair thinks that a ruling should be made, I now move that rule 39 be suspended and we proceed to consideration of the motion, and I ask my colleagues to vote "aye" on the motion.

Mr. HALUSKA. I second the motion, Mr. President.

The PRESIDENT. The Chair is familiar with the rules. The point of order raised by the Senator from Butler, Mr. Carr, is well taken and is sustained.

The Senator from Philadelphia, Mr. Shapiro, moves that Rule 39 be suspended, and that we proceed with consideration of the motion.

Mr. CAVALCANTE. I second the motion, Mr. President.

Mr. HALUSKA. I second the motion, Mr. President.

Mr. DENT. I second the motion, Mr. President.

Mr. THOMAS B. WILSON. I ask that the roll be called, Mr. President.

The PRESIDENT. The question now is on the motion of the Senator from Philadelphia, Mr. Shapiro, to suspend Rule 39, which was seconded by several Senators.

Mr. THOMAS B. WILSON. I ask for a roll call, Mr. President.

On the question,

Will the Senate agree to the motion?

Mr. SHAPIRO. Mr. President, I ask for the privilege of discussing the motion.

The PRESIDENT. The gentleman from Philadelphia will proceed.

Mr. SHAPIRO. Mr. President, when I was interrupted by the courteous gentleman from the other side, from continuing my speech, I was discussing the effectiveness of an injunction, I shall proceed from that point. I am going to give the other side an opportunity to say whether or not they are going to object to that, and I will ask the Chair to rule on that.

Mr. GELTZ. Mr. President, I am not going to object to it. I am asking for a roll call. There is a motion before the House.

Mr. SHAPIRO. I am discussing the motion, Mr. President.

The PRESIDENT. A motion is subject to debate.

Mr. SHAPIRO. I agree it is not, Mr. President, and that is why I suspected that an objection would be made to my continuing to state what I was going to say.

Mr. THOMAS B. WILSON. Just a minute.

Mr. CARR. The question, Mr. President—

The PRESIDENT. The Chair is conducting the proceedings of the Senate, not the Senator from McKean. The Chair will recognize those who are entitled to the floor.

Mr. THOMAS B. WILSON. Mr. President—

The PRESIDENT. The Chair may recognize any Senator he desires. The Chair does not need any help at all from the Senator from McKean. Every Senator will get fair and impartial treatment, if we stay here all night.

Mr. THOMAS B. WILSON. First of all, Mr. President, if the Chair will wait just a minute it will save some time.

The PRESIDENT. The Chair can find nothing in the rules that a motion to suspend a rule is not debatable. If it can be shown the Chair is wrong the Chair is perfectly willing to reverse his ruling.

Mr. GELTZ. Mr. President, it will be unnecessary for the Chair to reverse his ruling.

POINT OF ORDER

Mr. GELTZ. Mr. President, I rise to a point of order.

The PRESIDENT. The gentleman from Allegheny will state his point of order.

Mr. GELTZ. Mr. President, the gentleman from Philadelphia, Mr. Shapiro, has stated he is not going to discuss the motion; he stated he was going to discuss the question of injunctive relief, and intended to continue with that discussion. Therefore, Mr. President, the gentleman from Philadelphia is out of order, and I ask for a roll call on the motion.

Mr. SHAPIRO. Mr. President, I appreciate the fine hair breadth distinction the gentleman on the other side is trying to make. I said when I was interrupted that I was discussing injunctive relief; but in discussing injunctive relief I was discussing the merits of an injunction also.

Mr. THOMAS B. WILSON. Mr. President, I accept the rebuke of the Chair, but I only spoke because the Senator who made th emotion wanted to withdraw it so we would not have any trouble. I was probably out of order, but nevertheless I was trying to end the discussion before the Senate, because the gentleman from Butler wanted to withdraw his objection.

The PRESIDENT. The Chair has no desire to prolong this debate, but while he occupies the Chair he will permit debate on this question, as long as it is confined within the rules.

Mr. THOMAS B. WILSON. The Chair always has done that, Mr. President.

The PRESIDENT. The Chair can find nothing in the rules which says a motion is not debatable. The Chair can find nothing in either Robert's Manual or in Jefferson's Manual to that effect.

The Senator from Philadelphia, Mr. Shapiro, will proceed and discuss the subject matter of the motion.

Mr. SHAPIRO. I will continue by saying this motion ought to prevail, because if the motion prevails we will be able to give some information and some help to the executive, who like other executives before him, has been unable to find a solution to this problem, and I am in favor of this motion because I think it is the only way we can do that which it is our duty to do. We can not do it by injunctive relief, as I have pointed out, because the very injunction which you could get to prevent continued trespass must be served by the very man who has said he can not continue to enforce the law.

POINT OF ORDER

Mr. GELTZ. Mr. President, I rise to a point of order.

The PRESIDENT. The gentleman from Allegheny will state his point of order.

Mr. GELTZ. The Senator from Philadelphia is not discussing the motion to suspend Rule 39. He is discussing the substance matter of a resolution which is not before the Senate at this time.

The PRESIDENT. The point of order of the gentleman from Allegheny is well taken and the Senator from Philadelphia will confine himself to the subject matter of the motion.

Mr. SHAPIRO. Mr. President, I want to suggest to the gentleman on the other side, unless we do suspend Rule 39, we will not be able to consider the motion, and therefore I am discussing the value of the motion in order to induce my colleagues to suspend Rule 39.

Mr. President, I want to say I am glad to see the Republican members of the Senate take this lightly, because that shows how interested they are in good government. I think, as the gentleman from Washington has pointed out, this is one of the most serious situations that could exist in any form of government, certainly in a Democratic form of government, and I want to suggest to my colleagues on the other side—

POINT OF ORDER

Mr. GELTZ. Mr. President, I rise to a point of order.

The PRESIDENT. The gentleman from Allegheny will state his point of order.

Mr. GELTZ. Mr. President, the gentleman from Philadelphia is not discussing the motion. I want to say further, Mr. President, that I believe the Senator from Philadelphia is now endeavoring to play fast and loose with this Senate.

The PRESIDENT. The Chair is in a rather embarrassing position, because he was engaged in conversation with the Secretary at the time the gentleman from Philadelphia was talking, but the Chair will insist that the Senator from Philadelphia confine himself to the subject matter of the motion.

Mr. SHAPIRO. Mr. President, I would like to state that I consider this too serious a matter to engage in technicalities with the gentlemen on the other side. I have another method of discussing this matter which I will adopt when it is necessary, but I rise now to interrogate the gentleman from Allegheny, Mr. Geltz.

The PRESIDENT. Will the gentleman from Allegheny permit himself to be interrogated?

Mr. GELTZ. I will, Mr. President.

Mr. SHAPIRO. Mr. President, does the gentleman from Allegheny, Mr. Geltz, think either he or the gentleman from Schuylkill, Mr. Watkins, were in order when they made their addresses on this subject?

POINT OF ORDER

Mr. WALKER. Mr. President, I rise to a point of order.

The PRESIDENT. The gentleman from Allegheny, Mr. Walker, will state his point of order.

Mr. WALKER. Mr. President, the gentleman from Philadelphia is not discussing the motion.

The PRESIDENT. The gentleman from Philadelphia is not atempting to discuss the subject matter of the motion. The gentleman from Philadelphia inquired through the Chair whether the Senator from Allegheny, Mr. Geltz, would permit himself to be interrogated. The gentleman from Allegheny, Senator Geltz, said he would. The gentleman from Philadelphia addressed an inquiry through the Chair, which is in order. The gentleman from Philadelphia has the floor, and the Senator of whom he made the inquiry is willing to answer the question and such an inquiry is in order.

Mr. WALKER. Do I gather from that, Mr. President, that my point of order is not well taken?

The PRESIDENT. That is correct.

Mr. GELTZ. Mr. President, I will answer the question.

I believe I was in order, Mr. President, when I spoke the first time. I discussed certain matters in connection with my objection to immediate consideration of the resolution. The next time I spoke was because I was interrogated by the gentleman from Luzerne, Senator Mundy, and possibly by someone else.

Mr. SHAPIRO. Mr. President, the second part of my question has not been answered. I desire to interrogate the gentleman and let him state whether in his opinion the gentleman from Schuylkill, Mr. Watkins, was in order when he made his address, not in response to any interrogation.

Mr. GELTZ. Mr. President, I am not presiding over the Senate. Whether the Senator from Schuylkill was in order or not was a matter which should have been determined by proper objection to the Chair.

Mr. SHAPIRO. Mr. President, I desire to further interrogate the gentleman from Allegheny.

The PRESIDENT. Will the gentleman from Allegheny permit himself to be further interrogated?

Mr. GELTZ. I will, Mr. President.

Mr. SHAPIRO. Mr. President, when the gentleman rises to object to my speaking, is he presiding over the Senate?

Mr. GELTZ. I am not presiding over the Senate, Mr. President, and never pretended to so preside.

Mr. SHAPIRO. Mr. President, does the gentleman from Allegheny contend that I am out of order in discussing this motion? Do I understand the gentleman is raising the point of order that I am out of order in discussing this motion?

Mr. GELTZ. Mr. President, I am making that objection. The Senator from Philadelphia is out of order in discussing the motion to suspend Rule 39, in the manner which he has been following, as instead of discussing the motion, he has been discussing the substance matter of the resolution, which is not under consideration at this time, which was so ruled by the Chair.

Mr. SHAPIRO. Then, Mr. President, I desire to interrogate the gentleman from Allegheny and ask him whether he will not say, as Majority Floor Leader, he is not raising the same objection on that basis to my statement as to the statement made by the gentleman from Schuylkill when he was not interrogated; whether he was not out of order?

Mr. GELTZ. That is not a matter for me to decide, Mr. President.

Mr. SHAPIRO. I have no further questions. I call for a roll call on the motion.

The PRESIDENT. The Chair asks permission to make a statement. The Chair was perfectly aware of the fact that this debate has been entirely out of order but, following his usual custom and as the Chair has frequently repeated as long as there is no objection the Chair has assumed there has been unanimous consent.

The gentleman from Westmoreland has presented a resolution and asked for its immediate adoption, to which there was objection, on which there was debate, properly, and that should have settled the matter.

Then the Senator from Westmoreland moved, seconded by the gentleman from Cambria, that the Senate take immediate action. Proper action at that time would have been to have raised a point of order that the motion of the gentleman from Westmoreland was out of order, in which event a motion to suspend the rules would have been in order.

We have now just reached that point, which could have been reached a long time ago. However, it is not the purpose of the Chair to enforce gag rule to prevent debate, even though it would have been possible to do so.

The Chair now states, if the Senate does not wish the Chair to be lenient, and desires that the Chair insist that the rules be enforced, the Chair will so do, and in so doing he assures the Senators there will be very little debate in the future as compared with the amount of debate there has been in the past.

After all, the Senate controls its own procedure and the Chair can only carry out the rules. Should the Chair violate the rules he will entertain a motion at any time to call the Chair to order, but until such time the Chair shall insist that the rules be adhered to.

Mr. EALY. I shall endeavor to be very brief, Mr. President. I think the members of the Senate know that no one has been more in favor of sustaining the rights of property than I have, because I feel that if we disregard property rights we will soon be back to the condition of the savages. I believe the Senator from Washington, Mr. Reed, spoke words which we should all regard in considering the matter of voting upon this resolution. This is too serious a matter for us to endeavor to determine here this evening. The last three Governors of Pennsylvania have been endeavoring to solve this problem, and should the Senate undertake an investigation of this question we cannot do it in a day or a week or a month; it will require a long investigation. If the sheriff of Schuylkill County can not maintain order he has a right to call upon the Governor and I think the Governor should furnish what ever is necessary to maintain order, but we can not by passing this resolution take care of this matter immediately.

I think it entirely proper to refer the resolution to Committee for further study.

And the question recurring,

Will the Senate agree to the motion to suspend Rule 39?

The yeas and nays were required by Mr. DENT and were as follows, viz:

YEAS—15

Barr,	Dent,	Jaspan,	Reed,
Cavalcante,	DiSilvestro,	McGinnis,	Shapiro,
Coleman,	Frey,	McQuiddy,	Stiefel,
Cox,	Haluska,	Mundy,	

NAYS—25

Bartlett,	Edmonds,	Kephart,	Taylor,
Becker,	Farrell,	Letzler,	Thomas,
Carr,	Geltz,	Mallery,	Wade,
Chapman,	Heyburn,	Miller,	Walker,
Crider,	Homsher,	Snowden,	Watkins,
Crowe,	James,	Tallman,	Wilson, H. I.,
Ealy,			

So the question was determined in the negative.

And the question recurring,

Will the Senate agree to the resolution?

The PRESIDENT. There has been objection to immediate consideration of the resolution. Therefore the resolution is referred to the Committee on State Government.

QUESTION OF PERSONAL PRIVILEGE

Mr. THOMAS B. WILSON. Mr. President, I rise on a question of personal privilege.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. THOMAS B. WILSON. I do not care whether there is or not, Mr. President; I rise to a question of personal privilege.

The PRESIDENT. The gentleman from McKean will state his question of personal privilege.

Mr. THOMAS B. WILSON. I do not care whether there is objection or not, Mr. President.

The PRESIDENT. The Chair has stated that the gentleman from McKean will proceed.

Mr. THOMAS B. WILSON. Mr. President, in this discussion some question arose as to what the gentleman from Butler, Senator Carr, and myself were trying to do. May I say to the Senate that we were only endeavoring to withdraw his objection so that the Senator from Philadelphia, Mr. Shapiro, might continue and say anything he wanted to say. I am sorry that I interrupted; I am sorry the Chair felt called upon to say he is running the Senate. I know who is Lieutenant-Governor. I am very sorry, but I was only trying to get it out of the way, so that the Senator from Philadelphia could say anything he wanted.

QUESTION OF PERSONAL PRIVILEGE

Mr. SHAPIRO. Mr. President, I rise on a question of personal privilege.

The PRESIDENT. The gentleman from Philadelphia will proceed.

Mr. SHAPIRO. Mr. President, on a matter of personal privilege I rise to say I resent, and desire to express plainly and unequivocably my resentment at the behavior of the gentlemen who objected to my continuing the remarks I was making. I resent that because I do not consider that a personal affront to me—I know that was not intended—but I do consider it a rather bad example the other side has set in a matter of extreme importance. I think in the closing hours of any session of a Legislature which has lasted as long as this one has, there is always the possibility of jagged nerves and irritation, but I do not think any situation warrants the behavior that has been exhibited on the other side by those who made the motion.

If there had been an objection made, and technicality had been observed at the beginning of these proceedings, it would not lie in my mouth to complain about it, but after the gentleman on the other side occupied an hour and a half or two hours in discussing the subject matter, all of them being out of order, and several members on the other side being permitted not only once but twice, to discuss this matter, I say on behalf of the citizens of this Commonwealth who are watching the functioning of this body that I resent that they shall get an example such as that, and I hope they will not accept that as an example of what Legislators should be and should do.

Mr. President, this proposition is too important, the subject matter, the effect of what has happened, is too important and too horrifying to permit resorting to technicalities to the extent to which they have been indulged and engaged in here tonight.

I am not here trying to outsmart anybody on the other side; I am trying to present my views on what I consider an important function. If a situation warrants resorting to technicalities then I agree they must be resorted to, but evidently it did not warrant it when the people on the other side were speaking and people on this side were speaking, and it seems to me rather a high low—shall I say—that we reach when we proceed in that manner.

I say that without any personalities, Mr. President, without any intention to reflect on individual Senators, but I say it with the intent to reflect upon the kind of proceeding we see on the other side. I hope it will not occur again and I promise you I will not make any threats about what I am going to do because of what you do, but I do promise you I hope thee people of Pennsylvania will not see such an exhibition again, when the lives of eight men have been endangered and the lives of many more are threatened What I was about to say, when I was about to bring to a conclusion my speech, was of sufficient importance to entitle me to a hearing, irrespective of any technicality, and that is this, there is no law on the statute books—no law except a law, of course, which is not on the statute books—that can protect a community in a situation of this kind, and that of course must be employed by the people who have the authority; not by people who have no authority but by the constituted authority.

I have come to the conclusion, after sitting for eight years in this Senate, that appeasement of the situation in the coal industry will be no more successful than appeasement at Munich, and unless the people who have in their hands the authority to act do act there will be no solution. You can not do it by injunction; you can not do it by talking politics; you can not do it by charging the President of the United States with having run a disorderly government for eight years, in the face of the results of that government and in the face of the poll which reelected him for a third term—which never occurred before in the history of this country. You can not do it by that and you can not do it by ignoring the decencies of the situation.

In the first place, Mr. President, what I object to is that a member of the Senate who wants to follow out the procedure outlined in the law does not get cooperation from the constituted authorities.

This sheriff, as I understand it, wrote to the Attorney General and to the Governor, and that statement has not been challenged. He got no results. A member of this Senate, living in the community, wrote to the Attorney General and to the Governor. He got a reply from the Attorney General but got no reply from the Governor, and he got no action. It is idle to stand here and say there should be resort to the courts when the enforcing officer of the courts tells the Governor of the Commonwealth, in full knowledge of the facts, that he can not carry out the orders of the courts, he can not enforce law and order and he wants the Governor's help, and the Governor of this Commonwealth not only does not take any steps to protect the situation but he does not even answer the gentleman, a member of the Senate, who asked him what his position in the matter would be.

As a result of the failure to act we have a spectacle of rioting, with fifteen hundred people, and we have a fear that tomorrow maybe, while we are wasting time here on technicalities, we have a fear tomorrow that there may be a continuance of this rioting and it is no answer, ably as it was presented by the gentleman from Schuylkill, to say that the man who has complained employs company

police. The only answer I can give to that is: a plague on both your houses.

Law and order are important things, and if these people are wrong that does not give the executive of this Commonwealth the right to ignore the danger of the situation. Are we going to answer those eight people who might die by telling them that the other side was at fault? Are we going to restore them to their families, are we going to prevent tomorrow a recurrence of this by telling them one side was at fault or the other, or are we going to say that this situation requires some action? I do not know whether this resolution will bring the action, I do not know whether this resolution can be carried into effect in sufficient time to prevent it, but I do hope and think if we pass the resolution, if this resolution were passed, then the Governor might get the consensus of opinion of the members of the Senate and the members of the Legislature, and maybe he would act. I am sure the gentleman from Luzerne, Mr. Mundy, will permit the Governor to continue to ignore his letter, if he will only not ignore the situation. Now, Mr. President, the gentleman from Luzerne and myself, we do not say this Governor did something which other Governors would have done or did do. We say that this situation has been played with too long by appeasement proceedings and we ask that responsible constituted authority act now, or assume the responsibility, and it is because I feel—I do not live in that community but I do live in the Commonwealth and I do know what a forest fire is and I do know what could happen in Philadelphia or some other community if it is permitted to go on in the county in which we are discussing, in Schuylkill County, and I do say that unless the people of the Commonwealth of Pennsylvania who have the effrontery to take the law in their own hands are shown by the same force the President of the United States took in the strike case, shown they can and will be stopped, then there is no such thing as a guarantee of safety of life, liberty or property, and I think this Senate was wrong in refusing to consider that resolution and act on it.

The PRESIDENT. The resolution has been referred to the Committee on State Government.

REPORTS FROM COMMITTEE

Mr. CHAPMAN. Mr. President, I ask unanimous consent to make report from committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. CHAPMAN, from the Committee on Appropriations re-reported as amended, Senate Bill No. 1012, (House Bill No. 1418), entitled:

An Act making an appropriation to the Department of Welfare for the maintenance of certain homes.

He also, from the Committee on Appropriations re-reported as amended, Senate Bill No. 1013, (House Bill No. 1419), entitled:

An Act making an appropriation to the Department of Welfare for the maintenance of certain hospitals.

HOUSE MESSAGES

HOUSE BILLS FOR CONCURRENCE

The Clerk of the House of Representatives being introduced presented for concurrence bills of the House, as follows:

House Bill No. 629, (Senate Bill No. 1328), entitled:

An Act to add section three and one-tenth to the act approved the twentieth day of June, one thousand nine hundred and one (P. L. 582), entitled "An act to provide for the registration of labels, trade-marks, trade-names, stamps, designs, devices, shopmarks, terms, brands, designations, descriptions, or forms of advertisement, and protect and secure the rights, property and interest therein of the persons, copartnerships or corporations adopting and filing the same, and providing penalties for the violations of the act," providing for the cancellation of the registration of labels, trade-marks, trade-names, devices, shopmarks, designations and forms of advertisement, in certain cases.

Which was committed to the Committee on Judiciary General.

House Bill No. 1831, (Senate Bill No. 1329), entitled:

An Act to further amend section twenty-one of the act, approved the seventh day of June, one thousand nine hundred fifteen (P. L. 900), entitled "Vital Statistics Law," by directing the Department of Health to maintain branch offices in counties of the second class for the filing of death certificates; authorizing such offices to issue certified copies of death certificates and make searches of their files; imposing additional duties upon local registrars in such counties; and prescribing fees.

Which was committed to the Committee on Public Health.

House Bill No. 1854, (Senate Bill No. 1330), entitled:

An Act to further amend section three hundred eleven of the act, approved the second day of May, one thousand nine hundred and twenty-nine (P. L. 1278), entitled "General County Law" by protecting and regulating the retirement rights of county employes in counties of the second class who are required to enter active service with the military or naval forces of the United States.

Which was committed to the Committee on County Government.

House Bill No. 1880, (Senate Bill No. 1331), entitled:

An Act to add section three hundred twenty-eight to article three of the act, approved the second day of May, one thousand nine hundred twenty-nine (P. L. 1278), entitled "General County Law," defining the pension of rights and obligations of certain employes of second class counties when by operation of law such employes become State employes.

Which was committed to the Committee on County Government.

House Bill No. 1895, (Senate Bill No. 1332), entitled:

An Act to amend section five of the act, approved the fourth day of April, one thousand nine hundred twenty-nine (P. L. 144), entitled "Farm Products Standards Law," by including certificates of the United States Department of Agriculture as evidence of grade and classification.

Which was committed to the Committee on Agriculture.

House Bill No. 1930, (Senate Bill No. 1333), entitled:

An Act authorizing the Pennsylvania Historical Commission, on behalf of the Commonwealth of Pennsylvania, to acquire, by gift, the monument erected in

Greene County to Sarah Jane Price Ackley; and providing for the control management, supervision, and maintenance thereof.

Which was committed to the Committee on State Government.

House Bill No. 1935, (Senate Bill No. 1334), entitled:

An Act to further amend clause six of section one and section three of the act, approved the twenty-seventh day of June, one thousand nine hundred and twenty-three (P. L. 858), entitled "State Employes Retirement Law," by further defining "State employe" so as to include certain employes of the Board of Fish Commissioners and the Pennsylvania Game Commission; providing that such employes shall have the option of joining the State Employes Retirement Association; and permitting their membership in such association to be retroactive upon the making of certain back payments by them and by the Board of Fish Commissioners and the Pennsylvania Game Commission.

Which was committed to the Committee on State Government.

QUESTION OF PERSONAL PRIVILEGE

Mr. CARR. Mr. President, I rise to a question of personal privilege.

The PRESIDENT. The gentleman from Butler will state his question of personal privilege.

Mr. CARR. Mr. President, the gentleman speaking a few moments ago seemed to impugn my motive in acting as I did in requesting that the rules of the Senate be observed, after considerable debate had been allowed on a question which ought not to have been debated.

I want to say, Mr. President, that my entire motive was that it seemed to me we were getting nowhere very fast with regard to the matter under discussion, and it was evident to me, as it seemed, that we were not going to arrive at any definite conclusion. Therefore, in order to bring the matter to a head, I raised a point of order, and the point of order was declared not well taken, and feeling that it had been and there had been a misunderstanding on the part of the Chair as to what kind of a motion had been made, I again raised the point of order, which was sustained. If in doing this, as a greenhorn in this body, serving my first session in any legislative body of this kind, I have violated the sense of propriety, have in any way offended my colleagues in the Senate, either individually or en masse, I want to at this time extend my sincere apologies for so doing, and to admit that perhaps what I did was done in an impetuous way and perhaps with some misunderstanding of what was proper under the circumstances.

I trust that my colleagues will accept this as my explanation and apology, if they consider I was in the wrong in so doing.

RECESS

Mr. GELTZ. Mr. President, I move that the Senate do now take a recess for fifteen minutes.

Mr. MILLER. Mr. President, I second the motion.

The motion was agreed to.

AFTER RECESS

The PRESIDENT. The time of recess having elapsed the Senate will be in order.

SENATE BILL No. 598 ON THIRD READING CALLED UP

Mr. GELTZ. Mr. President, I now call up Senate Bill No. 598, on third reading, page 5 of the Calendar, which was amended, and which since has been printed with the Amendments, and which bill I now understand is on the desks of the Senators.

The PRESIDENT. The Chair so understands.

Mr. HOMSHER. Mr. President, I second the motion.

The motion was agreed to.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 598, as follows:

An Act to add section two thousand two and one-tenth to the act approved the eighteenth day of May one thousand nine hundred eleven (P. L. 309) entitled "An act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescbiing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith" providing for cooperation of State Teachers Colleges at the request of the State Council of Defense with other agencies in furthering national defense programs and activities

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Article twenty of the act approved the eighteenth day of May one thousand nine hundred eleven (P. L. 309) entitled "An act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith" as amended by the act approved the twenty-fifth day of April one thousand nine hundred twenty-nine (P. L. 712) is hereby further amended by adding between section two thousand two and two thousand three thereof a new section to read as follows

Section 2002.1 At the request of the State Council of Defense the trustees of any State Teachers College with the approval of the State Council of Education may cooperate with municipal state Federal and other agencies in the furtherance of national defense programs and activities and for such purposes shall have power to do all things and enter into all agreements necessary to carry out the same including the power to lease the whole or any part of the real property used by such college

Section 2 This act shall become effective immediately upon final enactment and shall remain in effect only during the present emergency and not later than the first day of June one thousand nine hundred and forty-five

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

Mr. COLEMAN. Mr. President, I desire to interrogate the Chairman of the Committee on Education.

The PRESIDENT. Will the gentleman from Lancaster permit himself to be interrogated?

Mr. HOMSHER. I will, Mr. President.

Mr. COLEMAN. Mr. President, I desire to ask a question or two about the mechanics of the amendments to this particular bill. Do I undrestand that before this amendment becomes effective it must be requested by the State Council of Defense?

Mr. HOMSHER. Mr. President, the State Council of Defense must request that the facilities of the state teachers colleges be utilized for the purposes of national defense.

Mr. COLEMAN. It can not then, Mr. President, according to the answer of the gentleman from Lancaster, be inaugurated by the Boards of Trustees of the various State Teachers Colleges of the Commonwealth.

Mr. HOMSHER. That is correct, Mr. President.

And the question recurring,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—30

Bartlett,	Ealy,	Jaspan,	Tallman,
Carr,	Edmonds,	Kephart,	Taylor,
Cavalcante,	Farrell,	Letzler,	Thomas,
Chapman,	Frey,	Mallery,	Wade,
Crider,	Geltz,	McQuiddy,	Walker,
Crowe,	Heyburn,	Snowden,	Wilson, H. I.,
Dent,	Homsher,	Stevenson,	Wilson, T. B.,
DiSilvestro,	James,		

NAYS—9

Barr,	Haluska,	Mundy,	Shapiro,
Becker,	Miller,	Reed,	Watkins,
Coleman,			

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

BILLS ON SECOND READING

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 605, (House Bill No. 426), entitled:

An Act making an appropriation to the Pennsylvania Historical Commission to cover the expenses of restoring and maintaining the Daniel Boone Homestead

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 607, (House Bill No. 437), entitled:

An Act authorizing the Department of Property and Supplies to acquire by purchase gift lease or condemnation on behalf of the Commonwealth of Pennsylvania ten acres of land adjacent to the Daniel Boone Homestead or so much thereof as may be necessary to properly honor the pioneer Daniel Boone on the spot where he was born providing for the control management supervision improvement preservation and maintenance thereof authorizing the Pennsylvania Historical Commission to make and enforce rules and regulations for the preservation and visitation thereof and making an appropriation

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 707, (House Bill No. 1023), entitled:

An Act prohibiting employers from directly or indirectly offering for sale selling procuring for sale having in possession or under control for sale to employes any merchandise not produced by employers not handled in the regular course of employer's business or not connected or related to his or its business providing exceptions thereto declaring such prohibited sales to be unfair competition and repealing prior inconsistent legislation.

On the question,

Will the Senate agree to the bill on second reading?

Mr. SHAPIRO. Mr. President, I desire to offer amendments to this bill, but before offering them I should like to explain them.

The amendments offered by the gentleman from Philadelphia, Mr. Kephart, change this bill by making a revision in the purpose clause. I have read that carefully and can see no objection to that revision. I think it helps rather than hurts the bill.

In Section 2 amendments have been inserted that those sales to employes or any other persons, as the bill read before, are now limited to sales to employes. In my opinion that destroys the worst vice that is connected with the matter we are trying to regulate. In other words, as the bill is written, it prevents a manufacturer, dealing with certain articles, from purchasing those articles and selling them to his employes or to any other persons at less than the retail price. Under the amendment this bill would now be that a manufacturer may purchase from a wholesaler and sell not to his employes, but to a brother of an employe or an uncle or a father, but he could not sell it to his own employe.

Now, Mr. President, that would be a very easy subterfuge, an easy way to act, and it would take out of the purpose of this act the larger scope of people involved in this buying at retail at wholesale prices, so I have prepared an amendment which removes that amendment from the title, and section 2.

Other amendments have been inserted which I think are fair and rather help the bill. I do not think at this time we can exclude the company store, which is a time honored or dishonored custom, whichever it is, but it is fixed in our laws and I do not think the people who are asking for this bill are complaining about that particular situation, because that is a retail business.

Now, Mr. President, there has been added to this bill also the word "beverages", so that the sale of beverages by an employer, as well as candy and meals, have been now exempted from the provisions of this act, and I see no objection to that.

The first section was read and agreed to.

The second section was read.

On the question,

Will the Senate agree to the section?

Mr. SHAPIRO. Mr. President, I desire to offer an amendment.

The Clerk read the amendment as follows:

Amend Section 2, page 2, by striking out the boldfaced bracket before the word "or" in line 23, and by strking out the bold-faced bracket after the partial word "-son" at the beginning of line 24.

On the question,

Will the Senate agree to the amendment?

It was agreed to.

On the question,

Will the Senate agree to the section as amended?

Mr. KEPHART. I object, Mr. President.

Mr. MALLERY. Mr. President, I would like to ask my colleagues to support these amendments. I think this is an improvement and it should be in the bill, and I ask all my colleagues to support this amendment.

Mr. KEPHART. Mr. President, the reason the words "or to any other person" were amended out of the bill by my amendment was to make the bill more reasonable and more workable and more to the point it was intended to reach.

The vice, it seems to me, they want to correct by this bill is the sale by employers to their employes, not so much to other persons. The way it is now worded, if those words go back in there, as I said here the other day, an employer who has employes and has an article like a piano he wanted to sell, he would be violating this bill, and I do not think that is intended by the bill, nor do I think it is necessary. I think if you leave the words "or any other person" in there the bill is much too broad and certainly unconstitutional.

Mr. SHAPIRO. Mr. President, I should like to answer that to make my position clear. When the gentleman from Philadelphia offered those amendments that was the basis for taking out the words "or to any other person".

If you read this bill, it deals with a man who is in business, and it says that a man who is in business "A" can not sell merchandise he does not deal with—it does not deal with personal property—but the gentleman having in mind that I might get this amendment through, is dragging in the case he talks about, of a manufacturer who has some property which he has used and wishes to dispose of, and he says if we do not take the words "or to any other persons" out, he would not be able to sell it, and in order to make sure that these amendments passed he would be protected, he has added these words, to which I do not object: "shall not apply to equipment or machinery which has previously been used by such persons, partnership, corporation or association in the conduct of his or its business, or goods being used in furtherance of his business or connected therewith or related thereto."

This bill does not stop any man in its present form, who has a piano in his house he wants to sell; it does not stop him from selling it to his employe or any other person, but it does stop him from selling any goods he does not manufacture to his own employes on the ground of having personal property of his own in his business which he wants to dispose of.

This provision takes care of that and that is why I left it in. It is silly to try to destroy this bill on the theory that some fellow at some time would have a piano that he wants to sell, and therefore you have to take out the words "or any other person."

Mr. EDMONDS. Mr. President, Senator Shapiro's amendment means we will except personal property and personally I shall vote for it.

I think the vice in this situation was well described last night by the gentleman from Luzerne, Senator Mundy, when he spoke of the fact that it was the rich and not the poor who received this privilege, and they receive it through the fact that a purchasing agent is able to buy goods for his friends at a discount.

Now, that is discouraging to the ordinary run of American life, and violates one of their principles, that is an essential to American life, and therefore I think this bill is performing the purpose it has in mind, and that Senator Shapiro has in mind, and like my friend from Blair, I ask my friends to support the amendments.

Mr. GELTZ. Mr. President, I agree with the purpose and objective of this bill, but I do not believe this bill in its present form does only the purpose for which it was drawn. I believe under the wording of the bill as it is now amended, Mr. President, with the adoption of this amendment at this time, and the other amendments in the bill, that this would do a lot of damage or harm.

Mr. KEPHART. Mr. President, when I used the illustration of a piano, I did not mean to confine it to that, and it can not be isolated in an argument to reference to a piano alone.

As has been said, if you read section 2, it says, "no person, partnership, corporation or assooiation engaged in any business in this Commonwealth shall sell or make any article or material products or merchandise of whatever nature. That includes anything he may have in his household; he violates this law if he sells it, if he is engaged in business, because it is not produced in the ordinary course of his business, and not handled by him in the ordinary course of his business.

And the question recurring,

Will the Senate agree to the section as amended?

The yeas and nays were required by Mr. KEPHART and were as follows, viz:

YEAS—26

Becker,	Haluska,	Shapiro,	Tyler,
Carr,	Jaspan,	Stevenson,	Wade,
Cavalcante,	Lanius,	Stiefel,	Walker,
Chapman,	Letzler,	Tallman,	Watkins,
Coleman,	Mallery,	Taylor,	Wilson, H. I.,
Edmonds,	McGinnis,	Thomas,	Wilson, T. B.,
Frey,	Miller,		

NAYS—10

Bartlett,	Farrell,	Homsher,	Kephart,
Crider,	Geltz,	James,	Snowden,
Ealy,	Heyburn,		

So the question was determined in the affirmative.

The third, fourth, fifth and sixth sections were read and agreed to.

The title was read.

On the question,

Will the Senate agree to the title?

Mr. SHAPIRO. Mr. President, I desire to offer an amendment.

The Clerk read the amendment as follows:

Amend Title, Page 1, line 3 of Title, by striking out the bold-faced brackets before and after the words "or others" at the end of the line.

On the question,

Will the Senate agree to the title as amended?

It was agreed to.

And said bill as amended having been read at length the second time,

On the question,

Will the Senate agree to the bill?

Mr. CAVALCANTE. Mr. President, I have already called attention of this body to the amendments to the bill, on page 3. I think that amendment is a serious amendment and it destroys the purpose of the bill. I think I understand the purpose of that amendment. That amendment was put in the bill as a precaution, because some members felt that the bill as it came from the House might be construed to prevent, let us say, the United States Steel Company, for to give that as an example—their main industry is the manufacture of steel, but under them they also have subsidiaries like the H. C. Frick Corporation, which mine coals, there is a subsidiary also, the Union Supply Company, which has a chain of stores through which they sell merchandise to their employes, and others, and the purpose of this amendment is to protect that set-up, and some were fearful that the bill as originally sent over to the House might prevent the United States Steel or any other corporation in that position from owning and operating company stores, as we call them, but now, if you read that carefully, and I want to read it in order that I may make my amendments clear to you, that amendment says "and provided further that nothing herein contained shall be construed to prohibit or prevent any person, firm or corporation engaged in any industry, business or trade from owning and operating, either directly by itself or through any agency or subsidiary, a bona fide store or stores for the sale of good to his or its employes."

Mr. President, that amendment will permit the United States Steel, through its Union Supply Stores, to do the very thing that we are trying to prevent another set of retailers from doing under section 2, because the first part of it says "no person, partnership or corporation shall engage in any business or trade in this Commonwealth as defined in this or to have in its possession for sale any article, materials or merchandise of whatever nature not of his or its own production, not handled in his or its regular course of trade or business and not connected with or related to its trade or business."

That, Mr. President, will prohibit a retailer from doing those acts, or keep those materials in his possession for sale to his employes and others, but now, you do not make that same exception, you see, in the provision of the amendment on page 3, you merely exclude those stores, those company stores, but you do not say they can not sell to their employes and other persons the things which you are prohibiting the other retailers from selling to their employes and other persons, and in order to correct that, I have prepared amendments here so that particular amendment will read like this:

"And provided further that nothing herein contained shall be construed to prohibit or prevent any person, firm or corporation engaged in any industry other than a retail business or trade from owning and operating either directly by itself or through any agency or subsidiary a bona fide store or stores for the sale of goods at retail to his or its employes and others under the provisions of this section."

Now, gentlemen, we have attorneys here in this body. I probably might not be as good an attorney as Senator Tallman or the gentleman from the other county, Senator Becker, and the rest of them, but I say if you read this carefully you should agree with me. I am not interested in the bill. I am in favor of the purpose of the bill, but I say if you read this carefully you must see that you are creating two classes of retailers, one of them covered by the first part of that section, and then this other class that is owned by the—I gave you an example, the United States Steel and its company stores.

Now, by the first part of that section you would prevent that group covered by it from engaging in these acts, but when you exclude the company stores from it, you then permit them to do the things which you are prohibiting others from doing, and if you add to those particular amendments on page 3 these words, which puts these company stores in the same class with those stated in the first part of the section, I think we would have a good bill, and I would vote for the bill, and I think that section will not hurt the bill but will make the bill clear, and it should be so.

Surely you do not want to put company stores in a different category than you would put any other retailer. If we are going to make an exception of them, and the only exception you are trying to make in this bill is to make sure that the bill does not prohibit a parent company from owning and operating stores that sell merchandise at retail, Mr. President, after explaining this section I offer the following amendments and I wish my colleagues would consider them seriously and not lightly, because I am interested in the bill, I understand the purpose of the bill, and I want to see it applied to all of them.

Mr. President, I desire to offer amendment to Section 2.

The Clerk read the amendments as follows:

Amend, Section 2, page 3, line 16, by inserting after the word "industry" and before the word "business" the following: "other than a retail"; amend, Section 2, page 3, line 19, by inserting after the word "goods" and before the word "to" the following: "at retail"; amend, Section 2, page 3, line 19, by adding at the end thereof the following: "under the provisions of this section."

On the question,

Will the Senate agree to the amendment?

Mr. SHAPIRO. Mr. President, I ask the gentleman from Fayette to read his amendment again.

Mr. CAVALCANTE. Mr. President, beginning at page three, line thirteen, my amendment would make it read as follows, where the italics appear: "And provided further that nothing herein contained shall be construed to prohibit or prevent any person, firm or corporation engaged in any industry other than a retail business or trade from owning and operating, either directly by itself or through any agency or subsidiary a bona fide store or stores for the sale of goods at retail to his or its employes and others under the provisions of this section."

Mr. SHAPIRO. Mr. President, I think the gentleman is directing his attention to what I now think is a portion of this bill that does not belong here. The portion he was

reading deals with company stores, and it is the purpose, as I understand it, to allow those company stores to continue to sell to their own employes, but I do not see any reason why they should be allowed to sell to others at all. This act provides they can sell to their own employes and others. That, in my opinion, is the vice of that section, that it allows the sale by company stores and then allows company stores to sell to others.

May I further say I am informed by people who know more about company stores than I do that those company stores not only sell to their employes but also sell to others.

Mr. WALKER. Mr. President, may I ask the gentleman from Philadelphia to make use of the microphone, as it is very difficult at this late hour to hear the gentleman, on account of the confusion, and we are still interested in the bill. Would the gentleman from Philadelphia mind making use of the microphone?

Mr. SHAPIRO. Mr. President, I first had objection to use of the words "and others" here and I thought that to be a valid objection. However, I am now informed that company stores sell not only to their own employes but also to others in the town and to relatives of employes and I now think my objection would not be valid, but as I follow the suggestion of the gentleman from Fayette, he would confine those company stores to only those engaged in a retail business. If the gentleman will read his amendments again I think we will be able to follow them. Maybe I am mistaken.

Mr. CAVALCANTE. Mr. President, I shall start with the italics: "And provided further that nothing herein contained shall be construed to prohibit or prevent any person, firm or corporation engaged in any industry other than a retail business or trade from owning and operating either directly by itself or through any agency or subsidiary a bona fide store or stores for the sale of goods at retail to his or its employes and others under the provisions of this section."

Mr. SHAPIRO. I do not see any objection to that amendment. It will help wherever it applies.

Mr. WALKER. Mr. President, I desire to interrogate the gentleman from Fayette.

The PRESIDENT. Will the gentleman from Fayette permit himself to be interrogated?

Mr. CAVALCANTE. I will, Mr. President.

Mr. WALKER. I desire to inquire from the gentleman from Fayette whether or not the amendment he would suggest now and has read would prevent a department store like Kauffman's store in Pittsburgh from selling to its employes at wholesale.

Mr. CAVALCANTE. Certainly it would, Mr. President. It puts the ones that are intended to be covered by this amendment, as it now is in the bill, in the same class with the persons, partnerships, corporations and associations mentioned in the first part of the section.

Mr. WALKER. Mr. President, I just want to keep clear on this. I do not quite agree with the interpretation placed on the amendments by the gentleman from Fayette and I would like to direct his attention to page two of the bill. The quotation starts really on page one, where it does not apply, as I recall the bill, to merchandise if it is handled regularly by a store; is that correct?

Mr. CAVALCANTE. That is correct.

Mr. WALKER. Therefore, Mr. President, this amendment, even though you place the words in there, even though you have in the bill the words "other than a retail business," that still would not prevent department stores from selling to their employes merchandise that they regularly handle?

Mr. CAVALCANTE. That is correct.

Mr. WALKER. I might say I think the amendments are clarifying and I think they should be adopted.

And the question recurring,

Will the Senate agree to the amendment?

It was agreed to.

On the question,

Will the Senate agree to the section as amended?

It was agreed to.

The title was read and agreed to.

And said bill as amended having been read at length the second time and agreed to.

Ordered, To be transcribed for a third reading.

BILLS OVER IN ORDER

Mr. GELTZ. Mr. President, I ask unanimous consent that Senate Bill No. 768, (House Bill No. 1127), on second reading, entitled:

An Act defining, regulating and providing for the licensing and registration of employment agents and their representatives, including private employment agents, theatrical employment agencies and nurses' registries; providing for revocation and suspension of licenses and registrations, subject to appeal, and for their reinstatement; defining the powers and duties of the Department of Labor and Industry and the Department of Public Instruction; providing penalties; and repealing existing laws

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. GELTZ. Mr. President, at the request of Senator Jaspan, I ask unanimous consent that Senate Bill No. 898, (House Bill No. 1213), on second reading, entitled:

An Act to amend an act approved the seventh day of June one thousand nine hundred seventeen (P. L. 600), entitled "An act providing that appointive officers and employes employed by the Commonwealth of Pennsylvania in its civil service or by any department bureau commission or office thereof or by any county municipality township or school district shall not be deemed or held to have resigned or abandoned their offices or employments by reason of enlistment enrollment or draft in the military or naval service of the United States or any branch or unit thereof in time of war or contemplated war prohibiting the removal from their offices or employment of such officers and employes during the period of their service in the Army or Navy directing that one-half of the salaries or wages of such officers or employes as have dependent wives children or parents and not exceeding two thousand dollars per annum be paid during the term of their service in the Army or Navy to such dependents authorizing the employment during said term of substitutes to perform the duties theretofore performed by such officers or employes respectively and providing for the compensation of such substitutes" by more fully defining the times during which the benefits shall be payable and the amounts thereof and to whom payable.

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILLS ON SECOND READING

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the selond reading and consideration of Senate Bill No. 986, (House Bill No. 1399), entitled:

An Act to amend the act approved the fifteenth day of May one thousand nine hundred thirty-three (P. L. 624) entitled "An act relating to the business of banking and to the exercise of fiduciary powers by corporations providing for the organization of corporations with fiduciary powers and of banking corporations with or without fiduciary powers including the conversion of National banks into State banks and for the licensing of private bankers defining the rights powers duties liabilities and immunities of such corporations of existent corporations authorized to engage in a banking business with or without fiduciary powers of private bankers and of the officers directors trustees shareholders attorneys and other employes of all such corporations or private bankers or of affiliated corporations associations or persons restricting the exercise of banking powers by any other corporation association or person and of fiduciary powers by any other corporation conferring powers and imposing duties upon the courts prothonotaries recorders of deeds and certain State departments commissions and officers imposing penalties and repealing certain acts and parts of acts" as amended by requiring certificates of the payment of taxes and other charges to be filed with the Department of State in certain cases.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 1053, entitled:

An Act to amend section one of the act, approved the eighth day of May, one thousand eight hundred and ninety-five (P. L. 44), entitled "An act providing for the release and discharge of encumbrances or charges on land in all cases in which the period of twenty-one years has elapsed after the principal of the encumbrance or charge has become due and payable, and no payment has been made within such period of twenty-one years on account of such encumbrance or charge by the owner or owners of the land sought to be released and dsicharged and no sufficient release is of record in the county, and regulating proceedings for such release and discharge," heretofore repealed in so far as it related to the orphans' court, relieving courts of common pleas of the necessity of passing on the truth of the allegations of petitions for release and discharge of such encumbrances or charges.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILL OVER IN ORDER

Mr. GELTZ. Mr. President, I ask unanimous consent that Senate Bill No. 1118, (House Bill No. 87), on second reading, entitled:

An Act to further amend the title and section one of the act approved the third day of May one thousand nine hundred and nine (P. L. 424) entitled "An act providing that in all counties having more than five hundred thousand inhabitants advertisements and notices required by law or rules of court to be published in newspapers of general circulation unless dispensed with by special order of court shall be published in the legal newspaper issued at least weekly of the proper county designated by rules of court for the publication of court or other legal notices" as amended extending the provisions of the said act to counties of the sixth class.

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILLS ON SECOND READING

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 1230, (House Bill No. 1397), entitled:

An Act to amend the act approved the fifth day of May one thousand nine hundred thirty-three (P. L. 457), entitled "An act relating to the business of building and loan associations providing for the organization and voluntary dissolution of such associations defining the rights powers duties liabilities and immunities of such associations and of their officers directors shareholders solicitors and other employes prohibiting the transaction of business in this Commonwealth by foreign building and loan associations conferring powers and imposing duties upon the courts recorders of deeds and certain State departments commissions and officers establishing limitations of actions imposing penalties and repealing certain acts and parts of acts" as amended by requiring certificates of the payment of taxes and other charges to be filed with the Department of State in certain cases

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 1269, (House Bill No. 1652), entitled:

An Act to further amend sections eight and eleven of the act approved the fifteenth day of May one thousand nine hundred thirty-three (P. L. 553) entitled "An act relating to the financial responsibility of operators and owners of motor vehicles and to make uniform the law with reference thereto requiring operators and owners of automobiles under certain circumstances to furnish proof of financial responsibility as herein defined providing for the suspension of operators' licenses and motor vehicle registration certificates in certain cases regulating insurance policies which may be accepted as proof of financial responsibility imposing duties upon the Secretary of Revenue the State Treasurer and prothonotaries and prescribing penalties" by giving the secretary discretionary power under certain circumstances to suspend operators' licenses and providing for notice and hearing before suspension of licenses and registrations

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILLS OVER IN ORDER

Mr. COLEMAN. Mr. President, I ask unanimous con-

sent that Senate Bill No. 1303, (House Bill No. 1727), on second reading, entitled:

An Act providing that proceedings acts and bonds issued by Authorities incorporated under the Municipality Authorities Act as amended and supplemented shall not be invalid by reason of certain circumstances.

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. COLEMAN. Mr. President, I ask unanimous consent that Senate Bill No. 1304, (House Bill No. 1728), on second reading, entitled:

An Act relating to the compatibility of office of members of the Boards and officers of the Authorities incorporated under the Municipality Authorities Act as amended and supplemented.

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILLS ON SECOND READING

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 1323, (House Bill No. 1857), entitled:

An Act making an appropriation to the Department of Revenue for the payment of claims against the Commonwealth arising from damage by fire caused by defective wires used for operating airplane beacons.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 1325, entitled:

An Act making an appropriation to the Department of Welfare to pay for the care, treatment, removal, and maintenance of the indigent insane in county and institution district hospitals.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

REPORT FROM COMMITTEE

Mr. HEYBURN. Mr. President, I ask unanimous consent to make report from committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. HEYBURN. From the Committee on Agriculture reported as committed, Senate Bill No. 1332, (House Bill No. 1895), entitled:

An Act to amend section five of the act approved the fourth day of April one thousand nine hundred twenty-nine (P. L. 144) entitled "An act prescribing the powers and duties of the Department of Agriculture with regard to form products providing for cooperation with the Department of Internal Affairs to establish standard receptacles for farm products authorizing the Department of Agriculture to establish and promulgate standards for the grade and other classification of farm products and to promulgate regulations for the enforcement thereof defining farm products to include agricultural horticultural vegetable fruit and floricultural products of the soil live stock and meats wools hides poultry eggs dairy products nuts mushrooms and honey providing penalties" by including certificates of the United States Department of Agriculture as evidence of grade and classification.

SENATE BILL No. 634 (HOUSE BILL No. 974), ON SECOND READING POSTPONED CALLED UP

Mr. GELTZ. Mr. President, I now call up Senate Bill No. 634, (House Bill No. 974), on second reading, postponed, page 25 of the Calendar.

Mr. EALY. Mr. President, I second the motion.

The motion was agreed to.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 634, (House Bill No. 974), entitled:

An Act to amend article twelve, section one thousand two hundred six, of the act approved the ninth day of April, one thousand nine hundred and twenty-nine (P. L. 177), entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments, boards, commissions, and officers thereof, including the boards of trustees of State Normal Schools, or Teachers Colleges; abolishing, creating, reorganizing or authorizing the reorganization of certain administrative departments, boards, and commissions; defining the powers and duties of the Governor and other executive and administrative officers, and of the several administrative departments, boards, commissions, and officers; fixing the salaries of the Governor, Lieutenant-Governor and certain other executive and administrative officers; providing for the appointment of certain administrative officers, and of all deputies and other assistants and employes in certain departments, boards and commissions; and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments, boards and commissions shall be determined," by providing for the issuance of a certificate of approval for weights and measures of county, city and borough sealers.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

MOTION TO READ BILLS THE FIRST TIME

Mr. GELTZ. Mr. President, I move that the Senate do now proceed to the first reading of all bills reported from committees for the first time at today's session.

Mr. TALLMAN. Mr. President, I second the motion.

The motion was agreed to.

BILLS ON FIRST READING

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 409, (House Bill No. 553), entitled:

An Act to amend section twenty-two of the act approved the seventh day of June, one thousand nine hundred and seventeen (Pamphlet Laws, four hundred three), entitled "An act relating to the form, execution, revocation, and

interpretation of wills; to nuncupative wills; to the appointment of testamentary guardians; to spendthrift trusts; to forfeiture of devise or legacy in case of murder of testator; to elections to take under or against wills, and to the recording and registering of such elections and of decrees relative thereto, and to the fees therefor," by providing for forfeiture of the right to take property under the will of a murdered testator.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 410, (House Bill No. 554), entitled:

An Act to amend section twenty-three of the act approved the seventh day of June, one thousand nine hundred and seventeen (Pamphlet Laws, 429), entitled "An act relating to the descent and distribution of the real and personal property of persons dying intestate; and to provide for the recording and registering of the decrees of the Orphans' Court in connection therewith, and the fees therefor," by providing for forfeiture of the right to inherit or to take property of a murdered intestate under the said act.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 537, (House Bill No. 579), entitled:

An Act relating to acknowledgements of written instruments and to make uniform the law with relation thereto.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 892, (House Bill No. 522), entitled:

An Act making an appropriation to the Pennsylvania State College to advance the tobacco interest of this Commonwealth.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 914, (House Bill No. 53), entitled:

An Act providing for the acquisition of the Admiral Peary Memorial Park, and for its management and development by the Pennsylvania Historical Commission; and making an appropriation.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 1127, (House Bill No. 1328), entitled:

An Act to reenact and amend the title and the act, approved the twenty-ninth day of April, one thousand nine hundred thirty-seven (P. L. 526), entitled "An act providing for and regulating joint purchases by counties (other than counties of the first and second classes), cities of the third class, boroughs, towns, township, school districts, and poor districts," by including second class counties, within the provisions of the act.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 1136, (House Bill No. 353), entitled:

An Act making an appropriation to the Department of Military Affairs for the maintenance and education of children of soldiers, sailors, marines, female field clerks, yeomen (female) and nurses who were killed in action or died during the World War and conferring certain duties upon, the State Veterans' Commission.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 1150, (House Bill No. 1487), entitled:

An Act providing for the construction and maintenance by the Department of Forests and Waters with the advice of the Bushy Run Battlefield Commission, of a Bushy Run Museum Building on land owned by the Commonwealth in Westmoreland County; and making an appropriation.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 1204, (House Bill No. 1511), entitled:

An Act making an appropriation for the expenses of the Committee of the House of Representatives created by House Resolution Serial Number thirty-five, adopted the twenty-fourth day of February, one thousand nine hundred and forty-one.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 1234, (House Bill No. 1530), entitled:

An Act authorizing and directing the Department of Highways to erect and construct a bridge over the Lackawanna River between a point in or near the Borough of Blakely, Lackawanna County, and a point in or near the Borough of Olyphant in Lackawanna County and to provide the necessary approaches thereto; and making an appropriation.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 1251, (House Bill No. 1835), entitled:

An Act creating a Highway Traffic Advisory Committee to the War Department of the United States of America; providing for its appointment; prescribing its powers and

duties; and by authorizing the use by the committee of the employes, equipment, supplies and facilities of certain State agencies.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 1309, (House Bill No. 448), entitled:

An Act to further amend clause (e) of section seven and to amend the first paragraph of section nine of the act approved the twenty-fourth day of June, one thousand nine hundred and thirty-seven (P. L. 2051), entitled "An act relating to public assistance; providing for and regulating assistance to certain classes of persons designated and defined as dependent children, aged persons, blind persons and other persons requiring relief; providing for the administration of this act by the Department of Public Assistance and county boards of assistance hereby created for this purpose; authorizing the Department of Public Assistance to cooperate with, and to accept and disburse moneys received from, the United States Government for assistance to such persons; providing for the liquidation of the State Emergency Relief Board, Boards of Trustees of the Mothers' Assistance Fund, and Boards of Trustees of Pension Fund for the Blind; and repealing laws relating to mothers' assistance, pensions for the blind, old age assistance, and the State Emergency Relief Board," by redefining eligibility for assistance providing for appeals from certain decisions of the Department of Public Assistance to common pleas courts and imposing powers and duties on common pleas court.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 1326, (House Bill No. 355), entitled:

An Act to provide for the change of object of the corporate existence of beneficial and relief associations as herein defined and authorizing and providing a mode for the dissolution and surrender of the charter of such associations.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 1327, (House Bill No. 1952), entitled:

An Act fixing the salary of the Parliamentarian of the House of Representatives.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 1332, (House Bill No. 1895), entitled:

An Act to amend section five of the act approved the fourth day of April one thousand nine hundred twenty-nine (P. L. 144) entitled "An act prescribing the powers and duties of the Department of Agriculture with regard to farm products providing for cooperation with the Department of Internal Affairs to establish standard receptacles for farm products authorizing the Department of Agriculture to establish and promulgate standards for the grade and other classification of farm products and to promulgate regulations for the enforcement thereof defining farm products to include agricultural horticultural vegetable fruit and floricultural products of the soil live stock and meats wools hides poultry eggs dairy products nuts mushrooms and honey and providing penalties" by including certificate of the United States Department of Agriculture as evidence of grade and classification.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

ADJOURNMENT

Mr. GELTZ. Mr. President, I move that the Senate do now adjourn until Thursday, July 10, 1941, at 3:00 o'clock, p. m., Eastern Standard Time.

Mr. WALKER. Mr. President, I second the motion.

The motion was agreed to.

The Senate adjourned at 11:59 o'clock, p. m., Eastern Standard Time until Thursday, July 10, 1941, at 3:00 o'clock, p. m., Eastern Standard Time.

HOUSE OF REPRESENTATIVES

WEDNESDAY, July 9, 1941

The House met at 12 m.

The SPEAKER (Elmer Kilroy) in the Chair.

PRAYER

The Chaplain, Rev. Donald McFall offered the following prayer:

Dear Lord and Master of us all and of all mankind, as we come into the closing days of this legislative session, may we remember that we are men. Help us to remain true, ever recalling the words of David, "Be thou strong therefore, and shew thyself a man." To remain strong, and to show ourselves as men, we must look to Thee. In the words of the poet we find our challenge this day:

Wanted—Men!
Men of vision,
Men of skill,
Men of purpose,
Men of will,
Men of valor,
Men of steel,
Men to serve
The public weal,
Wanted—Men!

Wanted—Men!
Men of wisdom,
Men of power,
Men of faith,
Who never cower,
Men to battle,
Men to do,
Men to lead
Our country through.
Wanted—Men!

O God, help each Representative to remember that he came here a Man—may he leave here, a better Man. In Christ's name we pray. Amen.

JOURNAL APPROVED

The SPEAKER. The Clerk will read the Journal of yesterday.

The Clerk proceeded to read the Journal of yesterday, when, on motion of Mr. COOPER, unanimously agreed to, the further reading was dispensed with and the Journal approved.

BILLS SIGNED BY SPEAKER

Bills numbered and entitled as follows having been prepared for presentation to the Governor, and the same being correct, the titles were publicly read as follows:

HOUSE BILL No. 183.

An Act to amend section seven hundred two and to further amend section nine hundred five of the act approved the first day of May one thousand nine hundred and thirty-three (P. L. 103) entitled "An act concerning townships of the second class and amending revising consolidating and changing the law relating thereto" authorizing the establishment and maintenance of fire hydrants and fire hydrant water service and the levy of a special tax therefor with the assent of electors

HOUSE BILL No. 223.

An Act authorizing the Department of Property and Supplies to acquire on behalf of the Commonwealth of Pennsylvania certain land upon which is still standing the birthplace of Robert Fulton in Fulton Township Lancaster County or so much thereof as may be necessary as a memorial providing for the control management supervision improvement restoration and maintenance thereof authorizing the Pennsylvania Historical Commission to make and enforce rules and regulations for the preservation and visitation thereof and making an appropriation

HOUSE BILL No. 434.

An Act making an appropriation to the Pennsylvania Department of Highways for the improvement of roads and parking areas within the Daniel Boone Homestead

HOUSE BILL No. 251.

An Act to amend section eleven of the act approved the first day of July. one thousand nine hundred and thirty-seven (P. L. 2532), entitled "An act to establish funds to provide security for the payment of benefits in event of the insolvency of an insurance carrier authorized to write workmen's compensation insurance in this Commonwealth; and to provide for the administration thereof," by providing that payment of an award from the funds established by said act shall not provide any right of recovery against the employer; and that the employer may pay the award in advance of payment from the fund and shall thereupon be subrogated to the rights of the employe or any other party in interest against the fund.

HOUSE BILL No. 1101.

An Act to amend sections one thousand five hundred and one and one thousand five hundred and eight of the act approved the first day of May one thousand nine hundred and thirty-three (P. L. 103) entitled "An act concerning townships of the second class and amending revising consolidating and changing the laws relating thereto" further regulating sewer connections and sewer district assessments in certain cases

HOUSE BILL No. 1370.

An Act to amend section eighteen of article nineteen of the act approved the twenty-fifth day of June one thousand nine hundred and nineteen (P. L. 531) entitled "An act for the better government of cities of the first class of this Commonwealth" further regulating the removal discharge or reduction in pay or position of officers clerks and employes in the classified civil service

HOUSE BILL No. 1442.

An Act making an appropriation to the Department of Commerce out of the Motor License Fund for the proper conduct of a specific portion of its work

HOUSE BILL No. 1501.

An Act authorizing the Secretary of the Department of Forests and Waters to lease a tract of land in Jackson Township, Dauphin County to the Susquehannock Indian Tribe.

Whereupon,

The SPEAKER, in the presence of the House, signed the same.

SENATE MESSAGES

AMENDED SENATE BILL RECALLED FROM THE GOVERNOR RETURNED FOR CONCURRENCE

The Clerk of the Senate being introduced, presented for concurrence bill numbered and entitled as follows:

SENATE BILL No. 566.

An Act to amend clause (b) of section twenty-seven of the act, approved the seventh day of June, one thousand nine hundred and seventeen (P. L. 447), entitled "An act relating to the administration and distribution of the estates of decedents and of minors, and of trust estates; including the appointment, bonds right, powers, duties, liabilities, accounts, discharge and removal of executors, administrators, guardians, and trustees, herein designated as fiduciaries; the administration and distribution of the estates of presumed decedents; widow's and children's exemptions; debts of decendents, rents of real estate as assets for payment thereof the lien thereof, sales and mortgages of real estate for the payment thereof, judgments and executions therefor, and the discharge of real estate from the lien thereof; contracts of decedents for the sale or purchase of real estate; legacies, including legacies charged on land; the discharge of residuary estates and of real estate from the lien of legacies and other charges; the appraisement of real estate devised at a valuation; the ascertainment of the curtilage of dwelling houses or other buildings devised; the abatement and survival of actions, and the substitution of executors and administrators therein, and suits against fiduciaries; investments by fiduciaries; the organization of corporations to carry on the business of decedents; the audit and review of accounts of fiduciaries refunding bonds; transcripts to the court of common pleas of balances due by fiduciaries; the rights, powers, and liabilities of nonresident and foreign fiduciaries; the apointment, bonds, rights, powers, duties, and liabilities of trustees durante absentia; the recording and registration of decrees; reports and other proceedings, and the fees therefor: appeals in certain cases; and, also, generally dealing with the jurisdiction powers, and procedure of the orphans' court in all matters relating to fiduciaries concerned with the estates of decendents," by further regulating the discharge of charges on real estate.

Said bill having been recalled from the Governor for amendment, the vote had on final passage and third reading reconsidered in the Senate and the bill amended, in which amendments the concurrence of the House of Representatives is requested.

The SPEAKER. The Clerk will read the amendments.

The Clerk read the amendments as follows:

Amend Section 1, page 6, line 8, by inserting after the word "provided" the words "for a discharge of the charge from all of the land on which it was originally imposed"; also same page, line 12, by striking out the words "the whole of said tract of" and inserting in lieu thereof the words "all of the said."

On the question,

Will the House concur in the amendments made by the Senate?

Agreeably to the provisions of the Constitution the yeas and nays were as follows, viz:

YEAS—180

Achterman,	Fletcher,	Longo,	Rose, S.,
Auker,	Flynn,	Lovett,	Rosenfeld,
Baker,	Foor,	Lyons,	Royer,
Balthaser,	French,	Malloy,	Rush,
Bentley,	Gallagher,	Marks,	Sarge,
Bentzel,	Gates,	McClanaghan,	Sarraf,
Boies,	Gerard,	McClester,	Scanlon,
Boney,	Gillan,	McDermott,	Schwab,
Boorse,	Gillette,	McDowell,	Serrill,
Bower,	Goodwin,	McFall,	Shaffer,
Bradley,	Gross,	McIntosh,	Shaw,
Breth,	Gryskewicz,	McKinney,	Shepard,
Bretherick,	Haberlen,	McSurdy,	Simons,
Brown,	Hall,	Melchiorre,	Skale,
Brunner, C. H.,	Hamilton,	Mihm,	Snyder,
Brunner, P. A.,	Hare,	Modell,	Sollenberger,
Burns,	Harkins,	Monks,	Sorg,
Burris,	Harmuth,	Mooney,	Stank,
Cadwalader,	Harris,	Moran,	Stine,
Chervenak,	Heatherington,	Moul,	Stockham,
Chudoff,	Helm,	Muir,	Tate,
Cochran,	Hering,	Munley,	Thompson, E. F.,
Cohen, M. M.,	Herman,	Nagel,	Trout,
Cohen, R. E.,	Hersch,	Nunemacher,	Turner,
Cook,	Hewitt,	O'Brien,	Van Allsburg,
Cooper,	Hirsch,	O'Connor,	Verona,
Cordier,	Holland,	O'Dare,	Vincent,
Corrigan,	Huntley,	O'Mullen,	Vogt,
Croop,	Imbrie,	O'Neill,	Voldow,
Cullen,	James,	Owens,	Wagner,
Dalrymple,	Jefferson,	Petrosky,	Watkins,
Dennison,	Jones, G. E.,	Pettit,	Weingartner,
DiGenova,	Jones, P. N.,	Polaski,	Weiss,
Dix,	Kline,	Polen,	Welsh, E. B.,
Dolon,	Knoble,	Powers,	Williams,
D'Ortona,	Kolankiewicz,	Prosen,	Wood, L. H.,
Duffy,	Komorofski,	Rank,	Wood, N.,
Early,	Krise,	Rausch,	Woodring,
Elder,	Lee, E. A.,	Readinger,	Woodside,
Elliott,	Leisey,	Reese, D. P.,	Wright,
Ely,	Leonard,	Reese, R. E.,	Yeakel,
Finestone,	Lesko,	Reynolds,	Yester,
Finnerty,	Levy,	Rhea,	Young,
Fisher,	Leydic,	Riley,	Kilroy,
Fiss,	Lichtenwalter,	Rooney,	Speaker.
Fleming,			

NAYS—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative, and the amendments were concurred in.

Ordered, That the Clerk inform the Senate accordingly.

AMENDED HOUSE BILLS RETURNED FOR CONCURRENCE

The Clerk of the Senate being introduced, returned bill from the House of Representatives numbered and entitled as follows:

HOUSE BILL No. 49.

An Act making an appropriation for the maintenance repair and improvement of the Port of Philadelphia

With the information that the Senate has passed the same with amendments, in which the concurrence of the House of Representatives is requested.

The SPEAKER. The Clerk will read the amendments.

The Clerk read the amendments as follows:

This bill was amended in the Senate, Printer's No. 973, It was again amended, Printer's No. 1097 and returned to the House in its original form, Printer's No. 582.

On the question,

Will the House concur in the amendments made by the Senate?

Agreeably to the provisions of the Constitution the yeas and nays were as follows, viz:

YEAS—180

Achterman,	Fletcher,	Longo,	Rose, S.,
Auker,	Flynn,	Lovett,	Rosenfeld,
Baker,	Foor,	Lyons,	Royer,
Balthaser,	French,	Malloy,	Rush,
Bentley,	Gallagher,	Marks,	Sarge,
Bentzel,	Gates,	McClanaghan,	Sarraf,
Boies,	Gerard,	McClester,	Scanlon,
Boney,	Gillan,	McDermott,	Schwab,
Boorse,	Gillette,	McDowell,	Serrill,
Bower,	Goodwin,	McFall,	Shaffer,
Bradley,	Gross,	McIntosh,	Shaw,
Breth,	Gryskewicz,	McKinney,	Shepard,
Bretherick,	Haberlen,	McSurdy,	Simons,
Brown,	Hall,	Melchiorre,	Skale,
Brunner, C. H.,	Hamilton,	Mihm,	Snyder,
Brunner, P. A.,	Hare,	Modell,	Sollenberger,
Burns,	Harkins,	Monks,	Sorg,
Burris,	Harmuth,	Mooney,	Stank,
Cadwalader,	Harris,	Moran,	Stine,
Chervenak,	Heatherington,	Moul,	Stockham,
Chudoff,	Helm,	Muir,	Tate,
Cochran,	Hering,	Munley,	Thompson, E. F.,
Cohen, M. M.,	Herman,	Nagel,	Trout,
Cohen, R. E.,	Hersch,	Nunemacher,	Turner,
Cook,	Hewitt,	O'Brien,	VanAllsburg,
Cooper,	Hirsch,	O'Connor	Verona,
Cordier,	Holland,	O'Dare,	Vincent,
Corrigan,	Huntley,	O'Mullen,	Vogt,
Croop,	Imbrie,	O'Neill,	Voldow,
Cullen,	James,	Owens,	Wagner,
Dalrymple,	Jefferson,	Petrosky,	Watkins,
Dennison,	Jones, G. E.,	Pettit,	Weingartner,
DiGenova,	Jones, P. N.,	Polaski,	Weiss,
Dix,	Kline,	Polen,	Welsh, E. B.,
Dolon,	Knoble,	Powers,	Williams,
D'Ortona,	Kolankiewicz,	Prosen,	Wood, L. H.,
Duffy,	Komorofski,	Rank,	Wood, N.,
Early,	Krise,	Rausch,	Woodring,
Elder,	Lee, E. A.,	Readinger,	Woodside,
Elliott,	Leisey,	Reese, D. P.,	Wright,
Ely,	Leonard,	Reese, R. E.,	Yeakel,
Finestone,	Lesko,	Reynolds,	Yester,
Finnerty,	Levy,	Rhea,	Young,
Fisher,	Leydic,	Riley,	Kilroy,
Fiss,	Lichtenwalter,	Rooney,	Speaker.
Fleming,			

NAYS—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative, and the amendments were concurred in.

Ordered, That the Clerk inform the Senate accordingly.

The Clerk of the Senate being introduced, returned bill from the House of Representatives numbered and entitled as follows:

HOUSE BILL No. 220.

An Act to amend section four of the act, approved the twenty-second day of June, one thousand nine hundred and thirty-one (P. L. 720), entitled "An act providing for the taking over by the Commonwealth, under certain terms, conditions and limitations, of certain streets in cities of the second class, second class A, and third class as State highways, and for the improvement, construction, reconstruction, resurfacing and maintenance by the Commonwealth of certain defined widths of said streets; imposing duties on such cities and on public utility companies using such streets; providing that no assessment shall be made upon the Commonwealth in the elimination of any grade crossing thereon; authorizing cities, persons, associations, or corporations to enter into agreements with the Commonwealth to bear a portion of the cost of construction or maintenance; providing for the assessment of certain portions of the cost of street im-

provements on abutting property owners; regulating the replacement of certain facilities of public utility companies; prohibiting the opening of said streets after improvement without a permit, and providing penalty therefor; regulating the maintenance of detours; authorizing the increase of city indebtedness in certain cases; and appropriating money in the Motor License Fund for the purpose of this act," requiring the Department of Highways to take over structures bridges and viaducts on State Highways in cities of the second second class A and third class.

With the information that the Senate has passed the same with amendments, in which the concurrence of the House of Representatives is requested.

The SPEAKER. The Clerk will read the amendments.

The Clerk read the amendments as follows:

Amend the title, page 2, line 10, by striking out the word "requiring" and inserting in lieu thereof the word "authorizing"; also same page, line 12 of the title, by striking out at the end of said line the word "second".

Amend Section 1, page 3, line 26, by striking out the lightfaced bracket before the word "except"; also same page, at the end of line 28, by striking out the light-faced bracket after the word "spanned"; also on page 4, at the beginning of line 1, by striking out the light-faced bracket before the word "length"; also same page, line 4, by striking out the light-faced bracket after the word "act"; also same page, lines 4 and 5, by striking out the words "not maintained by the city or county"; also same page, line 6, by striking out the light-faced brackets before and after the words "any other structures"; also same page, lines 6 and 7, by striking out the words "such structures bridges and viaducts"; also same page, line 8, by striking out the light-faced brackets before and after the word "city"; also same page, line 11, by inserting after the word "highways" the words "in cities of the second class A and third class"; also same page, line 12, by striking out at the end of said line the word "shall" and inserting in lieu thereof the word "may".

On the question,

Will the House concur in the amendments made by the Senate?

Agreeably to the provisions of the Constitution the yeas and nays were as follows, viz:

YEAS—180

Achterman,	Fletcher,	Longo,	Rose, S.,
Auker,	Flynn,	Lovett,	Rosenfeld,
Baker,	Foor,	Lyons,	Royer,
Balthaser,	French,	Malloy,	Rush,
Bentley,	Gallagher,	Marks,	Sarge,
Boles,	Gates,	McClanaghan,	Sarraf,
Boney,	Gerard,	McClester,	Scanlon,
Boorse,	Gillan,	McDermott,	Schwab,
Bower,	Gillette,	McDowell,	Serrill,
Bradley,	Goodwin,	McFall,	Shaffer,
Breth,	Gross,	McIntosh,	Shaw,
Bretherick,	Gryskewicz,	McKinney,	Shepard,
Brown,	Haberlen,	McSurdy,	Simons,
Brunner, C. H.,	Hall,	Melchiorre,	Skale,
Brunner, P. A.,	Hamilton,	Mihm,	Snyder,
Burns,	Hare,	Modell,	Sollenberger,
Burris,	Harkins,	Monks,	Sorg,
Cadwalader,	Harmuth,	Mooney,	Stark,
Chervenak,	Harris,	Moran,	Stine,
Chudoff,	Heatherington,	Moul,	Stockham,
Cochran,	Helm,	Muir,	Tate,
Cohen, M. M.,	Hering,	Munley,	Thompson, E. F.,
Cohen, R. E.,	Herman,	Nagel,	Trout,
Cook,	Hersch,	Nunemacher,	Turner,
Cooper,	Hewitt,	O'Brien,	Van Allsburg,
Cordier,	Hirsch,	O'Connor,	Verona,
Corrigan,	Holland,	O'Dare,	Vincent,
Croop,	Huntley,	O'Mullen,	Vogt,
Cullen,	Imbrie,	O'Neill,	Voldow,
Dalrymple,	James,	Owens,	Wagner,
Dennison,	Jefferson,	Petrosky,	Watkins,
DiGenova,	Jones, G. E.,	Pettit,	Weingartner,
Dix,	Jones, P. N.,	Polaski,	Weiss,
Dolon,	Kline,	Polen,	Welsh, E. B.,
D'Ortona,	Knoble,	Powers,	Williams,
Duffy,	Kolankiewicz,	Prosen,	Wood, L. H.,
Early,	Komorofski,	Rank,	Wood, N.,
Elder,	Krise,	Rausch,	Woodring,
Elliott,	Lee, T. H.,	Readinger,	Woodside,
Ely,	Leisey,	Reese, D. P.,	Wright,
Finestone,	Leonard,	Reese, R. E.,	Yeakel,
Finnerty,	Lesko,	Reynolds,	Yester,
Fisher,	Levy,	Rhea,	Young,
Fiss,	Leydic,	Riley,	Kilroy,
Fleming,	Lichtenwalter,	Rooney,	Speaker.

NAYS—1

Bentzel,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative, and the amendments were concurred in.

Ordered, That the Clerk inform the Senate accordingly.

The Clerk of the Senate being introduced, returned bill from the House of Representatives numbered and entitled as follows:

HOUSE BILL No. 723.

An Act to further amend section fourteen of the act approved the eighteenth day of July one thousand nine hundred and seventeen (P. L. 1043) entitled "An act establishing a public school employes' retirement system and creating a retirement board for the administration thereof establishing certain funds from contributions by the Commonwealth and contributing employes defining the uses and purposes thereof and the manner of payment therefrom and providing for the guaranty by the Commonwealth of certain of said funds imposing powers and duties upon boards having the employment of public school employes exempting annuities allowances returns benefits and rights from taxation and judicial process and providing penalties" extending the retirement provisions relating to former teachers to additional cases who separated from school service because of physical or mental disability prior to the first day of July one thousand nine hundred and nineteen.

With the information that the Senate has passed the same with amendments, in which the concurrence of the House of Representatives is requested.

The SPEAKER. The Clerk will read the amendments.

The Clerk read the amendments as follows:

Amend Section 1, page 3, line 19, by striking out the word "teacher's" and inserting in lieu thereof the word "employe's"; also same page, line 24, by striking out the words "prior to the age of sixty-two years."

Amend Section 2, page 5, by striking out in lines 11 and 12 the words "on the first day of June one thousand nine hundred and forty-one" and inserting in lieu thereof the words "immediately upon final enactment."

On the question,

Will the House concur in the amendments made by the Senate?

Agreeably to the provisions of the Constitution the yeas and nays were as follows, viz:

YEAS—180

Achterman,	Fleming,	Longo,	Rose, S.,
Auker,	Fletcher,	Lovett,	Rosenfeld,
Baker,	Flynn,	Lyons,	Royer,
Balthaser,	Foor,	Malloy,	Rush,
Bentley,	French,	Marks,	Sarge,
Bentzel,	Gallagher,	McClanaghan,	Sarraf,
Boles,	Gates,	McClester,	Scanlon,
Boney,	Gerard,	McDermott,	Schwab,
Boorse,	Gillan,	McDowell,	Serrill,
Bower,	Gillette,	McFall,	Shaffer,
Bradley,	Goodwin,	McIntosh,	Shaw,
Breth,	Gross,	McKinney,	Shepard,

Bretherick,	Gryskewicz,	McSurdy,	Simons,
Brown,	Haberlen,	Melchiorre,	Skale,
Brunner, C. H.,	Hall,	Mihm,	Snyder,
Brunner, P. A.,	Hamilton,	Modell,	Sollenberger,
Burns,	Hare,	Monks,	Sorg,
Burris,	Harkins,	Mooney,	Stank,
Cadwalader,	Harmuth,	Moran,	Stine,
Chervenak,	Harris,	Moul,	Stockham,
Chudoff,	Heatherington,	Muir,	Tate,
Cochran,	Helm,	Munley,	Thompson, E. F.,
Cohen, M. M.,	Hering,	Nagel,	Trout,
Cohen, R. E.,	Herman,	Nunemacher,	Turner,
Cook,	Hersch,	O'Brien,	Van Allsburg,
Cooper,	Hewitt,	O'Connor,	Verona,
Cordier,	Hirsch,	O'Dare,	Vincent,
Corrigan,	Holland,	O'Mullen,	Vogt,
Croop,	Huntley,	O'Neill,	Voldow,
Cullen,	Imbrie,	Owens,	Wagner,
Dalrymple,	James,	Petrosky,	Watkins.
Dennison,	Jefferson,	Pettit,	Weingartner,
DiGenova,	Jones, G. E.,	Polaski,	Weiss,
Dix,	Jones, P. N.,	Polen,	Welsh, E. B.,
Dolon,	Kline,	Powers,	Williams,
D'Ortona,	Knoble,	Prosen,	Wood, L. H.,
Duffy,	Kolankiewicz,	Rank,	Wood, N.,
Early,	Komorofski,	Rausch,	Woodring,
Elder,	Krise,	Readinger,	Woodside,
Elliott,	Lee, E. A.,	Reese, D. P.,	Wright,
Ely,	Leisey,	Reese, R. E.,	Yeakel,
Finestone,	Leonard,	Reynolds,	Yester,
Finnerty,	Lesko,	Rhea,	Young,
Fisher,	Levy,	Riley,	Kilroy,
Fiss,	Leydic,	Rooney,	Speaker.
	Lichtenwalter,		

NAYS—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative, and the amendments were concurred in.

Ordered, That the Clerk inform the Senate accordingly.

The Clerk of the Senate being introduced, returned bill from the House of Representatives numbered and entitled as follows:

HOUSE BILL No. 1095.

An Act to further amend section six of the act, approved the fifth day of May, one thousand nine hundred and eleven (P. L. 198), entitled "An act to establish a county court for the county of Allegheny, and prescribing its powers and duties; regulating the procedure therein, and providing for the expenses thereof," by conferring upon said county court jurisdiction in certain civil actions transferred to it by the Court of Common Pleas of Allegheny County.

With the information that the Senate has passed the same with amendments, in which the concurrence of the House of Representatives is requested.

The SPEAKER. The Clerk will read the amendments.

The Clerk read the amendments as follows:

Amend Section 1, page 2, line 6, by inserting after the word "County" the words "upon consent of counsel for all parties."

On the question,

Will the House concur in the amendments made by the Senate?

Agreeably to the provisions of the Constitution the yeas and nays were as follows, viz:

YEAS—180

Achterman,	Fleming,	Lichtenwalter,	Rooney,
Auker,	Fletcher,	Longo,	Rose, S.,
Baker,	Flynn,	Lovett,	Rosenfeld,
Balthaser,	Foor	Lyons,	Royer,
Bentley,	French,	Malloy,	Rush,
Bentzel,	Gallagher,	Marks,	Sarge,
Boles,	Gates,	McClanaghan,	Sarraf,
Boney,	Gerard,	McClester,	Scanlon,
Boorse,	Gillan,	McDermott,	Schwab,
Bower,	Gillette,	McDowell,	Serrill,
Bradley,	Goodwin,	McFall,	Shaffer,
Breth,	Gross,	McIntosh,	Shaw,
Bretherick,	Gryskewicz,	McKinney,	Shepard,
Brown,	Haberlen,	McSurdy,	Simons,
Brunner, C. H.,	Hall,	Melchiorre,	Skale,
Brunner, P. A.,	Hamilton,	Mihm,	Snyder,
Burns,	Hare,	Modell,	Sollenberger,
Burris,	Harkins,	Monks,	Sorg,
Cadwalader,	Harmuth,	Mooney,	Stank,
Chervenak,	Harris,	Moran,	Stine,
Chudoff,	Heatherington,	Moul,	Stockham,
Cochran,	Helm,	Muir,	Tate,
Cohen, M. M.,	Hering,	Munley,	Thompson, E. F.,
Cohen, R. E.,	Herman,	Nagel,	Trout,
Cook,	Hersch,	Nunemacher,	Turner,
Cooper,	Hewitt,	O'Brien,	VanAllsburg,
Cordier,	Hirsch,	O'Connor,	Verona,
Corrigan,	Holland,	O'Dare,	Vincent,
Croop,	Huntley,	O'Mullen,	Vogt,
Cullen,	Imbrie,	O'Neill,	Voldow,
Dalrymple,	James,	Owens,	Wagner,
Dennison,	Jefferson,	Petrosky,	Watkins,
DiGenova,	Jones, G. E.,	Pettit,	Weingartner,
Dix,	Jones, P. N.,	Polaski,	Weiss,
Dolon,	Kline,	Polen,	Welsh, E. B.,
D'Ortona,	Knoble,	Powers,	Williams,
Duffy,	Kolankiewicz,	Prosen,	Wood, L. H.,
Early,	Komorofski,	Rank,	Wood, N.,
Elder,	Krise,	Rausch,	Woodring,
Elliott,	Lee, E. A.,	Readinger,	Woodside,
Ely,	Leisey,	Reese, D. P.,	Wright,
Finestone,	Leonard,	Reese, R. E.,	Yeakel,
Finnerty,	Lesko,	Reynolds,	Yester,
Fisher,	Levy,	Rhea,	Young,
Fiss,	Leydic,	Riley,	Kilroy, Speaker

NAYS—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative, and the amendments were concurred in.

Ordered, That the Clerk inform the Senate accordingly.

The Clerk of the Senate being introduced, returned bill from the House of Representatives numbered and entitled as follows:

HOUSE BILL No. 1611.

An Act creating a presumption of release or discharge of certain mortgages held by the Commonwealth and requiring the Department of Justice to enter satisfaction thereof at the cost of the property owners

With the information that the Senate has passed the same with amendments, in which the concurrence of the House of Representatives is requested.

The SPEAKER. The Clerk will read the amendments.

The Clerk read the amendments as follows:

Amend the title, page 1, at the end of line 2, by striking out the word "requiring" and inserting in lieu thereof the word "empowering."

Amend Section 1, page 1, at the beginning of line 10, by striking out the word "shall" and inserting in lieu thereof the word "may."

On the question,

Will the House concur in the amendments made by the Senate?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows, viz:

YEAS—180

Achterman,	Fleming,	Lichtenwalter,	Rooney,
Auker,	Fletcher,	Longo,	Rose, S.,
Baker	Flynn,	Lovett,	Rosenfeld,
Balthaser,	Foor	Lyons,	Royer,
Bentley,	French,	Malloy,	Rush,
Bentzel	Gallagher,	Marks,	Sarge,
Boles,	Gates,	McClanaghan,	Sarraf,

Boney,	Gerard,	McClester,	Scanlon,
Boorse,	Gillan,	McDermott,	Schwab,
Bower,	Gillette,	McDowell,	Serrill,
Bradley,	Goodwin,	McFall,	Shaffer,
Breth,	Gross,	McIntosh,	Shaw,
Bretherick,	Gryskewicz,	McKinney,	Shepard,
Brown,	Haberlen,	McSurdy,	Simons,
Brunner, C. H.,	Hall,	Melchiorre,	Skale,
Brunner, P. A.,	Hamilton,	Mihm,	Snyder,
Burns,	Hare,	Modell,	Sollenberger,
Burris,	Harkins,	Monks,	Sorg,
Cadwalader,	Harmuth,	Mooney,	Stank,
Chervenak,	Harris,	Moran,	Stine,
Chudoff,	Heatherington,	Moul,	Stockham,
Cochran,	Helm,	Muir,	Tate,
Cohen, M. M.,	Hering,	Munley,	Thompson, E. F.,
Cohen, R. E.,	Herman,	Nagel,	Trout,
Cook,	Hersch,	Nunemacher,	Turner,
Cooper,	Hewitt,	O'Brien,	VanAllsburg,
Cordier,	Hirsch,	O'Connor	Verona,
Corrigan,	Holland,	O'Dare,	Vincent,
Croop,	Huntley,	O'Mullen,	Vogt,
Cullen,	Imbrie,	O'Neill,	Voldow,
Dalrymple,	James,	Owens,	Wagner,
Dennison,	Jefferson,	Petrosky,	Watkins,
DiGenova,	Jones, G. E.,	Pettit,	Weingartner,
Dix,	Jones, P. N.,	Polaski,	Weiss,
Dolon,	Kline,	Polen,	Welsh, E. B.,
D'Ortona,	Knoble,	Powers,	Williams,
Duffy,	Kolankiewicz,	Prosen,	Wood, L. H.,
Early,	Komorofski,	Rank,	Wood, N.,
Elder,	Krise,	Rausch,	Woodring,
Elliott,	Lee, E. A.,	Readinger,	Woodside,
Ely,	Leisey,	Reese, D. P.,	Wright,
Finestone,	Leonard,	Reese, R. E.,	Yeakel,
Finnerty,	Lesko,	Reynolds,	Yester,
Fisher,	Levy,	Rhea,	Young,
Fiss,	Leydic,	Riley,	Kilroy, Speaker

NAYS—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative, and the amendments were concurred in.

Ordered, That the Clerk inform the Senate accordingly.

The Clerk of the Senate being introduced, returned bill from the House of Representatives numbered and entitled as follows:

HOUSE BILL No. 1130.

An Act making an appropriation to the Department of Commerce towards expenses of the National Encampment in Philadelphia

With the information that the Senate has passed the same with amendments, in which the concurrence of the House of Representatives is requested.

The SPEAKER. The Clerk will read the amendments.

The Clerk read the amendments as follows:

Amend the title, page 1, line 3, by inserting after the word "Encampment" the words "of Veterans of Foreign Wars."

Amend Section 1, page 1, line 1, by striking out the word "twenty-five" and inserting in lieu thereof the word "ten"; also same page, line 2, by striking out the figures "($25,000)" and inserting in lieu thereof the figures "($10,000)."

On the question,

Will the House concur in the amendments made by the Senate?

Mr. ACHTERMAN. Mr. Speaker, I move that the House non-concur in the amendments made by the Senate.

The motion was agreed to.

Ordered, That the Clerk inform the Senate accordingly.

The Clerk of the Senate being introduced, returned bill from the House of Representatives numbered and entitled as follows:

HOUSE BILL No. 1176.

An Act making an appropriation out of the Motor License Fund to the Department of Highways for allocation to and expenditure in the second class townships of the Commonwealth for maintenance construction reconstruction resurfacing or improvement of township roads and bridges during the calendar years one thousand nine hundred forty-two and one thousand nine hundred forty-three permitting the use of the funds for maintenance and repair of township roads and bridges under certain conditions and providing for the method of payment to townships

With the information that the Senate has passed the same with amendments, in which the concurrence of the House of Representatives is requested.

The SPEAKER. The Clerk will read the amendments.

The Clerk read the amendments as follows:

Amend Section 1, page 1, line 2, by striking out the words and figures "ten million dollars ($10,000,000)" and inserting in lieu thereof the words and figures "eight million five hundred thousand dollars ($8,500,000)."

Amend Section 2, page 2, line 15, by inserting after the word "township" where it appears the second time in said line the words "Under the supervision and subject to the approval of the Department of Highways and in compliance with such rules and regulations which the Department of Highways may prescribe in carrying out the provisions of this act."

Amend Section 4, page 3, line 6, by inserting after the word "and" the words "in the event more than one foreman is required the Department of Highways may authorize the supervisors to appoint one or more additional foremen The Secretary of Highways shall have the right to remove any foreman so appointed for incompetency or for neglect or refusal to comply with the rules and regulations of the Department of Highways prescribed for the work under this act"; also same page, by striking out in lines 13 and 14 the words "may appoint one or more additional foremen if they shall deem it necessary so to do."

Amend Section 5, page 4, line 5, by inserting after the word "May" the word "August"; also same line by striking out the word "November" and inserting in lieu thereof the word "December"; also same page, lines 10 and 11, by striking out the words "approved for payment" and inserting in lieu thereof the word "paid."

On the question,

Will the House concur in the amendments made by the Senate?

Mr. ACHTERMAN. Mr. Speaker, I move that the House non-concur in the amendments made by the Senate.

The motion was agreed to.

Ordered, That the Clerk inform the Senate accordingly.

The Clerk of the Senate being introduced, returned bill from the House of Representatives numbered and entitled as follows:

HOUSE BILL No. 1729.

An Act to add section fourteen and one-tenth to the act approved the seventh day of August, one thousand nine hundred and thirty-six (P. L. 106), entitled as amended "An act relating to flood control; prescribing the powers and duties of the Water and Power Resources Board of the Department of Forests and Waters in relation to the creation of flood control districts, adoption of plans for flood control works and improvements, carrying into effect of such plans, assistance, aid and cooperation with public

and private agencies and the Federal Government in Federal flood control works and improvements, and entering into compacts and agreements with other states for flood control works and improvements; conferring the power of eminent domain; providing for the setting off of benefits; imposing certain charges upon the Commonwealth; providing for appeals; and conferring certain powers on municipalities, counties, and townships, and the Department of Highways," authorizing the Secretary of Highways and the various political subdivisions, with the approval of the Water and Power Resources Board, to grant easements and flowage rights to the Federal Government, over certain highways, roads, streets and bridges.

With the information that the Senate has passed the same with amendments, in which the concurrence of the House of Representatives is requested.

The SPEAKER. The Clerk will read the amendments.

The Clerk read the amendments as follows:

Amend the title, page 1, at the beginning of line 1, by inserting after the word "To" the words "further amend section seven of and to"; also on page 2 of the title, line 3, by inserting after the word "Highways" the words "prohibiting the construction maintenance or operation of facilities works and improvements for the generation or development of power and"; also same page, line 8 of the title, by striking out after the word "streets" the word "and"; also same line by inserting after the word "bridges" the words "and adjacent lands."

Amend Section 1, page 2, line 1, by striking out after the figure "1" the word "The" and inserting in lieu thereof the words "That section seven of the"; also on page 3, by striking out in lines 1, 2 and 3 the words "by adding thereto after section fourteen a new section to read as follows" and inserting in lieu thereof the words "to read as follows"; also same page, by inserting after line 3 the following new paragraphs:

"Section 7 General Powers of Board Payment of Taxes by Commonwealth In order to carry into effect the official plans for any flood control district the board shall have power to clean out widen alter deepen or change the course current or channel of any river or stream to fill up any adandoned canal or water course to construct and maintain levees dikes walls revetments dams lakes reservoirs and other works and improvements deemed necessary to prevent floods and to control preserve and regulate the flow of rivers and streams to construct or enlarge bridges and viaducts to construct relocate and elevate public highways to construct any of said works and improvements across through or over any public highway canal railroad right of way or track to remove or change the location of any fence building railroad canal or other improvement to acquire by donation lease purchase or condemnation and own or hold in the name of the Commonwealth real and personal property and easements and the public works erected and constructed under the authority of this act Provided however That nothing contained in this act shall be construed to authorize the construction maintenance or operation of any facilities works or improvements for the development of water power

Whenever any lands or other property is acquired by the board to be used for reservoir purposes the board for the assessment and revision of taxes or the county commissioners of the county wherein the same is located shall immediately after such acquisition certify to the Auditor General the assessed valuation of such lands and other property at the time of such acquisition After such acquisition the taxing authority of each political subdivision within which such lands or other property is located shall from year to year at the time of their annual levy of taxes certify to the Auditor General the rate of their respective levies for the next year Thereupon the Auditor General shall ascertain the amount of taxes which would have been collected upon the assessed valuation certified as hereinbefore provided at the respective rates of the levies so certified Upon the ascertainment of such amounts the same shall be paid by the Commonwealth to the several political subdivisions from time to time from the General Fund

Section 2 That said act is hereby further amended by adding thereto after section fourteen a new section to read as follows";

also same page, at the end of line 11, by striking out the word "or"; also same page, at the beginning of line 12, by inserting after the word "lands" the words "adjacent thereto".

Amend Section 2, page 3, line 15, by striking out after the word "Section" the figure "2" and inserting in lieu thereof the figure "3".

On the question,

Will the House concur in the amendments made by the Senate?

Mr. ACHTERMAN. Mr. Speaker, I move that the House non-concur in the amendments made by the Senate.

The motion was agreed to.

Ordered, That the Clerk inform the Senate accordingly.

PERMISSION GRANTED COMMITTEE TO MEET DURING SESSION

Mr. MELCHIORRE asked and obtained permission for the Committee on Law and Order to meet during the session of the House.

SENATE MESSAGE

AMENDED HOUSE BILL RETURNED FOR CONCURRENCE

The Clerk of the Senate being introduced, returned bill from the House of Representatives numbered and entitled as follows:

HOUSE BILL No. 1526.

An Act to amend section two hundred seven of the act approved the twenty-fourth day of June one thousand nine hundred and thirty-one (P. L. 1206) entitled "An act concerning townships of the first class amending revising consolidating and changing the law relating thereto" further prescribing method by which second class townships may be classified as first class townships and providing for the costs and holding of special elections for that purpose.

With the information that the Senate has passed the same with amendments, in which the concurrence of the House of Representatives is requested.

The SPEAKER. The Clerk will read the amendments.

The Clerk read the amendments as follows:

Amend Section 1, page 2, line 8, by inserting after the word "mile" the words "and after the filing of a petition signed by at least ten per centum of the registered voters of the township has been filed in the quarter sessions court"; also same page, line 22, by inserting after the word "the" the words "petitioners as the court may direct"; also same page, line 23, by striking out the word "township".

On the question,

Will the House concur in the amendments made by the Senate?

Mr. ACHTERMAN. Mr. Speaker, I move that the House non-concur in the amendments made by the Senate.

The motion was agreed to.

Ordered, That the Clerk inform the Senate accordingly.

LEAVE OF ABSENCE

By unanimous consent leave of absence was granted as follows:

Mr. Paul A. Brunner for Mr. WOLF for today.

Mr. EARLY for himself after 3:30 p. m. today and tomorrow.

BILLS REPORTED FROM COMMITTEES READ FIRST TIME

Mr. ACHTERMAN. Mr. Speaker, I move that all bills reported from Committees as committed be read the first time.

The motion was agreed to.

REPORTS FROM COMMITTEES

Mr. SHEPARD, from the Committee on Law and Order, reported as committed, House Bill No. 1539, entitled:

An act to amend section two of the act, approved the second day of July, one thousand nine hundred and thirty-five (P. L. 599), entitled "An act relating to motion picture exhibitions and sound motion picture exhibitions, together with orchestral or other instrumental musical or mechanical musical accompaniment, prelude, playing, or selection in connection with or incidental thereto on Sunday; prohibiting motion picture exhibitions and sound motion picture exhibitions, and orchestral or other instrumental musical or mechanical musical accompaniment, prelude, playing, or selection incidental thereto on Sunday during certain hours, and also during other hours, unless the electors of a municipality approve thereof; regulating the employment of persons in conducting such exhibitions on Sunday; providing for referendums to ascertain the will of the electors; and providing penalties; and repealing inconsistent laws," by making it lawful for persons, copartnerships, associations, or corporations to conduct, stage, manage, operate or engage in motion picture exhibitions whether or not there be a charge of admission thereto, within a radius of ten miles of any army depot, military reservation or military encampment.

Mr. PRESLEY N. JONES, from the Committee on Judiciary Special, reported as committed, House Bill No. 1785, (Senate Bill No. 428), entitled:

An Act to amend section nine hundred and one of, and to add section nine hundred and one-tenth to, the act, approved the twenty-fourth day of June, one thousand nine hundred and thirty-nine (P. L. 872), entitled "An act to consolidate, amend and revise the penal laws of the Commonwealth," by limiting the offense of burglary to certain acts committed by night, and making entering buildings in the daytime, with intent to commit a felony therein, or breaking and entering buildings in the daytime, a felony.

Mr. SCANLON, from the Committee on Professional Licensure, re-reported as committed, House Bill No. 1813, entitled:

An Act to amend section seven of the act approved the third day of May one thousand nine hundred and thirty-three (P. L. 242), entitled "An act to promote the public health and safety by providing for examination and registration of those who desire to engage in the occupation of beauty culture defining beauty culture and regulating beauty culture shops schools students apprentices teachers managers and operators conferring powers and duties upon the Department of Public Instruction providing for appeals to certain courts by applicants and licensees and providing penalties" permitting beauty culture schools in certain cases to charge for materials used by students in giving treatments to the public.

BILLS ON FIRST READING

Pursuant to the motion heretofore adopted the following bills were read for the first time.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1539, entitled:

An Act to amend section two of the act, approved the second day of July, one thousand nine hundred and thirty-five (P. L. 599), entitled "An act relating to motion picture exhibitions and sound motion picture exhibitions, together with orchestral or other instrumental musical or mechanical musical accompaniment, prelude, playing, or selection in connection with or incidental thereto on Sunday; prohibiting motion picture exhibitions and sound motion picture exhibitions, and orchestral or other instrumental musical or mechanical musical accompaniment, prelude, playing, or selection incidental thereto on Sunday during certain hours, and also during other hours, unless the electors of a municipality approve thereof; regulating the employment of persons in conducting such exhibitions on Sunday; providing for referendums to ascertain the will of the electors; and providing penalties; and repealing inconsistent laws," by making it lawful for persons, copartnerships, associations or corporations to conduct, stage, manage, operate or engage in motion picture exhibitions whether or not there be a charge of admission thereto, within a radius of ten miles of any army depot, military reservation or military encampment.

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1785, (Senate Bill No. 428), entitled:

An Act to amend section nine hundred and one of, and to add section nine hundred and one-tenth to, the act, approved the twenty-fourth day of June, one thousand nine hundred and thirty-nine (P. L. 872), entitled "An act to consolidate, amend and revise the penal laws of the Commonwealth," by limiting the offense of burglary to certain acts committed by night, and making entering buildings in the daytime, with intent to commit a felony therein, or breaking and entering buildings in the daytime, a felony.

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

SENATE MESSAGES

AMENDED HOUSE BILLS RETURNED FOR CONCURRENCE

The Clerk of the Senate being introduced, returned bill from the House of Representatives numbered and entitled as follows:

HOUSE BILL No. 361.

An Act making an appropriation to the City of Harrisburg to compensate members of the police force for the extra police protection afforded by the Harrisburg police force for the properties and activities of the Commonwealth within the Capital City

With the information that the Senate has passed the same with amendments, in which the concurrence of the House of Representatives is requested.

The SPEAKER. The Clerk will read the amendments.

The Clerk read the amendments as follows:

Amend Section 1, page 1, line 2, by striking out the words and figures "ten thousand dollars ($10,000) "and inserting in lieu thereof the words and figures "five thousand dollars ($5,000)".

On the question,

Will the House concur in the amendments made by the Senate?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows, viz:

YEAS—180

Achterman,	Fletcher,	Longo,	Rose, S.,
Auker,	Flynn,	Lovett,	Rosenfeld,
Baker,	Foor	Lyons,	Royer,
Balthaser,	French,	Malloy,	Rush,
Bentley,	Gallagher,	Marks,	Sarge,
Bentzel,	Gates,	McClanaghan,	Sarraf,
Boies,	Gerard,	McClester,	Scanlon,
Boney,	Gillan,	McDermott,	Schwab,
Boorse,	Gillette,	McDowell,	Serrill,
Bower,	Goodwin,	McFall,	Shaffer,
Bradley,	Gross,	McIntosh,	Shaw,
Breth,	Gryskewicz,	McKinney,	Shepard,
Bretherick,	Haberlen,	McSurdy,	Simons,
Brown,	Hall,	Melchiorre,	Skale,
Brunner, C. H.,	Hamilton,	Mihm,	Snyder,
Brunner, P. A.,	Hare,	Modell,	Sollenberger,
Burns,	Harkins,	Monks,	Sorg
Burris,	Harmuth,	Mooney,	Stank,
Cadwalader,	Harris,	Moran,	Stine,
Chervenak,	Heatherington,	Moul,	Stockham,
Chudoff,	Helm	Muir,	Tate,
Cochran,	Hering,	Munley,	Thompson, E. F.,
Cohen, M. M.,	Herman,	Nagel,	Trout,
Cohen, R. E.,	Hersch,	Nunemacher,	Turner,
Cook,	Hewitt,	O'Brien,	VanAllsburg,
Cooper,	Hirsch,	O'Connor	Verona,
Cordier,	Holland,	O'Dare,	Vincent,
Corrigan,	Huntley,	O'Mullen,	Vogt,
Croop	Imbrie,	O'Neill,	Voldow,
Cullen,	James,	Owens,	Wagner,
Dalrymple,	Jefferson,	Petrosky,	Watkins,
Dennison,	Jones, G. E.,	Pettit,	Weingartner,
DiGenova,	Jones, P. N.,	Polaski,	Weiss,
Dix,	Kline,	Polen,	Welsh, E. B.,
Dolon,	Knoble,	Powers,	Williams,
D'Ortona,	Kolankiewicz,	Prosen,	Wood, L. H.,
Duffy,	Komorofski,	Rank,	Wood, N.,
Early,	Krise,	Rausch,	Woodring,
Elder,	Lee, E. A.,	Readinger,	Woodside,
Elliott,	Leisey,	Reese, D. P.,	Wright,
Ely,	Leonard,	Reese, R. E.,	Yeakel,
Finestone,	Lesko,	Reynolds,	Yester,
Finnerty,	Levy,	Rhea,	Young,
Fisher,	Leydic,	Riley,	Kilroy,
Fiss,	Lichtenwalter,	Rooney,	Speaker.
Fleming,			

NAYS—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative, and the amendments were concurred in.

Ordered, That the Clerk inform the Senate accordingly.

The Clerk of the Senate being introduced, returned bill from the House of Representatives numbered and entitled as follows:

HOUSE BILL No. 639.

An Act requiring the Department of Property and Supplies, with the approval of the Department of Military Affairs to complete and thereafter maintain "The Twenty-eighth Division Shrine," at Boalsburg, Centre County; dedicating the same to the officers and men of the Twenty-eighth Division; and making an appropriation.

With the information that the Senate has passed the same with amendments, in which the concurrence of the House of Representatives is requested.

The SPEAKER. The Clerk will read the amendments.

The Clerk read the amendments as follows:

Amend Section 2, page 2, line 6, by striking out the word "twenty-five" and inserting in lieu thereof the word "ten"; also same page, at the beginning of line 7, by striking out the numerals "($25,000)" and inserting in lieu thereof the numerals "($10,000)".

On the question,

Will the House concur in the amendments made by the Senate?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows, viz:

YEAS—180

Achterman,	Fleming,	Lichtenwalter,	Rose, S.,
Auker,	Fletcher,	Longo,	Rosenfeld,
Baker,	Flynn,	Lovett,	Royer,
Balthaser,	Foor,	Lyons,	Rush,
Bentley,	French,	Malloy,	Sarge,
Bentzel,	Gallagher,	Marks,	Sarraf,
Boies,	Gates,	McClanaghan,	Scanlon,
Boney,	Gerard,	McClester,	Schwab,
Boorse,	Gillan,	McDermott,	Serrill,
Bower,	Gillette,	McDowell,	Shaffer,
Bradley,	Goodwin,	McFall,	Shaw,
Breth,	Gross,	McIntosh,	Shepard,
Bretherick,	Gryskewicz,	McKinney,	Simons,
Brown,	Haberlen,	McSurdy,	Skale,
Brunner, C. H.,	Hall,	Melchiorre,	Snyder,
Brunner, P. A.,	Hamilton,	Mihm,	Sollenberger,
Burns,	Hare,	Modell,	Sorg,
Burris,	Harkins,	Monks,	Stank,
Cadwalader,	Harmuth,	Mooney,	Stine,
Chervenak,	Harris,	Moran,	Stockham,
Chudoff,	Heatherington,	Moul,	Tate
Cochran,	Helm,	Muir,	Thompson, E. F.,
Cohen, M. M.,	Hering,	Munley	Trout,
Cohen, R. E.,	Herman,	Nagel	Turner,
Cook,	Hersch,	Nunemacher	VanAllsburg,
Cooper,	Hewitt,	O'Brien,	Verona,
Cordier,	Hirsch,	O'Connor,	Vincent,
Corrigan,	Holland,	O'Dare,	Vogt,
Croop,	Huntley,	O'Mullen,	Voldow,
Cullen,	Imbrie,	O'Neill,	Wagner,
Dalrymple,	James,	Owens,	Watkins,
Dennison,	Jefferson,	Petrosky,	Weingartner,
DiGenova,	Jones, G. E.,	Pettit,	Weiss,
Dix,	Jones, P. N.,	Polaski,	Welsh, E. B.,
Dolon,	Kline,	Polen,	Williams,
D'Ortona,	Knoble,	Powers,	Wood, L. H.,
Duffy,	Kolankiewicz,	Prosen,	Wood, N.,
Early,	Komorofski,	Rank,	Woodring,
Elder,	Krise,	Rausch,	Woodside,
Elliott,	Lee, T. H.,	Readinger,	Wright,
Ely,	Leisey,	Reese, D. P.,	Yeakel,
Finestone,	Leonard,	Reese, R. E.,	Yester,
Finnerty,	Lesko,	Reynolds,	Young,
Fisher,	Levy,	Rhea,	Kilroy,
Fiss,	Leydic,	Riley,	Speaker.
		Rooney,	

NAYS—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative, and the amendments were concurred in.

Ordered, That the Clerk inform the Senate accordingly.

The Clerk of the Senate being introduced, returned bill from the House of Representatives numbered and entitled as follows:

HOUSE BILL No. 820.

An Act to amend section one of the act approved the second day of May one thousand eight hundred and ninety-nine (P. L. 184), entitled "An act to provide revenue by imposing a mercantile license tax on vendors of or dealers in goods wares and merchandise and providing for the collection of said tax" as amended exempting from the mercantile license tax so much of the business of manufacturers, and mechanics as comprises the vending of goods of their manufacture from their factories and workshops.

With the information that the Senate has passed the same with amendments, in which the concurrence of the House of Representatives, is requested.

The SPEAKER. The Clerk will read the amendments.

The Clerk read the amendments as follows:

Amend the bill, page 1, by inserting after the title the following paragraph:

"The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows".

Amend Section 1, page 1, by striking out all of lines 1, 2 and 3 as follows: "Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That"; also at the beginning of line 4 by inserting before the word "section" the words and figure "Section 1 That".

On the question,

Will the House concur in the amendments made by the Senate?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows, viz:

YEAS—180

Achterman,	Fleming,	Longo,	Rose, S.,
Auker,	Fletcher,	Lovett,	Rosenfeld,
Baker,	Flynn,	Lyons,	Royer,
Balthaser,	Foor	Malloy,	Rush,
Bentley,	French,	Marks,	Sarge,
Bentzel,	Gallagher,	McClanaghan,	Sarraf,
Boles,	Gates,	McClester,	Scanlon,
Boney,	Gerard,	McDermott,	Schwab,
Boorse,	Gillan,	McDowell,	Serrill,
Bower,	Gillette,	McFall,	Shaffer,
Bradley,	Goodwin,	McIntosh,	Shaw,
Breth,	Gross,	McKinney,	Shepard,
Bretherick,	Gryskewicz,	McSurdy,	Simons,
Brown,	Haberlen,	Melchiorre,	Skale,
Brunner, C. H.,	Hall,	Mihm,	Snyder,
Brunner, P. A.,	Hamilton,	Modell,	Sollenberger,
Burns,	Hare,	Monks,	Sorg,
Burris,	Harkins,	Mooney,	Stank,
Cadwalader,	Harmuth,	Moran,	Stine,
Chervenak,	Harris,	Moul,	Stockham,
Chudoff,	Heatherington,	Muir,	Tate,
Cochran,	Helm,	Munley,	Thompson, E. F.,
Cohen, M. M.,	Hering,	Nagel,	Trout,
Cohen, R. E.,	Herman,	Nunemacher,	Turner,
Cook,	Hersch,	O'Brien,	Van Allsburg,
Cooper,	Hewitt,	O'Connor,	Verona,
Cordier,	Hirsch,	O'Dare,	Vincent,
Corrigan,	Holland,	O'Mullen,	Vogt,
Croop,	Huntley,	O'Neill,	Voldow,
Cullen,	Imbrie,	Owens,	Wagner,
Dalrymple,	James,	Petrosky,	Watkins,
Dennison,	Jefferson,	Pettit,	Weingartner,
DiGenova,	Jones, G. E.,	Polaski,	Weiss,
Dix,	Jones, P. N.,	Polen,	Welsh, E. B.,
Dolon,	Kline,	Powers,	Williams,
D'Ortona,	Knoble,	Prosen,	Wood, L. H.,
Duffy,	Kolankiewicz,	Rank,	Wood, N.,
Early,	Komorofski,	Rausch,	Woodring,
Elder,	Krise,	Readinger,	Woodside,
Elliott,	Lee, E. A.,	Reese, D. P.,	Wright,
Ely,	Leisey,	Reese, R. E.,	Yeakel,
Finestone,	Leonard,	Reynolds,	Yester,
Finnerty,	Lesko,	Rhea,	Young,
Fisher,	Levy,	Riley,	Kilroy,
Fiss,	Leydic,	Rooney,	Speaker.
	Lichtenwalter,		

NAYS—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative, and the amendments were concurred in.

Ordered, That the Clerk inform the Senate accordingly.

The Clerk of the Senate being introduced, returned bill from the House of Representatives numbered and entitled as follows:

HOUSE BILL No. 1466.

An Act to amend the act approved the third day of June one thousand nine hundred and thirty-seven (P. L. 1333) entitled "An act concerning elections including general municipal special and primary elections the nomination of candidates primary and election expenses and election contests creating and defining membership of county boards of elections imposing duties upon the Secretary of the Commonwealth courts county boards of elections county commissioners imposing penalties for violation of the act and codifying revising and consolidating the laws relating thereto and repealing certain acts and parts of acts relating to elections" by changing the procedure for and regulating voting in elections by persons in actual military service conferring powers and imposing duties upon the Secretary of the Commonwealth courts county boards of elections and county commissioners providing for reimbursement of counties for actual expenses incurred for canvassing the vote of electors in actual military service.

With the information that the Senate has passed the same with amendments, in which the concurrence of the House of Representatives is requested.

The SPEAKER. The Clerk will read the amendments.

The Clerk read the amendments as follows:

Amend Section 2, page 8, line 9, by striking out the word "twenty-five" and inserting in lieu thereof the word "forty-three".

On the question,

Will the House concur in the amendments made by the Senate?

Mr. ACHTERMAN. Mr. Speaker, I move that the House non-concur in the amendments made by the Senate.

The motion was agreed to.

Ordered, That the Clerk inform the Senate accordingly.

The Clerk of the Senate being introduced, returned bill from the House of Representatives numbered and entitled as follows:

HOUSE BILL No. 1467.

An Act to amend the act approved the first day of June one thousand nine hundred thirty-seven (P. L. 1132), entitled "An act to provide for the permanent personal registration of electors in cities of the second class A as a condition of their right to vote at elections and primaries and their enrollment as members of political parties as a further condition of their right to vote at primaries prescribing certain procedure for the conduct of elections and primaries and the challenge and proof of qualifications of electors and prescribing the powers and duties of citizens parties political bodies registration commissions commissioners registrars inspectors or registration and other appointees of registration commission county election boards election officers municipal officers departments and bureaus police officers courts judges prothonotaries sheriffs county commissioners peace officers county treasurers county controllers registrars of vital statistics certain public utility corporations real estate brokers rental agents and boards of school directors and imposing penalties" as amended by requiring and providing for the registration of persons in military service to entitle them to vote at any election

With the information that the Senate has passed the same with amendments, in which the concurrence of the House of Representatives is requested.

The SPEAKER. The Clerk will read the amendments.

The Clerk read the amendments as follows:

Amend the bill, page 10, by inserting after line 4 the following new section:

Section 5 Subsection (a) of section twenty-nine of the said act is hereby amended to read as follows

Sectin 29 Change of Enrolllment of Political Party Cancellation of Party Enrollment Persons Suffering Disability

After Registration to Have Fact Recorded Cancellation (a) At any time prior to the fifteenth day next preceding a primary or an election excepting the thirty days next following each election and the five days next following each primary any person who desires to change the enrollment of his political designation or who although registered has not hitherto enrolled as a member of a party may appear before a registrar commissioner or clerk and state in writing over his signature the political party in which he desires to be enrolled and the registrar commissioner or clerk shall cause the enrollment of the elector's political designation to be made or altered accordingly in the general and district registers In such cases the signature of the elector shall be verified by comparison with his signature on the general and district registers before the change of enrollment is made. If any elector desiring to change his party enrollment is unable to sign his application he shall make his mark thereto in the presence of the registrar cmmissioner or clerk and shall produce such other evidence as may be necessary to establish his identity When an elector has applied for a change in the enrollment of his political designation as provided herein the registrar commissioner or clerk shall upon request stamp or mark the change so made on the electors card attesting his registration Any person in military service who desires to change his party enrollment shall be permitted to do so by addressing a signed written request to the commission The request shall also contain a statement that such person is at the time of making the request absent from his residence in military service If upon examination the signature appears authentic the enrollment shall be changed in accordance with the request

Amend Section 5, page 11, line 13, by striking out the figure "5" and inserting in lieu thereof the figure "6".

Amend Section 6, page 13, line 1, by striking out the figure "6" and inserting in lieu thereof the figure "7".

Amend Section 7, page 13, line 12, by striking out the figure "7" and inserting in lieu thereof the figure "8".

On the question,

Will the House concur in the amendments made by the Senate?

Mr. ACHTERMAN. Mr. Speaker, I move that the House non-concur in the amendments made by the Senate.

The motion was agreed to.

Ordered, That the Clerk inform the Senate accordingly.

The Clerk of the Senate being introduced, returned bill from the House of Representatives numbered and entitled as follows:

HOUSE BILL No. 1468.

An Act to amend the act approved the twenty-fifth day of May one thousand nine hundred thirty-seven (P. L. 814), entitled "An act to provide for the permanent personal registration of electors in cities of the second class as a condition of their right to vote at elections and primaries and their enrollment as members of political parties as a further condition of their right to vote at primaries prescribing certain procedure for the conduct of elections and primaries and the challenge and proof of qualifications of electors and prescribing the powers and duties of citizens parties political bodies registration commissions commissioners registrars inspectors of registration and other appointees of registration commissions county election boards election officers municipal officers departments and bureaus police officers courts judges prothonotaries sheriffs county commissioners peace officers county treasurers county controllers registrars of vital statistics certain public utility corporations real estate brokers rental agents and boards of school directors and imposing penalties" as amended by requiring and providing for the registration of persons in military service to entitle them to vote at any election

With the information that the Senate has passed the same with amendments, in which the concurrence of the House of Represenatives is requested.

The SPEAKER. The Clerk will read the amendments.

The Clerk read the amendments as follows:

Amend bill, page 12, by inserting after line 29 the following new section:

"Section 5 Subsection (a) of section twenty-nine of the said act is hereby amended to read as follows

Section 29 Change of Enrollment of Political Party Cancellation of Party Enrollment Persons Suffering Disability After Registration to Have Fact Recorded Cancellation (a) At any time prior to the fifteenth day next preceding a primary or an election excepting the thirty days next following each election and the five days next following each primary any person who desires to change the enrollment of his political designation or who although registered has not hitherto enrolled as a member of a party may appear before a registrar commissioner or clerk and state in writing over his signature the political party in which he desires to be enrolled and the registrar commissioner or clerk shall cause the enrollment of the elector's political designation to be made or altered accordingly in the general and district registers In such cases the signature of the elector shall be verified by comparison with his signature on the general and district registers before the change of enrollment is made If any elector desiring to change his party enrollment is unable to sign his application he shall make his mark thereto in the presence of the registrar commissioner or clerk and shall produce such other evidence as may be necessary to establish his identity When an elector has applied for a change in the enrollment of his political designation as provided herein the registrar Commissioner or clerk shall upon request stamp or mark the change so made on the elector's card attesting his registration Any person in military service who desires to change his party enrollment shall be permitted to do so by addressing a signed written request to the commission The request to the commission The request shall also contain a statement that such person is at the time of making the request absent from his residence in military service If upon examination the signature appears authentic the enrollment shall be changed in accordance with the request."

Amend Section 5, page 14, line 10, by striking out the figure "5" and inserting in lieu thereof the figure "6."

Amend Section 6, page 15, line 27, by striking out the figure "6" and inserting in lieu thereof the figure "7".

Amend Section 7, page 16, line 9, by striking out the figure "7" and inserting in lie thereof the figure "8".

On the question,

Will the House concur in the amendments made by the Senate?

Mr. ACHTERMAN. Mr. Speaker, I move that the House non-concur in the amendments made by the Senate.

The motion was agreed to.

Ordered, That the Clerk inform the Senate accordingly.

The Clerk of the Senate being introduced, returned bill from the House of Representatives numbered and entitled as follows:

HOUSE BILL No. 1469.

An Act to amend the act approved the twenty-fifth day of May one thousand nine hundred thirty-seven (P. L. 849), entitled "An act to provide for the permanent personal registration of electors in cities of the third class as a condition of their right to vote at elections and primaries and their enrollment as members of political parties as a further condition of their right to vote at primaries prescribing certain procedure for the conduct of elections and primaries and the challenge and proof of qualifications of electors and prescribing the powers and duties of citizens parties political bodies registration

commissions commissioners registrars inspectors of registration and other appointees of registration commissions county election boards election officers municipal officers departments and bureaus police officers courts judges prothonotaries sheriffs county commissioners peace officers county treasurers county controllers registrars of vital statistics certain public utility corporations real estate brokers rental agents and boards of school directors imposing penalties and repealing existing legislation" as amended by requiring and providing for the registration of persons in military service to entitle them to vote at any election.

With the information that the Senate has passed the same with amendments, in which the concurrence of the House of Representatives is requested.

The SPEAKER. The Clerk will read the amendments.

The Clerk read the amendments as follows:

Amend bill, page 13, by inserting after line 4 the following new section:

"Section 5 Subsection (a) of section twenty-nine of the said act as amended by the act approved the ninth day of June one thousand nine hundred thirty-nine (P. L. 279), is hereby further amended to read as follows

Section 29 Change of Enrollment of Political Party Cancellation of Party Enrollment Persons Suffering Disability After Registration to Have Fact Recorded Cancellation (a) At any time prior to the thirtieth day next preceding primary or an election excepting the thirty days next following each election and the five days next following each primary any person who desires to change the enrollment of his political designation or who although registered has not hitherto enrolled as a member of a party may appear before a registrar commissioner or clerk and state in writing over his signature the political party in which he desires to be enrolled and the registrar commissioner or clerk shall cause the enrollment of the elector's political designation to be made or altered accordingly in the general and district registers In such cases the signature of the elector shall be verified by comparison with his signature on the general and district registers before the change of enrollment is made If any elector desiring to change his party enrollment is unable to sign his application he shall make his mark thereto in the presence of the registrar commissioner or clerk and shall produce other evidence as may be necessary to establish his identity When an elector has applied for a change in the enrollment of his political designation as provided herein the registrar commissioner or clerk shall upon request stamp or mark the change so made on the elector's card attesting his registration Any person in military service who desires to change his party enrollment shall be permitted to do so by addressing a signed written request to the commission The request shall also contain a statement that such person is at the time of making the request absent from his residence in military service If upon examination the signature appears authentic the enrollment shall be changed in accordance with the request."

Amend Section 5, page 14, line 17, by striking out the figure "5" and inserting in lieu thereof the figure "6."

Amend Section 6, page 16, line 6, by striking out the figure "6" and inserting in lieu thereof the figure "7."

Amend Section 7, page 16, line 17, by striking out the figure "7" and inserting in lieu thereof the figure "8."

On the question,

Will the House concur in the amendments made by the Senate?

Mr. ACHTERMAN. Mr. Speaker, I move that the House non-concur in the amendments made by the Senate.

The motion was agreed to.

Ordered, That the Clerk inform the Senate accordingly.

The Clerk of the Senate being introduced, returned bill from the House of Representatives numbered and entitled as follows:

HOUSE BILL No. 1919.

An Act to amend sections 103 301 304 305 307 308 310 311 401 402 403 404 405 410 501 502 503 505 506 508 510 511 512 513 703 801 802 803 804 807 808 809 904 1003 and 1101 of the act approved the twenty-eighth day of April one thousand nine hundred and thirty-seven (P. L. 417) entitled "An act relating to milk and the products thereof creating a Milk Control Commission establishing its jurisdiction powers and duties regulating the production transportation manufacturing processing storage distribution delivery and sale of milk and certain products thereof providing for the licensing of milk dealers and the payment of fees therefor requiring milk dealers to file bonds to secure payment for milk to producers and certain milk dealers authorizing the holding of hearings and the issuance of subpoenas by the commission conferring jurisdiction upon courts to punish contempts and to prohibit violations of this act and of rules regulations and orders of the commission authorizing the commission to adopt rules regulations and orders and to enter into interstate and Federal compacts requiring persons who weigh measure sample or test milk to procure permits or certificates to take examinations to pay fees therefor to furnish certain notices records and statements and to use certain methods of weighing measuring sampling and testing authorizing the commission ot examine the business papers and premises of milk dealers and producers requiring the keeping of records and the filing of reports by milk dealers and permitting with limitations the use of information obtained thereby authorizing the commission to fix prices for milk and certain milk products subject to the approval of the Governor and conferring certain powers upon the Governor with respect thereto providing for appeals to the courts from decisions of the commission and for the burden of proof upon such appeals prescribing penalties fines and imprisonment for violations of this act and rules regulations and orders of the commission defining perjury defining remedies repealing legislation supplied and superseded by this act and saving rights duties and proceedings thereunder and making appropriations" by adding the term "handler" as a synonym for the term "milk dealer" defining the terms "handle" and "handler" extending the provisions of the act to those who handle milk by bailment brokerage consignment or purchase authorizing special agents or examiners to conduct hearings on behalf of the Milk Control Commission enabling certain officers employes and agents to administer oaths providing the method and effect of service of certain orders and the posting of rules regulations and certain orders enabling employes of the commission to photograph photostat mark or stamp for identification books and papers that they have inspected providing for action with milk control agencies of other states and of the United States in holding hearings and promulgating and enforcing orders requiring milk dealers or handlers to be licensed stating grounds for refusal suspension revocation of licenses and the right to transfer licenses stating grounds for refusal of the right to apply for a license stating the effect of service by registered mail enlarging requirements of milk dealers or handlers to file bonds to secure payment to producers and certain milk dealers or handlers prescribing the effective date and term of such bonds and providing for their release providing for the increase or decrease of the amounts of bonds prescribing the effect of orders and findings of fact of the commission relating to licenses in suit or bonds providing for payment to those entitled thereto of moneys in the hands of the commission owing from dealers or handlers to producers and from subdealers or subhandlers to dealers or handlers increasing the scope of regulation of subdealers or subhandlers making certain information available to cooperatives and producers group clarifying the requisites of orders fixing prices for milk providing for the competency of certain statistical testimony and data providing that all provisions of price-fixing orders shall be presumed to be valid and placing the burden of proving

any invalidity of any order or part thereof stating the effect of partial invalidity of price-fixing orders defining violations of orders of the commission fixing prices making milk dealers or handlers responsible for acts of their directors officers agents or other persons acting for or on behalf of them giving certain additional rights to cooperatives and producers' and farmers' unions or organizations of producers of milk further regulating and imposing duties on milk dealers or handlers prescribing procedure on appeal from orders of the commission further defining and prescribing penalties defenses rights and remedies and providing for the payment of funds in the hands of the commission owing producers or dealers or handlers to those entitled thereto

With the information that the Senate has passed the same with amendments, in which the concurrence of the House of Representatives is requested.

The SPEAKER. The Clerk will read the amendments.

The Clerk read the amendments as follows:

Amend the title, at the end of last line on page 3, by striking out the words "suit or" and inserting in lieu thereof the words "suits on".

Amend Section 4, page 11, line 9, by striking out the word "other" and inserting in lieu thereof the word "others".

Amend Section 15, page 25, at the beginning of line 16, by striking out after the word "in" the word "the" and inserting in lieu thereof the word "a".

Amend Section 26, page 34, line 6, by striking out the word "producers" and inserting in lieu thereof the word "producer".

On the question,

Will the House concur in the amendments made by the Senate?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows, viz:

YEAS—180

Achterman,	Fleming,	Lichtenwalter,	Rooney,
Auker,	Fletcher,	Longo,	Rose, S.,
Baker,	Flynn,	Lovett,	Rosenfeld,
Balthaser,	Foor,	Lyons,	Royer,
Bentley,	French,	Malloy,	Rush,
Bentzel,	Gallagher,	Marks,	Sarge,
Boles,	Gates,	McClanaghan,	Sarraf,
Boney,	Gerard,	McClester,	Scanlon,
Boorse,	Gillan,	McDermott,	Schwab,
Bower,	Gillette,	McDowell,	Serrill,
Bradley,	Goodwin,	McFall,	Shaffer,
Breth,	Gross,	McIntosh,	Shaw
Bretherick,	Gryskewicz,	McKinney,	Shepard,
Brown,	Haberlen,	McSurdy,	Simons,
Brunner, C. H.,	Hall,	Melchiorre,	Skale,
Brunner, P. A.,	Hamilton,	Mihm,	Snyder,
Burns,	Hare,	Modell,	Sollenberger,
Burris,	Harkins,	Monks,	Sorg,
Cadwalader,	Harmuth,	Mooney,	Stank,
Chervenak,	Harris,	Moran,	Stine,
Chudoff,	Heatherington,	Moul,	Stockham,
Cochran,	Helm,	Muir,	Tate,
Cohen, M. M.,	Hering,	Munley,	Thompson, E. F.,
Cohen, R. E.,	Herman,	Nagel,	Trout,
Cook,	Hersch,	Nunemacher,	Turner,
Cooper,	Hewitt,	O'Brien,	VanAllsburg,
Cordier,	Hirsch,	O'Connor	Verona,
Corrigan,	Holland,	O'Dare,	Vincent,
Croop,	Huntley,	O'Mullen,	Vogt,
Cullen,	Imbrie,	O'Neill,	Voldow,
Dalrymple,	James,	Owens,	Wagner,
Dennison,	Jefferson,	Petrosky,	Watkins,
DiGenova,	Jones, G. E.,	Pettit,	Weingartner,
Dix,	Jones, P. N.,	Polaski,	Weiss,
Dolon,	Kline,	Polen,	Welsh, E. B.,
D'Ortona,	Knoble,	Powers,	Williams,
Duffy,	Kolankiewicz,	Prosen,	Wood, L. H.,
Early,	Komorofski,	Rank,	Wood, N.,
Elder,	Krise,	Rausch,	Woodring,
Elliott,	Lee, T. H.,	Readinger,	Woodside,
Ely,	Leisey,	Reese, D. P.,	Wright,
Finestone,	Leonard,	Reese, R. E.,	Yeakel,
Finnerty,	Lesko,	Reynolds,	Yester,
Fisher,	Levy,	Rhea,	Young,
Fiss,	Leydic,	Riley,	Kilroy, Speaker

NAYS—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative, and the amendments were concurred in.

Ordered, That the Clerk inform the Senate accordingly.

The Clerk of the Senate being introduced, returned bill from the House of Representatives numbered and entitled as follows:

HOUSE BILL No. 1650.

An Act providing for the cooperation of the Commonwealth and certain political subdivisions thereof with the United States in respect to flood control projects authorizing the Secretary of Highways on behalf of the Commonwealth and the authorities of the various counties cities boroughs and townships with the approval of the Water and Power Resources Board to enter into certain agreements with and to grant and convey to the United States certain rights and easements in and relative to the highways streets roads and bridges thereof and lands bordering the same over which such governmental units may have control

With the information that the Senate has passed the same with amendments, in which the concurrence of the House of Representatives is requested.

The SPEAKER. The Clerk will read the amendments.

The Clerk read the amendments as follows:

Amend Section 2, page 3, by striking out in lines 7 to 11 inclusive the following: "and the United States shall not be liable for any damages resulting from personal injuries death or damage to property that may at any time result from the exercise of any right or easement granted under the provisions of this act".

On the question,

Will the House concur in the amendments made by the Senate?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows, viz:

YEAS—180

Achterman,	Fleming,	Longo,	Rose, S.,
Auker,	Fletcher,	Lovett,	Rosenfeld,
Baker,	Flynn,	Lyons,	Royer,
Balthaser,	Foor,	Marks,	Rush,
Bentley,	French,	Malloy,	Sarge,
Bentzel,	Gallagher,	McClanaghan,	Sarraf,
Boles,	Gates,	McClester,	Scanlon,
Boney,	Gerard,	McDermott,	Schwab,
Boorse,	Gillan,	McDowell,	Serrill,
Bower,	Gillette,	McFall,	Shaffer,
Bradley,	Goodwin,	McIntosh,	Shaw,
Breth,	Gross,	McKinney,	Shepard,
Bretherick,	Gryskewicz,	McSurdy,	Simons,
Brown,	Haberlen,	Melchiorre,	Skale,
Brunner, C. H.,	Hall,	Mihm,	Snyder,
Brunner, P. A.,	Hamilton,	Modell,	Sollenberger,
Burns,	Hare,	Monks,	Sorg,
Burris,	Harkins,	Mooney,	Stank,
Cadwalader,	Harmuth,	Moran,	Stine,
Chervenak,	Harris,	Moul,	Stockham,
Chudoff,	Heatherington,	Muir,	Tate,
Cochran,	Helm,	Munley,	Thompson, E. F.,
Cohen, M. M.,	Hering,	Nagel,	Trout,
Cohen, R. E.,	Herman,	Nunemacher,	Turner,
Cook,	Hersch,	O'Brien,	Van Allsburg,
Cooper,	Hewitt,	O'Connor,	Verona,
Cordier,	Hirsch,	O'Dare,	Vincent,
Corrigan,	Holland,	O'Mullen,	Vogt,
Croop,	Huntley,	O'Neill,	Voldow,
Cullen,	Imbrie,	Owens,	Wagner,
Dalrymple,	James,	Petrosky,	Watkins,
	Jefferson,	Pettit,	Weingartner,

Dennison,	Jones, G. E.,	Polaski,	Weiss,
DiGenova,	Jones, P. N.,	Polen,	Welsh, E. B.,
Dix,	Kline,	Powers,	Williams,
Dolon,	Knoble,	Prosen,	Wood, L. H.,
D'Ortona,	Kolankiewicz,	Rank,	Wood, N.,
Duffy,	Komorofski,	Rausch,	Woodring,
Early,	Krise,	Readinger,	Woodside,
Elder,	Lee, T. H.,	Reese, D. P.,	Wright,
Elliott,	Leisey,	Reese, R. E.,	Yeakel,
Ely,	Leonard,	Reynolds,	Yester,
Finestone,	Lesko,	Rhea,	Young,
Finnerty,	Levy,	Riley,	Kilroy,
Fisher,	Leydic,	Rooney,	Speaker.
Fiss,	Lichtenwalter,		

NAYS—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative, and the amendments were concurred in.

Ordered, That the Clerk inform the Senate accordingly.

The Clerk of the Senate being introduced, returned bill from the House of Representatives numbered and entitled as follows:

HOUSE BILL No. 1760.

An Act creating a commission to make a study and investigation of the various problems related to the surface subsidence frequently caused by the mining of anthracite coal directing such commission to make a report and recommendations to the General Assembly conferring certain powers upon such commission including the power to issue subpoenas administer oaths and affirmations retain employes and expend funds and making an appropriation

With the information that the Senate has passed the same with amendments, in which the concurrence of the House of Representatives is requested.

The SPEAKER. The Clerk will read the amendments.

The Clerk read the amendments as follows:

Amend Section 1, page 2, by inserting at the end of line 5 after the word "the" the words "Anthracite Subsidence Commission".

On the question,

Will the House concur in the amendments made by the Senate?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows, viz:

YEAS—180

Achterman,	Fleming,	Lichtenwalter,	Rooney,
Auker,	Fletcher,	Longo,	Rose, S.,
Baker,	Flynn,	Lovett,	Rosenfeld,
Balthaser,	Foor,	Lyons,	Royer,
Bentley,	French,	Malloy,	Rush,
Bentzel,	Gallagher,	Marks,	Sarge,
Boles,	Gates,	McClanaghan,	Sarraf,
Boney,	Gerard,	McClester,	Scanlon,
Boorse,	Gillan,	McDermott,	Schwab,
Bower,	Gillette,	McDowell,	Serrill,
Bradley,	Goodwin,	McFall,	Shaffer,
Breth,	Gross,	McIntosh,	Shaw,
Bretherick,	Gryskewicz,	McKinney,	Shepard,
Brown,	Haberlen,	McSurdy,	Simons,
Brunner, C. H.,	Hall,	Melchiorre,	Skale,
Brunner, P. A.,	Hamilton,	Mihm,	Snyder,
Burns,	Hare,	Modell,	Sollenberger,
Burris,	Harkins,	Monks,	Sorg,
Cadwalader,	Harmuth,	Mooney,	Stank,
Chervenak,	Harris,	Moran,	Stine,
Chudoff,	Heatherington,	Moul,	Stockham,
Cochran,	Helm,	Muir,	Tate,
Cohen, M. M.,	Hering,	Munley,	Thompson, E. F.,
Cohen, R. E.,	Herman,	Nagel,	Trout,
Cook,	Hersch,	Nunemacher,	Turner,
Cooper,	Hewitt,	O'Brien,	VanAllsburg,
Cordier,	Hirsch,	O'Connor	Verona,
Corrigan,	Holland,	O'Dare,	Vincent,
Croop,	Huntley,	O'Mullen,	Vogt,
Cullen,	Imbrie,	O'Neill,	Voldow,
Dalrymple,	James,	Owens,	Wagner,
Dennison,	Jefferson,	Petrosky,	Watkins,
DiGenova,	Jones, G. E.,	Pettit,	Weingartner,
Dix,	Jones, P. N.,	Polaski,	Weiss,
Dolon,	Kline,	Polen,	Welsh, E. B.,
D'Ortona,	Knoble,	Powers,	Williams,
Duffy,	Kolankiewicz,	Prosen,	Wood, L. H.,
Early,	Komorofski,	Rank,	Wood, N.,
Elder,	Krise,	Rausch,	Woodring,
Elliott,	Lee, T. H.,	Readinger,	Woodside,
Ely,	Leisey,	Reese, D. P.,	Wright,
Finestone,	Leonard,	Reese, R. E.,	Yeakel,
Finnerty,	Lesko,	Reynolds,	Yester,
Fisher,	Levy,	Rhea,	Young,
Fiss,	Leydic,	Riley,	Kilroy, Speaker

NAYS—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative, and the amendments were concurred in.

Ordered, That the Clerk inform the Senate accordingly.

The Clerk of the Senate being introduced, returned bill from the House of Representatives numbered and entitled as follows:

HOUSE BILL No. 1716.

An Act to further amend sections three and ten of the act approved the fifth day of May one thousand nine hundred and thirty-three (P. L. 284) entitled, as amended "An act imposing a State tax payable by those herein defined as manufacturers and by others on malt or brewed beverages used sold transported or delivered within the Commonwealth prescribing the method and manner of evidencing the payment and collection of such tax conferring powers and imposing duties on the Department of Revenue and those using or engaged in the sale at retail or wholesale or in the transportation of malt or brewed beverages taxable hereunder and providing penalties" by prescribing malt beverage tax rates for certain original containers or standard fractions thereof fixing a minimum quantity of malt or brewed beverages which may be sold in cases cartons or boxes and providing for refunds of tax for malt or brewed beverages sold to commissaries ship's stores and voluntary unincorporated organizations of the Army or of the Navy personnel operating under regulations promulgated by the Secretary of War or the Secretary of the Navy

With the information that the Senate has passed the same with amendments, in which the concurrence of the House of Representatives is requested.

The SPEAKER. The Clerk will read the amendments.

The Clerk read the amendments as follows:

Amend the title, by striking out the last line on page 1, as follows: "fixing a minimum quantity of malt or brewed bever-"; also page 2 of the title by striking out all of line 1 as follows: "ages which may be sold in cases cartons or boxes."

Amend Section 1, page 4, by striking out all of lines 16 to 20 inclusive as follows:

"No manufacturer nor any person who brings malt or brewed beverages into the Commonwealth shall sell any malt or brewed beverages packed in any case carton or box unless such case carton or box shall contain not less than two hundred eighty-eight (288) fluid ounces."

On the question,

Will the House concur in the amendments made by the Senate?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows, viz:

YEAS—180

Achterman,	Fleming,	Lichtenwalter,	Rooney,
Auker,	Fletcher,	Longo,	Rose, S.,
Baker,	Flynn,	Lovett,	Rosenfeld,
Balthaser,	Foor,	Lyons,	Royer,
Bentley,	French,	Malloy,	Rush,
Bentzel,	Gallagher,	Marks,	Sarge,
Boles,	Gates,	McClanaghan,	Sarraf,
Boney,	Gerard,	McClester,	Scanlon,
Boorse,	Gillan,	McDermott,	Schwab,
Bower,	Gillette,	McDowell,	Serrill,
Bradley,	Goodwin,	McFall,	Shaffer,
Breth,	Gross,	McIntosh,	Shaw,
Bretherick,	Gryskewicz,	McKinney,	Shepard,
Brown,	Haberlen,	McSurdy,	Simons,
Brunner, C. H.,	Hall,	Melchiorre,	Skale,
Brunner, P. A.,	Hamilton,	Mihm,	Snyder,
Burns,	Hare,	Modell,	Sollenberger,
Burris,	Harkins,	Monks,	Sorg,
Cadwalader,	Harmuth,	Mooney,	Stank,
Chervenak,	Harris,	Moran,	Stine,
Chudoff,	Heatherington,	Moul,	Stockham,
Cochran,	Helm,	Muir,	Tate,
Cohen, M. M.,	Hering,	Munley,	Thompson, E. F.,
Cohen, R. E.,	Herman,	Nagel,	Trout,
Cook,	Hersch,	Nunemacher,	Turner,
Cooper,	Hewitt,	O'Brien,	VanAllsburg,
Cordier,	Hirsch,	O'Connor	Verona,
Corrigan,	Holland,	O'Dare,	Vincent,
Croop,	Huntley,	O'Mullen,	Vogt,
Cullen,	Imbrie,	O'Neill,	Voldow,
Dalrymple,	James,	Owens,	Wagner,
Dennison,	Jefferson,	Petrosky,	Watkins,
DiGenova,	Jones, G. E.,	Pettit,	Weingartner,
Dix,	Jones, P. N.,	Polaski,	Weiss,
Dolon,	Kline,	Polen,	Welsh, E. B.,
D'Ortona,	Knoble,	Powers,	Welsh, M. J.,
Duffy,	Kolankiewicz,	Prosen,	Wood, L. H.,
Early,	Komorofski,	Rank,	Wood, N.,
Elder,	Krise,	Rausch,	Woodring,
Elliott,	Lee, T. H.,	Readinger,	Woodside,
Ely,	Leisey,	Reese, D. P.,	Wright,
Finestone,	Leonard,	Reese, R. E.,	Yeakel,
Finnerty,	Lesko,	Reynolds,	Yester,
Fisher,	Levy,	Rhea,	Young,
Fiss,	Leydic,	Riley,	Kilroy, Speaker

NAYS—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative, and the amendments were concurred in.

Ordered, That the Clerk inform the Senate accordingly.

The Clerk of the Senate being introduced, returned bill from the House of Representatives numbered and entitled as follows:

HOUSE BILL No. 1465.

An Act to amend the act, approved the twenty-ninth day of April one thousand nine hundred thirty-seven (P. L. 487), entitled "An act to provide for the permanent personal registration of electors in boroughs, towns, and townships as a condition of their right to vote at elections and primaries, and their enrollment as members of political parties as a further condition of their right to vote at primaries; prescribing certain procedure for the conduct of elections and primaries and the challenge and proof of qualifications of electors; requiring the county commissioners of the various counties to act as a registration commission therefor; and prescribing the powers and duties of citizens, parties, political bodies, registration commissions, commissioners, registrars, inspectors of registration and other appointees of registration commissions county election boards, election officers, municipal officers, departments and bureaus, police officers, courts, judges, prothonotaries, sheriffs, county commissioners, peace officers, county treasurers, county controllers, registrars of vital statistics, certain public utility corporations, real estate brokers, rental agents, and boards of school directors; and imposing penalties," as amended, by requiring and providing for the registration of persons in military service before they shall be entitled to vote at any election.

With the information that the Senate has passed the same with amendments, in which the concurrence of the House of Representatives is requested.

The SPEAKER. The Clerk will read the amendments.

The Clerk read the amendments as follows:

Amend the bill, page 13, at the beginning of line 4, by striking out the heavy-faced bracket before the word "Section"; also same page, at the end of line 29, by striking out the heavy-faced bracket after the word "and"; also on page 14, at the beginning of line 1, by striking out the heavy-faced bracket before the word "shall"; also same page, at the end of line 14, by striking out the heavy-faced bracket after the word "request".

Amend Section 5, page 14, line 15, by striking out the Figure "5" and inserting in lieu thereof the figure "6".

Amend Section 6, page 16, line 3, by striking out the figure "6" and inserting in lieu thereof the figure "7".

Amend Section 7, page 16, line 14, by striking out the figure "7" and inserting in lieu thereof the figure "8".

On the question,

Will the House concur in the amendments made by the Senate?

Mr. ACHTERMAN. Mr. Speaker, I move that the House non-concur in the amendments made by the Senate.

The motion was agreed to.

Ordered, That the Clerk inform the Senate accordingly.

SENATE MESSAGES

AMENDED SENATE BILLS NON-CONCURRED IN BY SENATE

The Clerk of the Senate being introduced, informed that the Senate has non-concurred in the amendments made by the House of Representatives to Senate Bill numbered and entitled as follows:

SENATE BILL No. 561.

An Act to amend the act approved the thirtieth day of March one thousand nine hundred thirty-seven (P. L. 115), entitled "An act to provide for the permanent personal registration of electors in cities of the first class as a condition of their right to vote at elections and primaries and their enrollment as members of political parties as a further condition of their right to vote at primaries prescribing certain procedure for the conduct of elections and primaries and the challenge and proof of qualifications of electors and prescribing the powers and duties of citizens parties bodies of electors registration commissions commissioners registrars inspectors of registration and other appointees of registration commission election officers municipal officers departments and bureaus police officers courts judges prothonotaries sheriffs county commissioners peace officers county treasurers county controllers registrars of vital statistics real estate brokers rental agents certain public service companies persons firms and corporations operating vehicles for moving furniture and household goods and boards of school directors and imposing penalties" as amended by amplifying and changing the powers and duties of the commission its employes and commissioners further regulating and changing the provisions of said act relating to the appointment and removal of registrars and the powers privileges rights and duties of registrars watchers election officers and electors revising and changing the provisions of said act relating to the times places and manner of registering electors and their enrollment as members of political parties change of party enrollment cancellation of registrations preparation and distribution of street lists appeals to the commission and to courts and the procedure thereon providing for appeals by the commission to appellate courts

changing certain provisions of said act relating to removal notices providing for the manner of reckoning time imposing additional duties on certain city officers clarifying and coordinating certain provisions of said act and imposing additional penalties.

Mr. ACHTERMAN. Mr. Speaker, I move that the House insist on its amendments non-concurred in by the Senate.

The motion was agreed to.

Ordered, That the Clerk inform the Senate accordingly.

AMENDED HOUSE BILL RETURNED FOR CONCURRENCE

The Clerk of the Senate being introduced, returned bill from the House of Representatives numbered and entitled as follows:

HOUSE BILL No. 1488.

An act preserving the rights of persons enlisting or being inducted or drafted into the military or naval service of the United States during a national emergency under licenses or registrations issued by the Department of Public Instruction and brokers licenses issued by the Department of Insurance to practice professions or to work at trades or occupations and providing for renewals after discharge from such service

With the information that the Senate has passed the same with amendments, in which the concurrence of the House of Representatives is requested.

The SPEAKER. The Clerk will read the amendments.

The Clerk read the amendments as follows:

Amend Section 1, page 2, line 3, by inserting after the word "her" the word "current"; also same page by striking out in lines 3 to 6 inclusive the following: "nor shall he or she during such period of service be required to renew such license or registration in any case where annual or other periodic renewals are required."

On the question,

Will the House concur in the amendments made by the Senate?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows, viz:

YEAS—180

Achterman,	Fleming,	Lichtenwalter,	Rose, S.,
Auker,	Fletcher,	Longo,	Rosenfeld,
Baker,	Flynn,	Lovett,	Royer,
Balthaser,	Foor,	Lyons,	Rush,
Bentley,	French,	Malloy,	Sarge,
Bentzel,	Gallagher,	Marks,	Sarraf,
Boles,	Gates,	McClanaghan,	Scanlon,
Boney,	Gerard,	McClester,	Schwab,
Boorse,	Gillan,	McDermott,	Serrill,
Bower,	Gillette,	McDowell,	Shaffer,
Bradley,	Goodwin,	McFall,	Shaw,
Breth,	Gross,	McIntosh,	Shepard,
Bretherick,	Gryskewicz,	McKinney,	Simons,
Brown,	Haberlen,	McSurdy,	Skale,
Brunner, C. H.,	Hall,	Melchiorre,	Snyder,
Brunner, P. A.,	Hamilton,	Mihm,	Sollenberger,
Burns,	Hare,	Modell,	Sorg,
Burris,	Harkins,	Monks,	Stank,
Cadwalader,	Harmuth,	Mooney,	Stine,
Chervenak,	Harris,	Moran,	Stockham,
Chudoff,	Heatherington,	Moul,	Tate,
Cochran,	Helm,	Muir,	Thompson, E. F.,
Cohen, M. M.,	Hering,	Munley	Trout,
Cohen, R. E.,	Herman,	Nagel	Turner,
Cook,	Hersch,	Nunemacher	VanAllsburg,
Cooper,	Hewitt,	O'Brien,	Verona,
Cordier,	Hirsch,	O'Connor,	Vincent,
Corrigan,	Holland,	O'Dare,	Vogt,
Croop,	Huntley,	O'Mullen,	Voldow,
Cullen,	Imbrie,	O'Neill,	Wagner,
Dalrymple,	James,	Owens,	Watkins,
Dennison,	Jefferson,	Petrosky,	Weingartner,
DiGenova,	Jones, G. E.,	Pettit,	Weiss,
Dix,	Jones, P. N.,	Polaski,	Welsh, E. B.,
Dolon,	Kline,	Polen,	Williams,
D'Ortona,	Knoble,	Powers,	Wood, L. H.,
Duffy,	Kolankiewicz,	Prosen,	Wood, N.,
Early,	Komorofski,	Rank,	Woodring,
Elder,	Krise,	Rausch,	Woodside,
Elliott,	Lee, T. H.,	Readinger,	Wright,
Ely,	Leisey,	Reese, D. P.,	Yeakel,
Finestone,	Leonard,	Reese, R. E.,	Yester,
Finnerty,	Lesko,	Reynolds,	Young,
Fisher,	Levy,	Rhea,	Kilroy,
Fiss,	Leydic,	Riley,	Speaker.
		Rooney,	

NAYS—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative, and the amendments were concurred in.

Ordered, That the Clerk inform the Senate accordingly.

AMENDED SENATE BILL RECALLED FROM THE GOVERNOR RETURNED FOR CONCURENCE

The Clerk of the Senate being introduced, presented for concurrence bill numbered and entitled as follows:

SENATE BILL No. 352.

An Act providing for the creation maintenance and operation of a county employes retirement system in counties of the fifth class imposing certain charges on counties and prescribing penalties.

Said bill having been recalled from the Governor for amendment, the vote had on final passage and third reading reconsidered in the Senate and the bill amended, in which amendments the concurrence of the House of Representatives is requested.

The SPEAKER. The Clerk will read the amendments.

The Clerk read the amendments as follows:

Amend Section 1, page 1, line 2, by inserting after the word "act" the words "unless a different meaning is plainly required by the context"; also same page, by inserting after line 8 the following paragraph:

"In all cases of doubt the board shall determine whether a person is an employe within the meaning of this act and its decision shall be final"; also on page 2, line 13, by striking out the word "any" and inserting in lieu thereof the word "said"; also same page, line 14, by striking out the words "county employe" and inserting in lieu thereof the word "member"; also same page, line 15, by striking out the words "member of the retirement system" and inserting in lieu thereof the words "county employe"; also same page, at the beginning of line 17, by striking out the word "any" and inserting in lieu thereof the word "said"; also same page, line 18, by striking out the words "county employe" and inserting in lieu thereof the word "member"; also same page, line 20, by striking out the word "any" and inserting in lieu thereof the word "said"; also on page 3, at the end of line 4, by inserting after the word "county" the words "and the interest earnings thereof"; also same page, at the end of line 6, by inserting after the word "contributor" the words "and the interest earnings thereof"; also same page, line 7, by striking out the word "State" and inserting in lieu thereof the word "county".

Amend Section 2, page 4, line 3, by striking out the word "day" and inserting in lieu thereof the word "Monday".

Amend Section 3, page 4, line 15, by inserting after the word "made" the words "by the commissioners".

Amend Section 8, page 7, line 12, by inserting after the word "members" the words "who have been at any time county employes"; also same page, same line, by striking out the words "January first" and inserting in lieu thereof the words "the first Monday of January"; also same page, line 16, by striking out the words "Jan-

uary first" and inserting in lieu thereof the words "the first Monday of January"; also same page, line 19, by striking out the words "January first" and inserting in lieu thereof the words "the first Monday of January".

Amend Section 11, page 9, line 2, by striking out the words "each year of total service" and inserting in lieu thereof the words "the number of years he has been a contributor".

Amend Section 14, page 10, at the beginning of line 28, by inserting after the syllable "ploye" the words "and before reaching super-annuation retirement age"; also page 11, line 2, by inserting after the word "allowance" the words "consisting of a county annuity"; also same page, by striking out in lines 3 and 4 the words "be payable two-thirds from the county annuity reserve account" and inserting in lieu thereof the words "include the member's annuity calculated in accordance with the provisions of this act".

Amend Section 15, page 11, by striking out all of line 6 as follows: "able one-third from the members' annuity reserve account"; also same page, line 8, by striking out after the word "receiving" the word "a"; also same page, same line, by striking out after the word "total" the word "allowance" and inserting in lieu thereof the words "member's annuity payments"; also same page, line 12, by striking out the words "retirement allowance" and inserting in lieu thereof the words "member's annuity payments".

On the question,

Will the House concur in the amendments made by the Senate?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows, viz:

YEAS—180

Achterman,	Fleming,	Lichtenwalter,	Rose, S.,
Auker,	Fletcher,	Longo,	Rosenfeld,
Baker,	Flynn,	Lovett,	Royer,
Balthaser,	Foor,	Lyons,	Rush,
Bentley,	French,	Malloy,	Sarge,
Bentzel,	Gallagher,	Marks,	Sarraf,
Boies,	Gates,	McClanaghan,	Scanlon,
Boney,	Gerard,	McClester,	Schwab,
Boorse,	Gillan,	McDermott,	Serrill,
Bower,	Gillette,	McDowell,	Shaffer,
Bradley,	Goodwin,	McFall,	Shaw,
Breth,	Gross,	McIntosh,	Shepard,
Brethorick,	Gryskewicz,	McKinney,	Simons,
Brown,	Haberlen,	McSurdy,	Skale,
Brunner C. H.,	Hall,	Melchiorre,	Snyder,
Brunner, P. A.,	Hamilton,	Mihm,	Sollenberger,
Burns,	Hare,	Modell,	Sorg,
Burris,	Harkins,	Monks,	Stank,
Cadwalader,	Harmuth,	Mooney,	Stine,
Chervenak,	Harris,	Moran,	Stockham,
Chudoff,	Heatherington,	Moul,	Tate,
Cochran,	Helm,	Muir,	Thompson, E. F.,
Cohen, M. M.,	Hering,	Munley	Trout,
Cohen, R. E.,	Herman,	Nagel,	Turner,
Cook,	Hersch,	Nunemacher	VanAllsburg,
Cooper,	Hewitt,	O'Brien,	Verona,
Cordier,	Hirsch,	O'Connor,	Vincent,
Corrigan,	Holland,	O'Dare,	Vogt,
Croop,	Huntley,	O'Mullen,	Voldow,
Cullen,	Imbrie,	O'Neill,	Wagner,
Dalrymple,	James,	Owens	Watkins,
Dennison,	Jefferson,	Petrosky,	Weingartner,
DiGenova,	Jones, G. E.,	Pettit,	Weiss,
Dix,	Jones, P. N.,	Polaski,	Welsh, E. B.,
Dolon,	Kline,	Polen,	Williams,
D'Ortona,	Knoble,	Powers,	Wood, L. H.,
Duffy,	Kolankiewicz,	Prosen,	Wood, N.,
Early,	Komorofski,	Rank,	Woodring,
Elder,	Krise,	Rausch,	Woodside,
Elliott,	Lee, T. H.,	Readinger,	Wright,
Ely,	Leisey,	Reese, D. P.,	Yeakel,
Finestone,	Leonard,	Reese, R. E.,	Yester,
Finnerty,	Lesko,	Reynolds,	Young,
Fisher,	Levy,	Rhea,	Kilroy,
Fiss,	Leydic,	Riley,	Speaker.
		Rooney,	

NAYS—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative, and the amendments were concurred in.

Ordered, That the Clerk inform the Senate accordingly.

PERMISSION GRANTED COMMITTEE TO MEET DURING SESSION

Mr. CORRIGAN asked and obtained permission for the Committee on Motor Vehicles to meet during the session of the House.

HOUSE MESSAGES

AMENDED SENATE BILL NON-CONCURRED IN BY SENATE

The Clerk of the Senate being introduced, informed that the Senate has non-concurred in the amendments made by the House of Representatives to Senate Bill numbered and entitled as follows:

SENATE BILL No. 24.

An Act defining and prohibiting unfair sales providing remedies for violations thereof and establishing penalties therefor

Mr. ACHTERMAN. Mr. Speaker, I move that the House insist on its amendments non-concurred in by the Senate.

The motion was agreed to.

Ordered, That the Clerk inform the Senate accordingly.

SENATE BILL FOR CONCURRENCE

The Clerk of the Senate being introduced presented for concurrence bill numbered and entitled as follows:

SENATE BILL No. 1215 (HOUSE BILL No. 1975)

A Supplement to the act, approved the sixteenth day of June, one thousand nine hundred forty-one (Appropriation Acts, No. 12A), entitled "An act to provide for the ordinary expenses of the Executive, Legislative and Judicial Departments of the Commonwealth, interest on the public debt and the support of the public schools for two years beginning June first, one thousand nine hundred and forty-one, and for the payment of bills incurred and remaining unpaid at the close of the fiscal year ending May thirty-first, one thousand nine hundred and forty-one".

Referred to the Committee on Appropriations.

PERMISSION GRANTED COMMITTEE TO MEET DURING SESSION

Mr. REUBEN E. COHEN asked and obtained permission for the Committee on Judiciary Special to meet during the session of the House.

BILLS ON SECOND READING

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 1096, entitled:

An Act to regulate the practice of general contracting in Pennsylvania; to establish a State Registration Board for Contractors, and to define its powers and duties; to provide the method of obtaining a certificate of registration to engage in the practice of general contracting, and to fix

fees for such certificates; to dispose of the moneys raised; to provide the method of suspension and cancellation of such certificate of registration; and to prescribe the punishment for violation of the provisions of this act.

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for a third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 1882, entitled:

An Act to amend section seven of the act, approved the sixteenth day of May, one thousand nine hundred twenty-nine (P. L. 1780), entitled "An act to fix the salaries and compensation of the judges of Supreme Court, the judges of the courts of common pleas, the judges of the orphans' courts, the judges of the Municipal Court of Philadelphia, and the judges of the County Court of Allegheny County," by increasing salaries of certain judges.

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for a third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 792, entitled:

An Act to add sections 418 419 420 421 422 and 423 to the act approved the twenty-fourth day of June one thousand nine hundred and thirty-nine (P. L. 872) entitled "An act to consolidate amend and revise the penal laws of the Commonwealth" by making unlawful certain acts designated to incite counsel or advocate racial or religious hatred and imposing penalties

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for a third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 1768, entitled:

An Act to further amend the act approved the fifth day of December one thousand nine hundred thirty-six (P. L. 1937 page 2897) entitled "An act establishing a system of unemployment compensation to be administered by the Department of Labor and Industry and its existing and newly created agencies with personnel (with certain exceptions) selected on a civil service basis requiring employers to keep records and make reports and certain employers to pay contributions based on payrolls to provide moneys for the payment of compensation to certain unemployed persons providing procedure and administrative details for the determination payment and collection of such contributions and the payment of such compensation providing for cooperation with the Federal Government and its agencies creating certain special funds in the custody of the State Treasurer and prescribing penalties" by providing therein as to the replacement of certain moneys received pursuant to the provisions of Section three hundred two of the Federal Social Security Act as amended

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for a third reading.

BILL PASSED OVER

There being no objection House Bill No. 1929 (Senate Bill No. 1098), Printer's No. 553, was passed over at the request of the SPEAKER.

BILLS ON SECOND READING

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 1687, entitled:

An Act to further amend section four of the act approved the twenty-eighth day of May one thousand nine hundred fifteen (P L 596) entitled "An act requiring cities of the second class to establish a pension fund for employes of said cities and regulating the administration and the payment of such pensions" by further regulating the allowance of pensions to certain persons heretofore or hereafter dismissed

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 1806, (Senate Bill No. 801), entitled:

An Act to validate and confirm certain contracts, heretofore entered into by boards of school directors, where there is no evidence of fraud or conspiracy, and to authorize, ratify, confirm, and validate payments on such contracts by the school district.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 1963, entitled:

An Act to add clause (i) to section seven hundred and four of the act approved the third day of June one thousand nine hundred and thirty-seven (P L 1333) entitled "An act concerning elections including general municipal special and primary elections the nomination of candidates primary and election expenses and election contests creating and defining membership of county boards of elections imposing duties upon the Secretary of the Commonwealth courts county boards of elections county commissioners imposing penalties for violation of the act and codifying revising and consolidating the laws relating thereto and repealing certain acts and parts of acts relating to elections" by adding rule for determining residence in case of electors compelled to remove from their place of residence by agencies or bodies having right of eminent domain or acquiring property for carrying out National defense programs

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for a third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 248, entitled:

An Act authorizing taxpayers in cities of the second class A to inspect the books and records of such cities at any reasonable time and prescribing a procedure for enforcing such right of inspection

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for a third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 1833, entitled:

An Act to amend section five of the act approved the twenty-ninth day of September one thousand nine hundred thirty-eight (P L 53) entitled "An act relating to institutions of counties cities and institution districts for the care maintenance and treatment of mental patients providing for the transfer of such institutions to the Commonwealth providing for the management and operation or closing and abandonment thereof and the maintenance of mental patients therein including the collection of maintenance in certain cases providing for the retransfer of certain property to institution districts under certain circumstances conferring and imposing upon the Governor the Department of Welfare the courts of common pleas and counties cities and institution districts certain powers and duties prohibiting cities counties and institution districts from maintaining and operating institutions in whole or in part for the care and treatment of mental patients and repealing inconsistent laws" by further prescribing certain rights of employes and officers of institutions acquired by the Commonwealth

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for a third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 1962, (Senate Bill No. 1297), entitled:

An Act to validate the title to real estate in this Commonwealth conveyed to any person partnership or corporation authorized to hold such real estate by any alderman justice of the peace or magistrate where such alderman justice of the peace or magistrate has made acknowledgment of such conveyance before himself and is now deceased

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for a third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 1958, (Senate Bill No. 178), entitled:

An Act to amend paragraph four of subsection (a) of section forty-one of the act approved the seventh day of June one thousand nine hundred seventeen (P L 447) entitled as amended "An act relating to the administration and distribution of the estates of decedents and of minors and of trust estates including the appointment bonds rights powers duties liabilities accounts discharge and removal of executors administrators guardians and trustees herein designated as fiduciaries the administration and distribution of the estates of presumed decedents widow's and children's exemptions debts of decedents rents of real estate as assets for payment thereof the lien thereof sales and mortages of real estate for the payment thereof judgments and executions therefor and the discharge of real estate from the lien thereof contracts of decedents for the sale or purchase of real estate legacies including legacies charged on land the discharge of residuary estates and of real estate from the lien of legacies and other charges the appraisement of real estate devised at a valuation the ascertainment of the curtilage of dwelling houses or other buildings devised the abatement and survival of actions and the substitution of executors and administrators therein the survival of causes of action and suits thereupon by or against fiduciaries investments by fiduciaries the organization of corporations to carry on the business of decedents the audit and review of accounts of fiduciaries refunding bonds transcripts to the court of common pleas of balances due by fiduciaries the rights powers and liabilities of nonresident and foreign fiduciaries and appointment bonds rights powers duties and liabilities of trustees durante absentia the recording and registration of decrees reports and other proceedings and the fees therefor appeals in certain cases and also generally dealing with the jurisdiction powers and procedure of the orphans' court in all matters relating to fiduciaries concerned with the estates of decedents" by validating deeds heretofore accepted by fiduciaries holding mortgages in certain cases

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for a third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 1933, (Senate Bill No. 726), entitled:

An Act to provide for two additional law judges of the Court of Common Pleas of the Fifth Judicial District

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for a third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 1775, (Senate Bill No. 46), entitled:

An Act to amend the title of and to add section one hundred fifty and one-tenth to the act approved the second day of May one thousand nine hundred and twenty-nine (P L 1278) entitled "An act relating to counties of the second third fourth fifth sixth seventh and eighth classes and revising amending and consolidating the laws relating thereto" authorizing the county treasurer in counties of the first second third fourth fifth sixth seventh and eighth classes to appoint a solicitor and providing for his salary payable out of the treasury from which the county treasurer is paid

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for a third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 1398, entitled:

An Act to amend the act approved the fifth day of May one thousand nine hundred thirty-three (P L 289) enentitled "An act relating to non-profit corporations defining and providing for the organization merger consolidation and dissolution of such corporations conferring certain rights powers duties and immunities upon them and their officers and members prescribing the conditions on which such corporations may exercise their powers providing for the inclusion of certain existing corporations of the first class within the provisions of this act prescribing the terms and conditions upon which foreign nonprofit corporations may be admitted or may continue to do business within the Commonwealth conferring powers and imposing duties on the courts of common pleas prothonotaries of such courts recorders of deeds and certain State departments commissions and officers authorizing certain local public officers and State departments to collect fees for services required to be rendered by this act imposing penalties and repealing certain acts and parts of acts relating to corporations" as amended by changing certain provisins of the act relating to corporate names by requiring certain certificates of the payment of taxes and other charges to be filed with the Department of State in certain cases by making certain changes in the scope of the act and by making certain provisions relating to the filing of notices of changes of registered offices

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for a third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 1400, entitled:

An Act to amend the act approved the fifth day of May one thousand nine hundred thirty-three (P L 364) entitled "An act relating to business corporations defining and providing for the organization merger consolidation reorganization winding up and dissolution of such corporations conferring certain rights powers duties and immunities upon them and their officers and shareholders prescribing the conditions on which such corporations may exercise their powers providing for the inclusion of certain existing corporations of the second class within the provisions of this act prescribing the terms and conditions upon which foreign business corporations may be admitted or may continue to do business within the Commonwealth conferring powers and imposing duties on the courts of common pleas and certain State departments commissions and officers authorizing certain State departments boards commissions or officers to collect fees for services required to be rendered by this act imposing penalties and repealing certain acts and parts of acts relating to corporations" as amended by changing certain provisions of the act relating to corporate names and requiring certificates of the payment of taxes and other charges to be filed with the Department of State in certain cases

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for a third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 1949, (Senate Bill No. 1283), entitled:

A Supplement to the act approved the twenty-second day of June one thousand nine hundred and thirty-one (P L 594) entitled "An act establishing certain township roads as State highways authorizing their construction maintenance and improvement under certain conditions and restrictions limiting the obligation of the Commonwealth in the construction of certain structures located on such highways conferring certain powers upon the Department of Highways and local authorities persons associations and corporations for sharing the cost of the maintenance and constructin of such highways and making an appropriation to carry out the provisions of said act" establishing an additional route in the County of Warren

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for a third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 1830, (Senate Bill No. 1041), entitled:

An Act to amend the title and section one of the act, approved the twenty-first day of May, one thousand nine hundred and twenty-three (P. L. 295), entitled "An act authorizing and empowering counties of the second class in this Commonwealth to acquire by lease, purchase, or condemnation proceedings any land within the county for the purpose of establishing and maintaining airdromes or aviation landing fields; providing for the procedure in case of condemnation, and the extent of title acquired; authorizing the lease by the county of portions of said land to individuals or corporations upon such terms as may be fixed, and the lease thereof to the Government of the United States upon nominal rental; authorizing and empowering the county to use land now owned by it for such purposes; and authorizing joint operation by said county and any city within the county of airdromes or aviation landing fields, where such city is authorized to establish and maintain the same," by extending the provisions of such act to all counties of this Commonwealth, except counties of the eighth class.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 1947, (Senate Bill No. 526), entitled:

A Supplement to the act approved the first day of June one thousand nine hundred and thirty-three (P. L. 1172), entitled "An act establishing certain streets in boroughs and incorporated towns as State highways and providing for their construction and maintenance at the expense of the Commonwealth" establishing an additional route in the boroughs of South Langhorne Langhorne Manor and Langhorne Bucks County

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 1948, (Senate Bill No. 656), entitled:

A Supplement to the act approved the first day of June one thousand nine hundred and thirty-three (P. L. 1172), entitled "An act establishing certain streets in boroughs and incorporated towns as State highways and providing for their construction and maintenance at the expense of the Commonwealth" establishing an additional route in the borough of Sellersville Bucks County

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

PERMISSION TO ADDRESS HOUSE

Mr. TURNER asked and obtained unanimous consent to address the House.

Mr. Speaker, an article appeared in one of the papers referring to the amendments to House Bill No. 413, and I therefore should like to read a very brief statement:

Whereas, the Democratic leadership in the House has at last anounced that it will embody certain amendments in House Bill 413, pertaining to subversive activities of employes; and

Whereas, this decision has only been reached after months of prodding on the part of the press, the citizens of the Commonwealth, and the Republican Party, and

Whereas, after months of opposition the Democratic leadership in the House has agreed to consider amendments which have been offered by myself; and

Whereas, it is stated in the papers that the majority leader, the gentleman from Monroe, Mr. Achterman, has said that amendments to the said House Bill No. 413 would "rightfully receive the label of the Democratic Party and not the name of Ellwood Turner"; and

Whereas, this is but another indication of the "peanut" and shortsighted politics played during this session by the Democratic leadership in the House; and

Whereas, it is of greater interest to me to preserve our American form of government and to protect our school children from subversive and un-American

teachings than to have my name placed on the amendments or to have them labeled with my name;

Therefore, I, Ellwood J. Jurner, representative in the General Assembly from the Second District of Delaware County, do hereby grant, assign and give unto the "little men" of the Democratic Party any title that I may have to certain amendments heretofore offered by me or which were prepared by me in conjunction with Francis X. McClanaghan, of Philadelphia, and which I will present to the House when House Bill No. 413 is taken from the table;

And Further, I do pray that by this assignment a lesson may be taught to certain Democrats that their Country should come before their Party, and that the best way to destroy their Country, as well as their Party, is to sympathize with and protect these subversive groups.

PERMISSION TO ADDRESS HOUSE

Mr. ACHTERMAN asked and obtained unanimous consent to address the House.

Mr. Speaker, in reply to the gentleman from Delaware, may I state that of course it is very courteous and kind of him to make an assignment of amendments that he has proposed. Unfortunately may I say in due course of time he will learn that we have not accepted the particular assignments, but have proceeded on our own theory in relation to amendments to House Bill No. 413.

I notice that the gentleman, particularly in his amendments suggested to House Bill No. 413 has included certain phrases Naziism, Facism and Communism, without any particular effort to define what they were. I could think of many things that I could add to those particular "isms." I could think of Chamberlainism, for instance. I have not forgotten that the party to which the gentleman belongs, by their activity in Washington have shown, not all of them, but a large percentage of them, that they do belong to that particular "ism." I say to the gentleman from Delaware that that particular "ism" has undoubtedly caused more damage, and has caused more disruption and has affected the United States infinitely more than the "ism" that the gentleman has been crying to heaven about. That does not mean for a minute that we espouse or condone the other "isms", but I too wish that while the gentleman from Delaware is on the subject and while he discusses it that he keep in mind those of his party, for instance, who are creating real damage to the united front of the American nation by their very activities of appeasement.

And when we were talking about "isms" I was thinking of McClureism. I think that is a very interesting subject, one that the gentleman from Delaware ought to wave the flag about. Perhaps he will find that some of the "isms" that he is complaining about may owe their existence to the very fact that McClureism does work in certain parts of this Commonwealth.

Speaking of tearing down the nation and tearing down the government, I can point out and designate to the gentleman from Delaware many "isms" that perhaps should receive his very careful and kindly attention, and then, Mr. Speaker, I say that certainly we will not need any assignments from the gentleman from Delaware on those "isms" that he is so quiet about.

PERMISSION TO ADDRESS HOUSE

Mr. WOODSIDE asked and obtained unanimous consent to address the House.

Mr. Speaker, this reminds me again of the efforts of the party on the other side to hide behind the issues. Time and time again gentlemen get up on the other side and try to change the subject so that they will not have to face the issues before this House. And that, Mr. Speaker, is what the gentleman has done this time. He is afraid to go before the people of this Commonwealth and the Members of this House of Representatives on the record of his party on the Red bills in this House this session, and the gentleman well knows it, so he hides behind other subjects and hopes to draw a red herring across the path so that the people of Pennsylvania will not see the actions of his party on the Red bills during this session.

What have they tried to do with this bill that is before us now? First, they tried to kill it. They delayed it and held it in committee thinking that they could give it a peaceful burial there. Then the public of Pennsylvania, the newspapers, the Press rose up against them. They could not withstand the flood of public opinion, and they had to put it out on the floor of this House.

And then what happened? They tried to kill it by amendments. They put amendments in it that required you to throw a bomb before you could be subject to prosecution under the bill. Then they came along and tried to kill it by delay. We come now right up to the very end of the session and they are still playing around with it, and I venture to say, Mr. Speaker, that from this moment on every effort will be made by the Members on that side of the House to kill the effectiveness of this bill as well as all other Red bills.

Oh, they will throw a smoke screen; they will try to make out that that is not the real issue, but time and time again on this bill and on every bill that had anything to do with this subject before the House of Representatives the record of the party on the other side will stand and will show that they have every interest against these bills to protect the people of Pennsylvania and the school children of Pennsylvania from these subversive teachings and subversive activities.

I could recite instance after instance of the various bills before this house, and the various amendments, and every time, without a single exception, where they could sabotage this Red legislation they have done so—every time without a single exception.

Where they could ruin any legislation upon this subject, where they could kill any legislation on this subject they did so. What was the only single item taken out of the General Appropriations bill? It was an appropriation to investigate and prosecute subversive activities.

Mr. Speaker, I am not going to take the time of the House to go down the long, list of bills which have been killed in the Democratic Committees, but I say to them, face the issue as the people of Pennsylvania would like you to face it, and do not try to draw a red herring across the path.

They talk about the Republican party and appeasement. Who is the head of the appeasement movement in Washington? It seems to me it is a Democratic Senator, but that is beside the issue, that has nothing to do with the record of the Democratic party in Pensylvania, and I say to you when history is written it will show that the Democratic party in Pennsylvania listened to the people who belonged to the Reds and Pinks, and when the history of this session is written it will be the most disgraceful record of killing all legislation to prevent subversive activities

of any legislature or any law-making body that the country has ever known.

PERMISSION TO ADDRESS HOUSE

Mr. BROWN asked and obtained unanimous consent to address the House.

Mr. Speaker and members of the House, let it be known first of all that I am speaking for myself. I have no authority to speak for anybody else or any party. When the record is written, let it be written upon facts and not upon our excitement, not upon passion and not upon our prejudices.

Let us look at the record. The gentleman from Delaware, for whom I have the highest regard and the highest respect, reads to us the Constitution on the one hand, and then presents amendments in the nature of ex-post-facto law on the other hand. When I call attention to that fact, we are the Reds, I am a Red; the newspaper published an article that "the Reds are given another chance".

Now, let us look at the record, and I challenge any man in the House to look at the record and see if we have done one thing that violates not only the letter of the law but the spirit of the law. I contend, and I maintain, and I challenge anyone to refute this statement: we cannot live in this Commonwealth, we cannot live in these United States if we are to live by the letter of the law only. We must live by the spirit of the law. I am opposed to Communism, Fascism and Naziism, whether it rears its head in the country of Bach, Beethoven and Schubert, or in the land of Dante, Columbus and the rest of them, or in the House of Representatives of the Commonwealth of Pennsylvania. I say the greatest challenge to fascism is right here in the Commonwealth of Pennsylvania, when a person who says that he believes in the Constitution of Pennsylvania, wants to pass laws in conformity with the Constitution, which is the only power we have in this Commonwealth, will read the Constitution on the one hand and present an amendment that is an ex-post-facto law on the other hand.

I challenge the gentleman from Dauphin, Mr. Woodside to look at the record. What did we do? We attempted to bring these laws into conformity with the letter and the spirit of the Constitution. Let me read you what a Bill of Attainder is; this is from Corpus Juris, Article 12 Section 820: "A Bill of Attainder is a legislative act which inflicts punishment without a judicial trial". The Constitution of the Commonwealth says the court shall be open and no man who shall suffer injury either to his goods, lands, liberty or his reputation shall be denied due process of law.

I ask this question, and I challenge the gentlemen on the other side or any place else, when you pass a bill in this legislature that inflicts punishment upon a man's liberty and does not give him the right of a judicial trial you are passing in spirit a Bill of Attainder, and those of us who think those laws should not pass are labeled as Reds.

I say to you, Mr. Speaker, that I knew the path some of us would have to face would be a difficult and an almost impossible one because of the wave of hysteria, but I say to you, regardless of that path, which has been paved with tissues of lies, false statements and innuendoes, I challenge here and now any member of this House to look at the record of House Bill 602, dealing with some of the most fundamental principals we have in a democratic form of government. Other countries have had other forms of government similar to ours; others claimed that their form of government was superior to ours but in no country have there been the fundamental principles upon which democracy rests as in this country, that is the right of suffrage, the right to choose officials of this Commonwealth and other states of the union, who shall judge you, who shall rule you in the community, and who shall protect you. What does the Constitution of the United States say as to that? I do not think I can quote it entirely, but in substance Article 1, Section 5 provides that the right of suffrage shall remain free and open, and no acts, military or civil, shall ever be passed to infringe upon that provision.

Mr. Speaker, what does House Bill 602 do? What does House Bill 602 say? It states if you want to get a political party on a ballot you must go to the Department of Elections in your county. If you are refused you can go to the Secretary of the Commonwealth, and if you are refused there you can go to a Committee of the Secretary of the Commonwealth, the Attorney General and the Governor,—no judicial officer anywhere along the line. If you are refused there you have the right to appeal within two days to the Dauphin County courts. What is your appeal to the courts? Only on those matters submitted by the Committee! I believe somewhere in the bill it was provided that the committee should not be bound by legal evidence.

What did we do in that bill? We struck out that provision; we did not change any other part of the bill, but we simply struck out that provision and said that the party aggrieved shall have the right to appeal de novo to the Dauphin County Court, and from the decision of the Dauphin County Court to the Superior Court or the Supreme Court as the case might be. Is that Red-ism? I say to you, Mr. Speaker, that the wave of hysteria denying and tearing down our constitutional rights here far exceeds any dangers that we may have from the outside. This ex-post-facto idea of legislation inflicting punishment and denying trial by a court seems to me to be Hitlerism worse than anything which could be resurrected from depth of Hell. I challenge any Member of the House to point to the record and see where in the record anything has been done by myself or by any Member on this side that would in any way infringe or violate not only the letter of the law, because we recognize that some of these acts as I said in my speech on the floor of the House may not be absolutely within the letter of the law, but when you violate the spirit of the law you are violating the letter of the law just the same.

Mr. Speaker, there is another matter that I desire to touch upon and that is the law of natural justice which we violate in some of these acts, which allows a man to be an accuser and also sit in judgement upon those whom he accuses. It violates not only the spirit of the law and the letter of the law but the natural law as well. I say to you, Mr. Speaker, speaking for myself, and I hope my Democratic colleagues will agree with me, if any man can point to anything that has been done in connection with this bill that will in any way infringe or violate the Constitution of Pennsylvania or the Constitution of the United States, or would violate the law of natural

justice, I am willing here and now to offer my resignation as a member of the General Assembly of the Commonwealth of Pennsylvania.

Mr. TURNER. Mr. Speaker, I would under ordinary circumstances fail to rise after the very eloquent speech of the gentleman from Allegheny, Mr. Brown, but the difficulty with the gentleman from Allegheny, Mr. Brown, is that he is perfectly right generally and almost always in the law that he states. He is perfectly right in that what he has attempted to write, or has written into the bills, is perfectly within the Constitution of Pennsylvania and the Constitution of the United States, but the trouble with the gentleman from Allegheny, Mr. Brown, as I see it is that the gentleman from Allegheny, Mr. Brown, fails to realize that there is a higher law, a higher obligation, which has been recognized by the courts everywhere, the right of a nation to defend itself.

Freedom of speech does not mean unbridled license to do everything that we particularly of our own volition desire to do. We are constantly restrained by acts of the Legislature and by Federal statutes. The gentleman from Allegheny, Mr. Brown, as I said a while ago, is generally right in his statement of the law. Throughout all these debates he has been particularly right and I can concur with him one hundred percent in everything he has said about the Constitution of the United States. He has read it exactly and he has read it literally, but the trouble is that interpretations have been put upon it by the courts in many cases, and Mr. Brown, has failed to go as far as the courts have gone. My complaint with the gentleman from Allegheny, Mr. Brown, has been continuously, as I said the other day, with the high regard I have for him, that he is trying to stick so close to the letter of the law, he is trying to stick to such a strict construction of the law and of the Constitution that I cannot go along with him in the times that we have now and the times that are before us.

In this instance when the gentleman from Allegheny, Mr. Brown, seeks to take me to task for an ex-post-facto provision which he said was in an amendment which I presented, the gentleman from Allegheny, Mr. Brown, I think is misstating the law, because according to Bouvier's Law Dictionary, Volume 1, page 1104, you will find:

> "It is fully settled that the term ex-post-facto as used in the Constitution is to be taken in its limited sense as referring to criminal or penal statutes alone, and that the policy, the reason and the humanity of the prohibition against passing ex-post-facto laws do not extend to civil cases, to cases that merely affect the private property of citizens."

This is not a penal or a criminal statute. This is a law pertaining to the employment of people who are paid out of public funds and the employment of people who are hired by the government, which we say they are trying to tear down. If there is anything unconstitutional in our contention that this Commonwealth has a right, that the taxpayers have a right, that we here in the Legislature have a right to say to these people who are being paid out of the public till, from public funds of the very government they are seeking to tear down, that we cannot take them off our rolls if we feel that their beliefs and their teachings and the things that they advocate are contrary to our concepts and the concepts of this government of ours as it has been understood for one hundred fifty years and interpreted by the courts of our country, then it seems to me, we have come on a sorry day and we might as well tear the old ensign down and go down as the Republic of France did go down through degradation and slavery.

We have a higher right to protect the nation, a right that transcends anything else, and in the words of Chief Justice Holmes, "The right of freedom of speech must be limited by the circumstances." That does not mean you can say anything you please.

I had not intended, Mr. Speaker, to go into a debate on this general proposition of the Red bills, I merely recited a statement made to the newspapers by the gentleman from Monroe, Mr. Achterman; I merely recited the fact that he said they were going to have amendments that were Democratic rather than those that were offered in my name, and I merely wanted to make a gift to him and if in any way my name to these amendments is going to hold up or delay or prevent passage of the legislation, if you have to commit anarchy or treason in order that you could be fired off the payroll, I make an assignment and gladly erase my name from these amendments.

I am serious about this matter. Today is the twenty-fourth birthday of two boys of mine who were born on July 9, 1917. One of them is out here in Indiantown Gap. He gave up a lucrative job; he expects and I expect, and I think you all know that it is likely to be another five years before he picks up his life again at twenty-nine. He is a private getting $21 a month out there, ambitious to be an officer; going to school, subject to regimentation and the things you have to undergo in the Army. Tomorrow his brother leaves for Indiantown Gap. He is a second lieutenant in the Reserve Corps. Those boys are going there in the service of their country. Am I going to stand here in the Legislature and say to my boys: "Give up the next five years of your life"? The one boy had a lucrative position and was working his way up steadily in the organization by which he was employed. He was about to get a minor executive position. He had to give up the position and take five years out of his life. Can I face those two young men as a member of this Legislature, can I face them in five years from now and say that I permitted a festering sore to exist in this country, to tear down the country which we are all fighting for and which I am telling them to go out and defend?

The gentleman from Monroe, Mr. Achterman, voiced some things, in the last week that I took as threats,—some were said jocularly and some in earnest. I took it that they were trying to drive me off the floor as a proponent of this legislation, and I want to serve notice right now on the Democratic majority or anybody on the other side or on the floor of this House or any place else that nothing you can say to me outside of these issues, nothing you can say to me personally, nothing you can say about me personally, nothing that you can say about anything that exists in the Commonwealth of Pennsylvania is going to drive me away from my duties. You men ought to know you cannot scare me off; I can be led but I cannot be driven. I serve notice that I intend to stand here and fight against adjournment until we get through the legislation we need, because I am not going to stand and face those two young men and have them say I am a coward for words when I expect them to meet bullets.

Mr. BROWN. Mr. Speaker, I would like to interrogate the gentleman from Delaware, Mr. Turner.

THE SPEAKER. Will the gentleman from Delaware permit himself to be interrogated?

Mr. TURNER. I shall, Mr. Speaker.

Mr. BROWN. Mr. Speaker, did the genleman from Delaware, Mr. Turner, understand me when I said that because of the nature of this particular act the courts perhaps would not declare the same unconstitutional?

Mr. TURNER. I didn't hear the gentleman say that, Mr. Speaker.

Mr. BROWN. Mr. Speaker, did the gentleman hear me on Monday night a week ago when I read into the record the language of Justice Mitchell of the Supreme Court of Pennsylvania in Commonwealth vs. Moir.

> "The protection against unwise and oppressive legislation within constitutional bounds is by appeal to the justice and patriotism of the representatives of the people. If this fails, the people in their sovereign capacity can correct the evil. The courts cannot assume their rights". Does the gentleman remember my making that statement?

Mr. TURNER. Mr. Speaker, I remember it very well and I concur in that.

Mr. BROWN. Mr. Speaker, does the gentleman remember in my remarks I said that there are certain laws that offend the spirit of the Constitution and certain laws that offend the letter of the Constitution?

Mr. TURNER. Mr. Speaker, I do not remember those exact words, but I imagine the gentleman said it, and I agree with it.

Mr. BROWN. Does the gentleman remember, Mr. Speaker, that several days ago I said House Bill 413 was in the nature of a quasi-penal law?

Mr. TURNER. No, Mr. Speaker.

Mr. BROWN. Mr. Speaker, will the gentleman give me his explanation of a quasi-penal law?

Mr. TURNER. The gentleman from Dauphin reminds me that there is no such thing as a quasi-penal law; it has either got to be a penal law or a civil law, but I will say there are laws that so penalize a person that you might say they were quasi-penal laws, although they do not provide for the incarceration or imprisonment of a person.

Mr. BROWN. Do I understand, Mr. Speaker, that the gentleman accepts the statement of the gentleman from Dauphin that there is no such thing as a quasi-penal statute.

Mr. TURNER. I do not think there is such a statute, Mr. Speaker.

Mr. Brown. I said does he also believe it, Mr. Speaker?

Mr. TURNER. I say I believe that. Is the gentleman from Allegheny being as technical in this as in all of his other arguments?

Mr. BROWN. Mr. Speaker, I do not think I am being technical. Does the gentleman know that there are such laws that have been recognized as quasi-penal? I will read to the gentleman from U. S. Code, Annotated, if the gentleman wants me to.

Mr. TURNER. If the gentleman from Allegheny, Mr. Brown, would get down to the point and ask questions rather than attempt to explore my knowledge of the law, which I admit is not too great—

Mr. BROWN. Does the gentleman know that in Corpus Juris 803 an ex-post-facto law is defined as follows: "An ex-post-facto law is one which imposes punishment for an act which was not punishable when it was committed"?

Mr. TURNER. I think that might be a definition, yes, Mr. Speaker, but the gentleman said that my amendment was unconstitutional because it was an ex-post-facto law.

Mr. BROWN. Mr. Speaker, I think the gentleman wholly misunderstood me. I said I felt the act offended the spirit of the Constitution; I never doubted the constitutionality of the act. If I thought the act was unconstitutional I would challenge its constitutionality. My opinion as to its constitutionality, I think would be upheld by the courts.

Mr. TURNER. Mr. Speaker, the gentleman is getting so involved now that I do not think I could remember exactly what he did say if I have not followed him so far.

Mr. BROWN. Mr. Speaker, does the gentleman feel that his definition of ex-post-facto law, and the definition which I have given him out of Corpus Juris, would make the amendments that he presented partake of the nature of ex-post-facto law?

Mr. TURNER. I would answer that this way, Mr. Speaker, I have been thinking of that question and I thought about it when we were raising the question on the "hereafter" or "heretofore". I do not think it is in the nature of ex-post-facto law. What we are arriving at is whether persons believe in certain principles, whether they are advocating certain principles, and therefore the thought was that they may have been advocating them over a period of time, and that those acts on their part would indicate and would show that they were Communists, Fascist, or Nazis or whatever you want to call them.

Mr. BROWN. Mr. Speaker, does the gentleman from Delaware believe that the amendments that he offered to House Bill 413 are in the nature of ex-post-facto law?

Mr. TURNER. No, Mr. Speaker, I do not think they are in the sense that the gentleman is trying to stipulate ex-post-facto law to be.

Mr. BROWN. That is all, Mr. Speaker.

PERMISSION TO ADDRESS HOUSE

Mr. LOVETT asked and obtained unanimous consent to address the House.

Mr. Speaker, last week when these bills were before us for discussion I was requested by my good friend Turner on the other side to make a speech. I told him at that time that I didn't feel so good, but that at some date I would be glad to make a speech.

Gentlemen of the House, I want to say that we have heard a lot of the legal minds in regard to this legislation before us. In my humble little way I want to say, not as a legal mind, in regard to Red bills as they are called on the calendar before us, that we on this side of the House have been accused of defending the Communists.

I want to recall to Mr. Turner and to the men on the other side of this House that in the Special Session Mr. Turner was Speaker of this House. He interrupted me one day in a speech that I was making in behalf of Democracy and said there wasn't any soul saved after the first fifteen minutes.

Now, my friends, I have listened to hours of debate and I do not think we are saving any souls by the Communist bills that are now before us. My honest opinion of these bills that we are voting upon is that we are going back to the old story that there is law enough in this country to provide for the protection of democracy without any more of this kind of bills.

I want to say as a member of the American Legion and as one who fought in the World War along with two brothers, that I sometimes think the American Legion should stop and take notice in regard to legislation, and that they could possibly interest themselves in receiving justice for some of the boys who fought during the last war rather than so much interest in Communistic bills, because as I understand, today we are allied with the very country which we are trying to condemn.

My friends, when I make those statements I say to the American Legion that under disability acts men who were wounded during the last war, some of them received very, very little compensation while other men received large donations. Those are the things that I am interested in in saving democracy.

My friends, we must have justice, we must fight for legislation that brings justice to the people of the state and of the United States if we hope to keep isms out of our country, and I say to you men that legislation that is now stifled in the Senate of Pensylvania is the type of legislation that will keep the isms out of America. I say to you that when you give justice man to man, under laws and under protection, then we do not care what Communist gets up on the soap box on the corner. I say to you that those men can shout to high heaven as long as the laws and the people of our country fight in the interests of one another and for justice for one another.

I also heard the gentleman speak about France falling. Did France fall because there were not enough laws on the statute books to curb Communism, or was it due to the fact that some of the people of France were deprived while others received personal privileges? If you want to stop Communism here, then I say to you protect the democracy we have. We have law enough in this country to curb any Communistic action, and I say to the gentleman from Delaware, Mr. Turner, and I say to the American Legion, "Let us interest ourselves in the legislation that is now pickled in the Senate of Pensylvania, legislation that gives rights to the workers and to the people and that goes to make up a democracy".

If France had done that same thing she would not have had to fear Communism or any other ism. It is when we deprive people of rights and give to some people special privileges that we need to be afraid for our democracy. I say again, I, like Mr. Turner will stand here for hours and fight in the interests of the people of the state, that we all may have justice, and not put laws on the statute books that will give somebody the right to go out and tap this fellow and that fellow who hasn't any protection, while others go scot free. I am not so much interested what is in the bills, because, as one of the men that has served here before told me yesterday, it is all imagination or hysteria among the people. In this particular kind of times it is not important exactly what is in the bill, whether it is one thing or another. I still say we have law enough in America to curb anyone who dares to try to overthrow the government by force.

PERMISSION TO ADDRESS HOUSE

Mr. CORDIER asked and obtained unanimous consent to address the House.

Mr. Speaker, the gentleman who spoke before me brought up the question in connection with the legislation before us on the passage of bills curbing certain individuals who may have emanated from a foreign country, having regard to the alliance that now exists between that country and this. I think I could properly now ask the question as to who brought about that alliance.

Mr. Speaker, I rise at this time with a sense of relief in the fact that this House at long last is about to do its plain duty to our people. I have as sponsor of this piece of legislation, House Bill No. 413, come into possession of many letters, communications, and newspaper editorials pertinent to this vital question. I shall read but two of these editorials:

Needed Legislation

"The public is frankly confused by the delay in the House of Representatives at Harrisburg in getting action on legislation to curb subversive elements in the Commonwealth.

"Are our lawmakers afraid of offending the Communists, Nazis or other un-Americans in our midst? Or do they actually sympathize with these foes of democracy? The people do not wish to believe either is true, but they are at a loss to understand the pussyfooting.

"This is no time for timidity. Americans are against Communists and their blood brothers and all that they represent. . . .

"Pennsylvania, above all places, should strike boldly. It is a reflection on the Commonwealth which boasts of being the cradle of American freedom not to protect its precious offspring against these scourges of modern civilization.

"There must be no half-way measures in dealing with this situation. . . .

"Let us have on the statute books of Pensylvania laws with teeth in them to stamp out these evil influences. Why delay or pull punches?—Wilkes-Barre Times-Leader-Evening News.

"Well, Let's Have a Showdown

"Legislation is urgently needed in Pennsylvania to protect public school children from un-American teachers.

"But a small, wilful minority in the Legislature has been able for another week to keep from passage the bills that would provide such protection and to knock what teeth it could from the measure that is nearest adoption.

"It has come to a point where a showdown is essential to smoke out this minority, to put them on the spot; to determine, once and for all, why members of the Pennsylvania Legislature should be displaying such persistent solicitude for the Communist Party and for Red-tinted teachers.

"There is only one issue at stake. Either the members are willing to have pro-Communist and pro-Nazi teachers in our schools, or they are not. No smokescreen can hide that issue. . . .

"The members of the Legislature who want to insure the teaching of American ideals and American loyalties in the public schools will go to bat for the anti-Red bills this week and see to it that they are adopted. —Philadelphia Inquirer."

Mr. Speaker, I want to say to my Democratic colleagues that we on the Republican side of this house have at no time had the support of the elements fighting this bill, especially the insertion of amendments with teeth. We don't want their support: they are not welcome and we

have in past campaigns publicly said that we would rather go down to defeat if we had to have their help to win. Now you gentlemen have had their support. I do not state that you deliberately kowtowed to them to get their support but, gentlemen, they seem to be on your side. The people of the Commonwealth are looking to you to stand up and be counted to-day. Let us strike out boldly on this question. I call on you to disavow by your votes any connection, assumption or hint that you have any desire to please these groups. We welcome the belated joining in this crusade to rid the state of this scourge, on the part of the Democratic leaders. I am certain that by dismantling ourselves of any robes of timidity on this question and the insertion of strong amendments we can go home with a clear conscience, and the vast majority of the people of the Commonwealth will feel happier healthier and more secure in the knowledge of the part that we here today as elected representatives of the people have done our plain American duty.

PERMISSION TO ADDRESS HOUSE

Mr. HOLLAND asked and obtained unanimous consent to address the House.

Mr. Speaker, as an American I resent reading into the record any editorial on Americanism from the Philadelphia Inquirer. I feel that I have been an American, I feel every dime that I have made in this world has been made honestly, and I resent reading from a paper that the money that bought that paper came from the depths of the underworld. The money that bought that paper was blood money; yes, everyone knows the story of how Annenberg made his money; he made that money in the underworld.

Mr. BRETHERICK. Mr. Speaker, the gentleman is not talking on subject matter which is before us.

The SPEAKER. For the information of the gentleman from Delaware there is no bill before the House. The gentleman asked and obtained unanimous consent to address the House.

Mr. HOLLAND. Yes, Mr. Speaker, the money that bought that paper killed in the different cities of America. That money was got by corruption, corruption of public officials. That money was put in by the slums, by the drugs of those people who live by their wits in the underworld. Yes, and after that money was made that man was not satisfied; after he had amassed a fortune of dirty, filthy money, to go straight, but only yesterday I read in the paper that he is asking a parole from those prison walls that now enclose him.

Is he an American, I ask the members of this House? I say to you if ever a man is lower than a Communist, a Nazi or a Facist, it is the money that is behind the Philadelphia Inquirer and Moe Annenberg.

My friends, I respect the gentleman from Delaware and I admire him for being able to have two sons to serve in this war. Some of us on this side of the House have the scars of the last war on our bodies. Yes, and there are some on this side of the House and your side whom I have not yet heard take the floor who are among the disabled soldiers of America. When any man takes this floor to sing a patriotic song I would like to ask that man, if he is between the ages of 42 and 54, what did he do in the last war? Yes, I think this flag is being waved to hide a real purpose. I have heard a man come up on this floor and say that the Secretary of Labor of the United States was a Communist; I have heard from the beginning of this session many statements made on this floor that Roosevelt, the President of the United States and Mrs. Roosevelt were Communists.

I ask you men who made that statement, who slimed and threw dirt in the last campaign, and I ask the gentleman from Lackawanna, Mr. Cordier, did he find in the "Daily Worker" any advertisement to vote for the Democratic Party? If he goes back to the "Daily Worker" of that time he will find in that "Daily Worker" full page advertisements appeared asking for the Communistic support of Wendel Willkie.

I have heard the gentleman from Dauphin speak about newspaper publicity. I would like to read into the record an editorial appearing in a paper, the "Gazette and Daily" of York, Pennsylvania, a paper that was bought with clean money, a paper whose men who are back of it are real Americans. In this paper a column appears in reference to amendments that I thought should be placed in the Red bill because I believe there are other isms in this country that are bad. I believe Klu-Klux-Klanism is bad and I believe Coughlinism is bad, and I believe McClureism is just as bad.

This column states:

"The legislature is still battling the anti-Red bills. As this is being written there are two knights in shining armor going forth to slay the Communist menace in the schools of Pennsylvania.

"One is a Republican, no less a person than Elwood Turner, former speaker of the House, present minority leader and one of John J. McClure's lieutenants. The other is Democrat Jack Kelly, whose mouthpieces were popping off all over Harrisburg yesterday.

"We'll take Turner in preference to Kelly. Turner is philosophically inclined to a socio-political disease which, for want of a better term, we would call McClureism. Kelly has no philosophy. He has a strong back and the ability to push a boat around in the Schuylkill river. So far as we have been able to find out, he stops there. When he pops off that the anti-Red bills must be passed, he's merely making a grandstand play to show the people of Pennsylvania that Jackie Boy runs the show at Harrisburg. When Jack Kelly becomes the bulwark against communism for the people of Pennsylvania, we had better watch out for fascism just around the corner because Jackie Boy is a very poor demagogue himself.

"With that we'll leave Jackie Boy to the adjustment of his cap and bells.

"On second thought we wouldn't take Turner either. Personally charming, and with intelligence enough to know better, he is the respectable front behind which McClureism operates. Why he lends himself to McClureism remains a mystery.

"Yesterday Representative Elmer Holland of Pittsburgh introduced a fitting amendment to the bill which Sir Knights Turner and Kelly are behind. This amendment would add to the isms listed in the Turner amendment. McClureism, Coughlinism, and Ku Kluxism.

"The worst of these is McClureism. Coughlinism can't hide behind the mask of religion anymore. Ku Kluxism is small boy stuff that is easily recognized. But McClureism masquerades as Americanism. Neither Coughlinism nor Ku Kluxism has any great power any more. But McClureism has been powerful for many years and it still holds a great deal of power.

"One needs to look far and wide before he finds a Communist in Pennsylvania's schools. They are so scarce that the demagogues promoting the anti-Red bills have to pin the Red label on every teacher in

the Commonwealth's schools who has the decency and the courage to teach the truth about those who have been corrupting Pennsylvania's schools, its legislative bodies, and the whole body politic.

"Communist influence in Pennsylvania's schools is negligible. The influence of the McClure philosophy is all around us.

"In some school districts teachers are required to kick back a portion of their salary to hold a job. That is McClureism at work.

"In many school districts teachers have to submit themselves to the approval of some political heel before they can secure employment. That is McClureism at work.

"The public utilities have corrupted textbook writers to get them to weigh their discussions in favor of continued exploitation of the public. They have corrupted scool boards to have them put their corrupt textbooks into the schools. That is McClureism at work.

"The propagandists for the Manufacturers' association have urged that the way to counteract honest teaching of economic facts in the schools is to have the patriotic societies and the business men wage a campaign against socialistic teachings in the schools and to brand every teacher who is not their conscious or unconscious tool as being Red. That, too, is McClureism at work.

"The sponsors of the anti-Red bills know very well that the bills they are proposing wouldn't be constitutional. But they are counting on Pennsylvania's shoddy higher courts to uphold the legislation in spite of its obvious unconstitutionality. In other words, they count on owning the courts. That, too, is McClureism at work.

"McClureism is responsible for more corruption and perversion of democratic processes and for more social defilement than any other evil in Pennsylvania. When a teacher runs up against McClureism at every turn, it doesn't take long to destroy his belief in the integrity of Pennsylvania's educational institutions.

"So we think that Representative Holland should make his proposal to outlaw McClureism stick. It is far more of a menace to Pennsylvania's schools than all the other isms combined."

I believe, Mr. Speaker, that when and if these bills pass, we should be consistent and insist that McClureism be added to the fifth columnists of America.

PERMISSION TO ADDRESS HOUSE

Mr. ACHTERMAN asked and obtained unanimous consent to address the House.

Mr. Speaker, I do not desire to extend the debate or prolong it, but the minority-leader of this House made a statement that I feel deserves answer. He made a statement briefly to the effect that practically the only thing the Democratic party did in relation to the budget was to cut out a recommended appropriation by the Governor of Pennsylvania of one hundred thousand dollars for the investigating of subversive activities.

Now, I have noticed in the past that certain Republican papers have been making comment in relation thereto, and I was wondering when someone from the other side of the House would have the courage to make the statement on the floor so that we would have an opportunity to lay before this House an extraordinary condition that existed concerning that item. When we first saw and noted the item in the budget, I felt that it might be wise to ascertain from the Attorney General exactly what he proposed doing and why the appropriation to his Department to investigate. So, I took the trouble to ascertain what the Attorney General might know in relation to the recommended appropriation. Can you imagine, gentlemen, my amazement when I learned from the Attorney General that he had no particular knowledge in relation to the recommended appropriation, that as a matter of fact the first knowledge of it was when he first read the budget message, after it had been delivered by the Governor; and that secondly, up to the time he had spoken to me he knew nothing further than what he had read in the budget message. He was frank to admit that he didn't know why that appropriation had been recommended to his Department. He said that he knew his Department was as a matter of fact a prosecuting and not an investigating agency.

I, however, Mr. Speaker, did not confine my investigation to just the Attorney General's department. I assumed that possibly the Governor had some real reason why he should make a recommendation for one hundred thousand dollars for investigation. I, therefore, called in your police force, the Governor's police force for the purpose of ascertaining whether or not your State Motor Police were crippled or needed money for investigation, particularly of subversive activities. I discovered something extraordinary there; I discovered that Colonel Adams felt very happy over the whole situation, he felt he had done an excellent job. As a matter of fact, gentlemen, he assured me that Pennsylvania was in the best position of all the states in this nation on the subject of knowledge relating to subversive activities and who might be responsible for them. Then, Mr. Speaker, I asked him whether he needed more money for that purpose than was recommended in the budget, and he assured me he did not. Now then, I submit to the Members of this House, why did the Governor of Pennsylvania ask for one hundred thousand dollars when his own Departments, his own agencies, didn't know what they were to do or how they were to spend the money?

Can you answer me why this same party who just a year ago was maintaining in Pennsylvania that it was un-American to vote for anyone but them, now wants to go on a fishing expedition?

PERMISSION TO ADDRESS HOUSE

Mr. WOODSIDE asked and obtained unanimous consent to address the House.

Mr. Speaker, I might answer the statement of the gentleman from Monroe, but I think he has answered very well himself the reason why they left out that $100,000 appropriation. They were afraid of a fishing expedition into the Communists of Pennsylvania, and being afraid of that single item alone, they singled out that item in the general appropriation bill to strike out. I knew the gentleman had this little story back in his book waiting for me to get up—he told me about it months ago, that he was just going to wait until we got up and said something about this $100,000 item, but as time went on and bill after bill and item after item indicated the underlying policy of the Democratic party of Pennsylvania, the real reason why that $100,000 item was singled out as the only one to strike out of the general appropriation bill was to prevent the administration or any other governmental agency from entering into a fishing expedition into the Communists of Pennsylvania. That is the reason the gentleman struck out that item. I know that the Attorney General of this Commonwealth had a very definite plan concerning the things that were to be done with that money, and that the

Governor had very definite plans of investigations which were to be made into Communistic and subversive activities in the Commonwealth of Pennsylvania. That's what they wanted that money for, and the gentleman singled that out as the only item in the general appropriation bill that they were afraid of and wanted to cut out. I think the record speaks for itself.

PERMISSION TO ADDRESS HOUSE

Mr. MAXWELL asked and obtained unanimous consent to address the House.

Mr. Speaker, as we have all sat in our seats and listened to hours and hours of debate. There has been a lot of talk, there has been a lot put into the record, and if anyone should try to read that record and follow these issues from the beginning up to date I think it would be impossible I mean it would be impossible to follow them intelligently, so in order to clarify the record and this issue so that the people of Pennsylvania will be able to understand, I think we should keep this in mind, instead of labeling these bills as anti-Communistic bills, Red-bills or what have you, I think that these bills should be labeled as Republican red-herring bills. These bills have only been used by the Republican party to confuse and fool the people of this Commonwealth, because the Republican party has had nothing during this entire session better or more constructive to offer the citizens of Pennsylvania. I thank you.

PERMISSION TO ADDRESS HOUSE

Mr. STOCKHAM asked and obtained unanimous consent to address the House.

Mr. Speaker, this discourse going on quite at length referring to parties, is something that I want to direct in another direction.

First I want to speak to the gentleman from Westmoreland, Mr. Lovett, in his remarks about the law, in his remarks about the safety of this country and democracy. He stated the facts well; this country, progressive throughout the years, has kept itself and its integrity just through those very points that Mr. Lovett set forth. Today, however, there are other interests foreign to those principles which we hold to, that have been boring into our government. We have never gone abroad or asked of anyone else that they accept our form of government, but we find today that there are those elements at work in our government, so I don't want to make a line of demarcation starting at George Huntley and going on up to the brass rail, as Republicans or Democrats.

Every man in this House is either a free-born or naturalized citizen of this great republic, and as such then let us talk, please, frankly and simply just for a minute without animus and without party rancor on the subject of the great danger at hand.

It has only been a little while ago that it was said that this Communistic activity would be brought into this country, and that its first approach would be to the negro. Now, we have had enacted and we have seen through the years a great fratricidal war that has given to the negro his rightful place. Intimidations have been made that we have been driven into this war by another race who have been subjected to the terrible atrocities of Nazism, but we know and well know and have learned, many of us, long since to trade and trade well with people of that race, and I hold that we are American and I hold that at heart we have a right to sustain these principles.

Remarks have been made here from time to time about the President of the United States; remarks have been made about a certain Secretary. I fully believe myself that the President of the United States in all sincerity has at some time or other been sympathetic with some of these principles with a view that he might know more about them, but I believe today the President of the United States is leading us forward steadfastly under the guidance and in the direction of the principles of our government. I fully believe that we have a right to stand by him in this day of trouble, and in the same sense I believe we have a right to stand by the Governor of the Commonwealth.

These isms are real. They are here in our midst, and our government is being challenged by someone else, and those who may be sitting around here, who may be talking about this matter of isms, those who would have us embrace these other isms, let them go some other place where they can enjoy them rather than they shall circumvent our form of government in any way. When we would raise the importance of the isms of individuals in this Commonwealth to that of doctrines that are so undemocratic, it seems to me it is silly.

With reference to the newspapers, I think we can well understand the ownership of various newspapers, and we could talk quite at length on that, but I am talking on the principle of Americanism. I am talking if you please on the fact that we are all fellow citizens, and I am talking on the fact that we believe that we should enact some law, not all wrapped up in the phraseology that many of the lawyers would put into it that even circumvent the Constitution itself, we should write it in plain language, and when we talk of the Communist, Fascist or Nazi way of living, it is silly to say it is just as bad when you talk of any other isms or any other man in this Commonwealth. We might as well say that we are infested with Achtermanism as these other isms that are attached to other men in this Commonwealth, whether they be editors or political leaders or what not.

So I think, if you please, men, we should take down that line. We are here pleading as Americans for the defense of American principles, and I cannot understand why, under any circumstances, be you of any race or any nationaltiy of American citizen that you cannot get this law in such shape that if passed shall protect our citizenry.

I think this editorial which was read into the record the other night said something about trust in school directors as against trust in school teachers. School directors, after all, are representatives the same as you and I are here. Surely, the interpretation they place upon those things that relate to our Americanisr percolate down from this Hill to the various Departments of the government until they reach the school districts of the boroughs or townships or cities. Men, let us be fair and frank. Attacks made upon men, the leaders of this Commonwealth, I think it is shameful on the part of anyone to hold up his head and in any way try to divert our attention from the fundamental protection of our government. There are in this room men of all nationalities and colors, and there are men in this room, who I believe, most of them, a great majority of them are

just as sincere in the defense of our form of government as anyone could be. Then, in the name of Heaven, let us all be true Americans; let us pass a law that shall make possible the stopping of the infiltration of these doctrines that are foreign to our form of government. If it needs the leadership of men of groups or parties, whether it be Kelly or whether it be the Chairman of the Democratic party in this state, or the chairman of the Republican party in this state, with the Speaker of the House and the President of the Senate, then we should before we adjourn enact a law that will be simple and plain and tell the facts and tell them honestly and stand for our Americanism, and kick everything else out of the door.

PERMISSION TO ADDRESS HOUSE

Mr. SKALE asked and obtained unanimous consent to address the House.

Mr. Speaker, we have heard much debate where the flag was held high and waved furiously, so, let us look at our flag. The second star on the first row represents our great state of Pennsylvania. The flag is a symbol of unity. It is the accepted and honored banner of all the elements of unity in the nation.

We may disagree among ourselves on most important matters of domestic and foreign policy. We may hold contradictory views about the vital matters of national defense. We may be at odds about the best means of preserving American institutions in a war-torn world environment. A foreigner unacquainted with American purpose and temperament might harbor a very confused and erroneous idea of the significance of this dissension.

Foreign observers should not get the wrong idea about us. We cannot have regimented thinking in a democracy. Where thought and its expression are free there will be debate and disharmony up to a certain point.

But when our problems clarify themselves, when out of the fog of confused events arises a clear conception of the best means of serving the national ends, national unity which has always made us impregnable will come. The fog will lift. Out of the darkness will come light and unity.

We have one flag. We will march behind it. That is the American way.

QUESTION OF INFORMATION

Mr. CORDIER. Mr. Speaker, I rise to a question of information.

The Speaker. The gentleman from Lackawanna will state his question of information.

Mr. CORDIER. Mr. Speaker, is the gentleman from Allegheny, Mr. Holland, now in the House?

The SPEAKER. Is the gentleman from Allegheny, Mr. Holland, in the hall of the House? The chair hears no response and the gentleman apparently is not present.

SENATE MESSAGES

APPOINTMENT OF CONFERENCE COMMITTEE ON HOUSE BILL No. 690

The Clerk of the Senate being introduced, informed that the Senate has insisted upon its amendments, non-concurred in by the House of Representatives, to House Bill No. 690, entitled:

An Act to further amend sections 402, 411, 703, 704, 705, 707 and 903 and to repeal section 706 of the act approved the first day of May, one thousand nine hundred twenty-nine, (P. L. 905), entitled, "An act for the protection of the public safety, regulating the use of highways, and the operation of vehicles, tractors, street cars, trackless trolley omnibuses, bicycles, pedestrians, and the riding of animals upon the highways of this Commonwealth; providing for the titling, including liens, encumbrances, and legal claims; registration of certain vehicles and licensing the operators thereof, upon payment of prescribed fees; prescribing and limiting the powers of local authorities to deal with the subject matter of this act; conferring powers and imposing duties upon the Department of Revenue, the Department of Highways, peace officers, mayors burgesses, magistrates, aldermen, justices of the peace, the courts and the clerks thereof, owners of vehicles, and garage keepers; providing that records are admissible as evidence; imposing upon owners, counties, cities, boroughs, incorporated towns, townships, within the Commonwealth, liability for damages caused by the negligent operation of their motor vehicles; imposing penalties; imposing certain costs upon counties; providing for the disposition of fines, forfeitures, fees, and miscellaneous receipts; making an appropriation and providing for refunds." providing for the registration and fixing registration fees of commercial motor vehicles, truck tractors, trailers and semi-trailers according to gross weight; and certain motor buses and omnibuses with pneumatic tires according to equipment, fixing the maximum gross weight of such vehicles which may be used and operated on the highways; and eliminating existing provisions relating to the chassis of such vehicles.

And has appointed Messrs. Snowden, T. B. Wilson and Stiefel a committee of conference to confer with a similar committee of the House of Representatives already appointed on the subject of the differences existing between the two houses in relation to said bill.

AMENDED HOUSE BILL RETURNED FOR CONCURRENCE

The Clerk of the Senate being introduced, returned bill from the House of Representatives numbered and entitled as follows:

HOUSE BILL No. 1572.

An Act to amend the act approved the second day of March one thousand nine hundred thirty-three (P. L. 6) entitled "An act to enable persons associations partnerships and corporations engaged in farming and raising breeding fattening and marketing livestock to borrow money and secure the repayment thereof by the execution and recordation of chattel mortgages on livestock farm machinery farm equipment and crops and designating the operation and effect of the lien of such mortgages" as amended by extending enlarging and removing the limitations upon the class of those who may become chattel mortgagees by making further provisions respecting the fees of recorders of deeds in connection with chattel mortgages the extension of the lien and defaults of said mortgages and by defining violations and prescribing penalties

With the information that the Senate has passed the same with amendments, in which the concurrence of the House of Representatives is requested.

The SPEAKER. The Clerk will read the amendments.

The Clerk read the amendments as follows: Amend Section 1, page 2, at the end of line 25, by inserting a light-faced bracket after the word "discount"; also on

page 3, at the beginning of line 1, by inserting a light-faced bracket before the word "therewith"; also on page, line 5, by inserting a light-faced bracket before the word "Provisions"; also same page, line 10, by inserting a light-faced bracket after the word ."provisions"; also same page, same line, by inserting after the word "provisions" and before the word "that" the following; "Any mortgage executed under and pursuant to this act may validly include replacements of any of the mortgaged property therein described and may validly include all increase issue progency and produce of animals and live stock of all kinds and the issue increase progeny and produce of any and all property mortgageable under the terms and provisions of this act including the increase issue progeny and produce of any original increase issue or progeny A mortgage of sheep or goats shall be held to include the wool or mohair which may be clipped therefrom Provisions"; also same page, line 23, by inserting a light-faced bracket before the word "and" where it appears the second time in said line; also same page, line 26, by inserting a light-faced bracket after the word "kinds"; Amend Section 2, page 6, line 2, by inserting after the word "county" the following: "where the mortgagor if a resident of the Commonwealth of Pennsylvania resides at the time of execution of such chattel mortgage or if the mortgagor is not a resident of the Commonwealth of Pennsylvania in the office for the recording of deeds for the county"; also on page 7, at the end of line 15, by striking out the word "sections" and inserting in lieu thereof the word "section"; also on page 8, by striking out all of lines 1 to 14 inclusive as follows; "Section 5.2 When prior to release or satisfaction of the mortgage the mortgagor maliciously or with intent to defraud and without consent of the mortgagee (a) shall conceal all or any substantial portion of the chattel or chattels subject to the mortgage or remove them from the county in which they are located at the time of the execution of the mortgage or shall procure or be a party to such concealment or removal and (b) shall thereafter or in conjunction therewith purport to sell or otherwise dispose of such chattel or chattels under claim of full ownership he shall be guilty of a misdemeanor and upon conviction thereof be sentenced to pay a fine not exceeding five hundred dollars ($500) or to undergo an imprisonment not exceeding one (1) year or both".

On the question,

Will the House concur in the amendments made by the Senate?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows, viz:

YEAS—180

Achterman,	Fleming,	Lichtenwalter,	Rooney,
Auker,	Fletcher,	Longo,	Rose, S.,
Baker,	Flynn,	Lovett,	Rosenfeld,
Balthaser,	Foor	Lyons,	Royer,
Bentley,	French,	Malloy,	Rush,
Bentzel,	Gallagher,	Marks,	Sarge,
Boies,	Gates,	McClanaghan,	Sarraf,
Boney,	Gerard,	McClester,	Scanlon,
Boorse,	Gillan,	McDermott,	Schwab,
Bower,	Gillette,	McDowell,	Serrill,
Bradley,	Goodwin,	McFall,	Shaffer,
Breth,	Gross,	McIntosh,	Shaw,
Bretherick,	Gryskewicz,	McKinney,	Shepard,
Brown,	Haberlen,	McSurdy,	Simons,
Brunner, C. H.,	Hall,	Melchiorre,	Skale,
Brunner, P. A.,	Hamilton,	Mihm,	Snyder,
Burns,	Hare,	Modell,	Sollenberger,
Burris,	Harkins,	Monks,	Sorg,
Cadwalader,	Harmuth,	Mooney,	Stank,
Chervenak,	Harris,	Moran,	Stine,
Chudoff,	Heatherington,	Moul,	Stockham,
Cochran,	Helm	Muir,	Tate,
Cohen, M. M.,	Hering,	Munley,	Thompson, E. F.,
Cohen, R. E.,	Herman,	Nagel,	Trout,
Cook,	Hersch,	Nunemacher,	Turner,
Cooper,	Hewitt,	O'Brien,	Van Allsburg,
Cordier,	Hirsch,	O'Connor	Verona,
Corrigan,	Holland,	O'Dare,	Vincent,
Croop,	Huntley,	O'Mullen,	Vogt,
Cullen,	Imbrie,	O'Neill,	Voldow,
Dalrymple,	James,	Owens,	Wagner,
Dennison,	Jefferson,	Petrosky,	Watkins,
DiGenova,	Jones, G. E.,	Pettit,	Weingartner,
Dix,	Jones, P. N.,	Polaski,	Weiss,
Dolon,	Kline,	Polen,	Welsh, E. B.,
D'Ortona,	Knoble,	Powers,	Williams,
Duffy,	Kolankiewicz,	Prosen,	Wood, L. H.,
Early,	Komorofski,	Rank,	Wood, N.,
Elder,	Krise,	Rausch,	Woodring,
Elliott,	Lee, T. H.,	Readinger,	Woodside,
Ely,	Leisey,	Reese, D. P.,	Wright,
Finestone,	Leonard,	Reese, R. E.,	Yeakel,
Finnerty,	Lesko,	Reynolds,	Yester,
Fisher,	Levy,	Rhea,	Young,
Fiss,	Leydic,	Riley,	Kilroy, Speaker.

NAYS—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative and the amendments were concurred in.

Ordered, That the Clerk inform the Senate accordingly.

AMENDED SENATE BILL NON-CONCURRED IN BY SENATE

The Clerk of the Senate being introduced, informed that the Senate has non-concurred in the amendments made by the House of Representatives to Senate Bill numbered and entitled as follows:

SENATE BILL No. 169.

An Act to amend the act approved the twenty-fifth day of May, one thousand nine hundred and thirty-seven (Pamphlet Laws eight hundred fourteen), entitled "An act to provide for the permanent personal registration of electors in cities of the second class as a condition of their right to vote at elections and primaries, and their enrollment as members of political parties as a further condition of their right to vote at primaries; prescribing certain procedure for the conduct of elections and primaries and the challenge and proof of qualifications of electors; and prescribing the powers and duties of citizens, parties, political bodies, registration commissions, commissioners, registers, inspectors of regstration and other appointees of registration commissions, county election boards, election officers, municipal officers, departments and bureaus, police officers courts, judges, prothonotaries, sheriffs, county commissioners, peace officers, county treasurers, county controllers registrars of vital statistics, certain public utility corporations, real estate brokers, rental agents, and boards of school directors; and imposing penalties," abolishing the existing registration commission for cities of the second class and providing that the county commissioners of each county in which any such city is located shall act as a registration commission therefor further regulating the appointment of employes and assistants by the registration commission and removing the present appointees providing for the consolidation of the second class city general register with the general register of cities of the third class and boroughs towns and townships of the county providing for the transfer of the registration of electors upon change of residence from a third class city borough town or township in the same county changing the period during which changes of enrollment of political party may be made eliminating preparation and distribution of preliminary street lists and permitting the destruction of certain records

Mr. ACHTERMAN. Mr. Speaker, I move that the House insist on its amendments non-concurred in by the Senate.

The motion was agreed to.

Ordered, That the Clerk inform the Senate accordingly.

HOUSE BILL No. 1952 MADE SPECIAL ORDER

Mr. ACHTERMAN. Mr. Speaker, I move that House Bill No. 1952, Printer's No. 1126, on page 10 of today's Calendar, bills on third reading be made a special order of business immediately.

The motion was agreed to.

BILL ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1952, as follows:

An Act fixing the salary of the Parliamentarian of the House of Representatives

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The salary of the Parliamentarian of the House of Representatives shall be five thousand dollars ($5,000) per annum payable semi-monthly in the manner provided by law

Section 2 All acts and parts of acts inconsistent with this act are hereby repealed

Section 3 The provisions of this act shall become effective immediately upon final enactment

On the question,

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

The SPEAKER. For the information of the Members, House Bill 1952 was introduced at the request of the Speaker by Mr. Modell without our Parliamentarian knowing it was presented, although the Parliamentarian at no time discussed this bill with the Speaker. The Chair believes that the House as a whole is of the same opinion as the Speaker, that the recognition expressed in this bill is merited.

On the question recurring,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows, viz:

YEAS—180

Achterman,	Fleming,	Lichtenwalter,	Rooney,
Auker,	Fletcher,	Longo,	Rose, S.,
Baker,	Flynn,	Lovett,	Rosenfeld,
Balthaser,	Foor,	Lyons,	Royer,
Bentley,	French,	Malloy,	Rush,
Bentzel,	Gallagher,	Marks,	Sarge,
Boles,	Gates,	McClanaghan,	Sarraf,
Boney,	Gerard,	McClester,	Scanlon,
Boorse,	Gillan,	McDermott,	Schwab,
Bower,	Gillette,	McDowell,	Serrill,
Bradley,	Goodwin,	McFall,	Shaffer,
Breth,	Gross,	McIntosh,	Shaw,
Bretherick,	Gryskewicz,	McKinney,	Shepard,
Brown,	Haberlen,	McSurdy,	Simons,
Brunner, C. H.,	Hall,	Melchiorre,	Skale,
Brunner, P. A.,	Hamilton,	Mihm,	Snyder,
Burns,	Hare,	Modell,	Sollenberger,
Burris,	Harkins,	Monks,	Sorg,
Cadwalader,	Harmuth,	Mooney,	Stank,
Chervenak,	Harris,	Moran,	Stine,
Chudoff,	Heatherington,	Moul,	Stockham,
Cochran,	Helm,	Muir,	Tate,
Cohen, M. M.,	Hering,	Munley,	Thompson, E. F.,
Cohen, R. E.,	Herman,	Nagel,	Trout,
Cook,	Hersch,	Nunemacher,	Turner,
Cooper,	Hewitt,	O'Brien,	Van Allsburg,
Cordier,	Hirsch,	O'Connor,	Verona,
Corrigan,	Holland,	O'Dare,	Vincent,
Croop,	Huntley,	O'Mullen,	Vogt,
Cullen,	Imbrie,	O'Neill,	Voldow,
Dalrymple,	James,	Owens,	Wagner,
Dennison,	Jefferson,	Petrosky,	Watkins,
DiGenova,	Jones, G. E.,	Pettit,	Weingartner
Dix,	Jones, P. N.,	Polaski,	Weiss,
Dolon,	Kline,	Polen,	Welsh, E. B.,
D'Ortona,	Knoble,	Powers,	Williams,
Duffy,	Kolankiewicz,	Prosen,	Wood, L. H.,
Early,	Komorofski,	Rank,	Wood, N.,
Elder,	Krise,	Rausch,	Woodring,
Elliott,	Lee, T. H.,	Readinger,	Woodside,
Ely,	Leisey,	Reese, D. P.,	Wright,
Finestone,	Leonard,	Reese, R. E.,	Yeakel,
Finnerty,	Lesko,	Reynolds,	Yester,
Fisher,	Levy,	Rhea,	Young,
Fiss,	Leydic,	Riley,	Kilroy, Speaker.

NAYS—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

INTERROGATION

Mr. CORDIER. Mr. Speaker, I desire to interrogate the gentleman from Allegheny, Mr. Holland.

The SPEAKER. Will the gentleman from Allegheny permit himself to be interrogated?

Mr. HOLLAND. I shall, Mr. Speaker.

Mr. CORDIER. Mr. Speaker, the gentleman in his previous remarks seems to have objected to an editorial which was inserted in the record on the question of subversive activities, and objected that the particular editorial came from a newspaper which was bought with unclean money. I would like to ask the gentleman from Allegheny in his opinion where the money came from which financed the Pittsburgh Post-Gazette.

Mr. HOLLAND. I could not tell the gentleman from Lackawanna that. I know it was Mr. Block's interest, and Mr. Block was a very good Republican, a man whom Mayor LaGuardia kicked out of his office in New York at one time. When Mr. Block went into the office of Mr. LaGuardia and tried to tell him how to run the City of New York, LaGuardia threw him out. I am not on speaking terms with those big monied Republicans.

Mr. CORDIER. Mr. Speaker, will the gentleman state that the money to finance that particular paper was clean or unclean?

Mr. HOLLAND. That I could not tell him, Mr. Speaker. It is a Republican paper.

Mr. CORDIER. Mr. Speaker, will the gentleman state whether or not, in his opinion, the money that financed the Pittsburgh Press comes from clean or unclean sources?

Mr. HOLLAND. Absolutely, Mr. Speaker, they do come from clean sources.

Mr. CORDIER. Mr. Speaker, the Pittsburgh Sun-Telegraph, in his opinion, does that particular newspaper come from clean or unclean interests?

Mr. HOLLAND. Mr. Speaker, that is hard to answer. I will have to get Dun and Bradstreet's if you want me to give you those figures. I am not acquainted with those big money men. I fight all these public utility interests. I am a poor boy.

Mr. CORDIER. Mr. Speaker, the gentleman from Allegheny seems to have Dun and Bradstreet's reports on the Philadelphia Inquirer.

I would like to ask the gentleman from Allegheny whether or not he has read any editorials in connection with the subject he was speaking about in these particular papers?

Mr. HOLLAND. I have, Mr. Speaker.

Mr. CORDIER. Mr. Speaker, has the gentleman read the editorial in the Harrisburg Patriot, a very good Democratic paper?

Mr. HOLLAND. Mr. Speaker, I have never resented an editorial in any paper; I have only resented the one that I know the money was blood money that bought it. I never resented or never criticized any editorial from any good newspaper in the City of Philadelphia. I do not consider the Philadelphia Inquirer an American newspaper.

Mr. CORDIER. Then, Mr. Speaker, does the gentleman say that he is in accord with the editorials in the various newspapers in the Commonwealth, which state that we should put teeth into these particular pieces of legislation?

Mr. HOLLAND. Mr. Speaker, I might tell the gentleman I do not let the papers do my thinking for me. After all, I know the editorials are from the brains of one man. He has a right to think and a right to choose in the same way this legislature does. It is a difference in opinion in America that makes America. That is why I take this floor. We fought the first world war to make the world safe for the democracy that we are fighting for now. So I think, Mr. Speaker, everybody should be given an opportunity to express his opinion on the floor. I know that this movement on subversive and un-American teaching was started by the National Association of Manufacturers, and if the gentleman so wishes I can send him a letter which I have in my home that was written over a year ago to different manufacturers, and for the information of the gentleman, I have been a manufacturer myself and I know exactly how they work. I worked in the manufacture of glass.

Mr. CORDIER. Mr. Speaker, the gentleman from Allegheny in his very flowery eloquence has granted to the newspaper editors the right to do their own thinking, but would he favor granting that to everybody except the present editor of the Philadelphia Inquirer?

Mr. HOLLAND. Mr. Speaker, when a man is writing the editorial policy of his newspaper from his prison cell I do not think that fellow is an American.

Mr. CORDIER. Mr. Speaker, I thank the gentleman from Allegheny.

Mr. HOLLAND. Mr. Speaker, I might add too, in answer to the gentleman, that I also read in a Philadelphia paper, I think it is in the Philadelphia Record: "M'Clure Aid Mum On What He Did With The Money."

Mr. CORDIER. Mr. Speaker, may I ask the gentleman from Allegheny one more question?

The SPEAKER. The gentleman from Lackawanna will proceed.

Mr. CORDIER. Mr. Speaker, the gentleman from Allegheny seems to object to people getting money for services rendered. I would like to ask the gentleman this question: does the gentleman derive any additional salary for any other particular job in the Commonwealth of Pennsylvania than as a Member of the General Assembly?

Mr. HOLLAND. Mr. Speaker, I am very glad the gentleman from Lackawanna brought that matter up because I wanted to get publicity on that matter for quite some time. I as one Member of this House started a precedent, and all the Democrats on this side of the House started a precedent that has never been followed in the city of Pittsburgh before; we Democratic Members from the County of Allegheny while we are serving in this House, do not take one cent of the taxpayers' money from the taxpayers of Allegheny County or the city of Pittsburgh. I also want to answer the gentleman and state that when I return to the city of Pittsburgh I work when I get back Thursday night, I work until twelve o'clock Thursday night, I work all day Friday to twelve o'clock, I work all day Saturday until twelve o'clock, I work all day Sunday. I might tell the gentleman that I do not draw any taxpayers' money for the services that I am so glad to give.

Mr. CORDIER. Mr. Speaker, I am not quite certain that the gentleman from Allegheny renders very good service to the people of Pittsburgh; I am wondering from his remarks when he sleeps. It is very evident from his argument and his speech before the present interrogation that the sum and substance of his whole argument is that his "lump" is up for the Philadelphia Inquirer.

Mr. HOLLAND. Mr. Speaker, I would like to say one thing, for my services to the city of Pittsburgh, if the gentleman from Lackawanna believes in editorials I refer him to my home papers, the Sun Telegraph, the Pittsburgh Press and the Pittsburgh Post-Gazette, for the services I am now giving as superintendent of Highways and Sewers in the city of Pittsburgh.

PERMISSION TO ADDRESS HOUSE

Mr. COOPER asked and obtained unanimous consent to address the House.

Mr. Speaker, the opportunity has now been given to me to also give a little publicity to some of my activities. As the only Republican from Allegheny County on the county payroll I woud ike to say that I do not get paid while I am away from Pittsburgh. I would also like to say that it is my recollection that a Republican Senator from Allegheny County, Senator Mansfield, inaugurated the precedent of not being paid while in Harrisburg.

QUESTION OF PERSONAL PRIVILEGE

Mr. TROUT. Mr. Speaker, I arise to a question of personal privilege.

The SPEAKER. The gentleman from Lancaster will state his question of personal privilege.

Mr. TROUT. I would like to inquire, Mr. Speaker, whether these pigeons are doves of peace flying around?

The SPEAKER. I would like to communicate with the gentleman from Clearfield, Mr. Breth, to get his opinion.

COMMUNICATION FROM THE GOVERNOR

The Secretary to the Governor being introduced, presented a communication in writing from His Excellency the Governor, which was read as follows:

APPROVAL OF RESOLUTION RECALLING HOUSE BILL No. 1543.

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, July 9, 1941.

To the Honorable, The House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed a resolution of the House of Representatives and Senate recalling from the Governor House Bill No. 1543, Printer's No. 1075 for the purpose of further consideration.

Accordingly, the original bill is herewith returned.

ARTHUR H. JAMES.

RECONSIDERATION OF VOTE

Mr. PETROSKY. Mr. Speaker, I move that the vote by which this bill passed finally be reconsidered.

Mr. LOVETT. Mr. Speaker, I second the motion.

The SPEAKER. How did the gentleman from Westmoreland, Mr. Petrosky, vote on the final passage of this bill?

Mr. PETROSKY. Mr. Speaker, I voted in the majority.

The SPEAKER. How did the gentleman from Westmoreland, Mr. Lovett, vote on the final passage of this bill?

Mr. LOVETT. Mr. Speaker, I voted in the majority.

On the question,

Will the House agree to the motion?

It was agreed to.

Mr. PETROSKY. Mr. Speaker, I move that the vote by which this bill passed third reading be reconsidered.

The motion was agreed to.

On the question recurring

Will the House agree to the bill on third reading?

Messrs. PETROSKY and LICHTENWALTER. Mr. Speaker, we ask unanimous consent to offer amendments at this time.

The SPEAKER. The amendments will be read by the Clerk for information.

The Clerk read the amendments as follows:

Amend title, page 1, last line of title, by inserting after the word "Health" the following: "authorizing the orphans' court to appoint masters for the determination of certain questions and requiring counties to pay the compensation of such masters."

Amend Sec. 1, page 4, line 15, by inserting after the word "petition" the following: "and certificate."

The SPEAKER. Will the House give unanimous consent to the offering of amendments at this time? Is there objection? The Chair hears none.

On the question,

Will the House agree to the amendments?

The amendments were agreed to.

On the question,

Will the House agree to the bill on third reading as amended?

It was agreed to.

Ordered, that the bill as amended lie over for printing.

COMMUNICATION FROM THE GOVERNOR

The Secretary to the Governor being introduced, presented a communication in writing from His Excellency the Governor, which was read as follows:

APPROVAL OF RESOLUTION RECALLING HOUSE BILL No. 90

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, July 9, 1941.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed a resolution of the House of Representatives and Senate, recalling from the Governor House Bill No. 90, Printer's No. 1041, for the purpose of amendment.

Accordingly, the original bill is herewith returned.

ARTHUR H. JAMES.

RECONSIDERATION OF VOTE

Mr. DAVID P. REESE. Mr. Speaker, I move that the vote by which this bill passed finally be reconsidered.

Mr. WOODSIDE. Mr. Speaker, I second the motion.

The SPEAKER. How did the gentleman from Dauphin, Mr. Reese, vote on the final passage of this bill?

Mr. DAVID P. REESE. Mr. Speaker, I voted in the majority.

The SPEAKER. How did the gentleman from Dauphin, Mr. Woodside, vote on the final passage of this bill?

Mr. WOODSIDE. Mr. Speaker, I voted in the majority.

On the question,

Will the House agree to the motion?

It was agreed to.

Mr. DAVID P. REESE. Mr. Speaker, I move that the vote by which this bill passed third reading be reconsidered.

The motion was agreed to.

On the question recurring,

Will the House agree to the bill on third reading?

Mr. TAYLOR. Mr. Speaker, I ask unanimous consent to offer amendments at this time.

The SPEAKER. The amendments will be read by the Clerk for information.

The Clerk read the amendments as follows:

Amend title, page 1, lines 1 to 5 of title, by striking out the words "for the correction of the designation and title" in line 1, and all of lines 2 to 5, both inclusive, and inserting in lieu thereof: "that whenever the term "Veterans of the Spanish American War," or the term "Spanish American War Veterans" occurs or is referred to in any existing law, such term or reference shall be deemed to refer to and include the United Spanish War Veterans Inc."

Amend Sec. 1, page 1, lines 1 to 4, by striking out the words "In all existing legislation affecting veterans" in line 1, all of lines 2 and 3, and the words "zations shall be corrected to read The" in line 4, and inserting in lieu thereof: "Whenever the term "Veterans of the Spanish American War" or the term "Spanish American War Veterans" occurs in any law, or whenever in any law reference is made to such veterans, or to any organization of such veterans such term or reference shall be deemed to refer to and include the."

The SPEAKER. Will the House give unanimous consent to the offering of amendments at this time? Is there objection? The Chair hears none.

On the question,

Will the House agree to the amendments?

The amendments were agreed to.

On the question,

Will the House agree to the bill on third reading as amended?

It was agreed to.

Ordered, that the bill as amended lie over for printing.

REPORT FROM COMMITTEE

Mr. PAUL A. BRUNNER, from the Committee on Judiciary Special, reported as committed, House Bill No. 1617, (Senate Bill No. 86), entitled:

An Act requiring the court in imposing sentence to include in such sentence the costs of keeping the person in the institution to which he is sentenced for the term as fixed by the court; providing such person is or shall become, during such term, financially able to pay for the same.

BILL INTRODUCED AND REFERRED

By Messrs. BRETHERICK and JAMES.

HOUSE BILL No. 1976.

An Act to amend section three of the act, approved the twenty-ninth day of May, one thousand nine hundred and thirty-one (P. L. 280), entitled "An act relating to delinquent taxes on seated lands, and prescribing interest charges on nonpayment thereof; requiring the receivers and collectors of county, city, borough, town, township, school district and poor district taxes to make a return to the county commissioners of such unpaid taxes, and providing for the lien thereof; authorizing the county treasurers to collect such taxes, and to sell seated lands at public sale for taxes heretofore or hereafter returned as unpaid; and authorizing the county commissioners to purchase such lands and resell the same under certain circumstances," requiring the county treasurers to give written notice to each person whose taxes are returned as delinquent.

Referred to the Committee on Municipal Corporations.

INTERROGATION

Mr. TURNER. Mr. Speaker, I desire to interrogate the gentleman from Monroe, Mr. Achterman.

The SPEAKER. Will the gentleman from Monroe permit himself to be interrogated.

Mr. ACHTERMAN. I shall, Mr. Speaker.

Mr. TURNER. Mr. Speaker, I would like to ask the gentleman from Monroe, Mr. Achterman, as we are about to recess as I understand it, until sometime this evening, whether it is his intention to take House Bill 413 from the table?

Mr. ACHTERMAN. Mr. Speaker, it is our intention to do so this evening.

Mr. TURNER. Because, Mr. Speaker, as the matter now stands, unless the bill can be acted upon in the House today there is very little chance of the bills getting to the Senate and being passed before we adjourn.

Mr. ACHTERMAN. Mr. Speaker, it is our intention to take up House bills this afternoon as soon as possible and the one on the table will be called up.

AMENDMENTS TO SENATE BILL No. 86 WITHDRAWN

Mr. REUBEN E. COHEN. Mr. Speaker, on behalf of the Committee on Judiciary Special I ask unanimous consent that Senate Bill 86, House Bill 1672, just reported by Mr. Brunner, be reported as committed and be read for the first time. The Committee's decision was to have the bill reported as amended. I would like however to save a legislative day by having the bill reported as committed so that it can be read for the first time, and amend the bill from the floor on second reading.

The SPEAKER. The gentleman from Philadelphia, Mr. Cohen asks unanimous consent to withdraw the amendments to Senate Bill 86 and report the bill as committed in accordance with the statement made on the floor of the House. Is there objection? The Chair hears none and consent is granted. The bill is reported as committed.

Pursuant to the motion heretofore adopted the following bill was read the first time.

BILL ON FIRST READING

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1617, (Senate Bill No. 86), entitled:

An Act requiring the court in imposing sentence to include in such sentence the costs of keeping the person in the institution to which he is sentenced for the term as fixed by the court; providing such person is or shall become, during such term, financially able to pay for the same.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

CHIEF CLERK'S SUPPER

Members, employes, Newspaper correspondents and Legislative Engineers are invited to the Chief Clerk's Supper to be given at the Penn-Harris Hotel, Thursday evening, July 10 at 10:00 o'clock Eastern Standard Time.

INTERROGATION

Mr. WOODSIDE. Mr. Speaker, except for the fact that we are about to adjourn, I would walk over and ask the majority floor-leader this question, but instead of crossing the floor, I would like to interrogate him, Mr. Speaker.

The SPEAKER. Will the gentleman from Monroe permit himself to be interrogated?

Mr. ACHTERMAN. I shall, Mr. Speaker.

Mr. WOODSIDE. Mr. Speaker, I would like to know from the gentleman whether there has been a meeting called of the Conference Committee on the two tax bills and the Tax Anticipation Note bill. I am particularly interested in the Tax Anticipation Note bill.

Mr. ACHTERMAN. Mr. Speaker, there has not, although we are hoping to get to the point where we can do that, if not today, the first thing tomorrow.

Mr. WOODSIDE. Mr. Speaker, may I urge the gentleman to do all in his power to see that the report of that Conference Committee is made today? I do not think there is any great difference among the conferees any more on the Tax Anticipation Note bill.

SENATE MESSAGE

SENATE BILL FOR CONCURRENCE

The Clerk of the Senate being introduced presented for concurrence bill numbered and entitled as follows:

SENATE BILL No. 1313. (HOUSE BILL No. 1977).

A Supplement to the act approved the twenty-seventh day of June one thousand nine hundred thirty-nine (Appropriation Acts page 60) entitled 'An act to provide for the ordinary expenses of the Executive Legislative and Judicial Departments of the Commonwealth interest on the public debt and the support of the public schools for two years beginning June first one thousand nine hundred and thirty-nine and for the payment of bills incurred and remaining unpaid at the close of the fiscal year ending May thirty-first one thousand nine hundred and thirty-nine" providing for deficiencies in certain appropriations made by the act for the fiscal biennium ending May thirty-first one thousand nine hundred forty-one.

Referred to the Committee on Appropriations.

RECESS

The SPEAKER. If there is no objection the Chair is about to declare a recess until 8 p. m. Is there objection? The Chair hears none and a recess is declared.

AFTER RECESS

The House reconvened at 8 p. m.
The SPEAKER (Elmer Kilroy) in the Chair.

PERMISSION TO ADDRESS HOUSE

Mr. SARGE asked and obtained unanimous consent to address the House.

Mr. Speaker, this afternoon we were treated to quite a lengthy discussion on House Bill 413, which has to do with anti-Communistic legislation. The discussion was rather interesting and contained quite a bit of bufoonery, and there were many legal terms used by the different lawyers who participated in the debate. Being just an ordinary life insurance man, of course they used many legal terms with which I am not familiar, such as ex-post-facto and corpus juris and quasi something and so forth. I want to refer to that debate only very briefly and call attention to the statement which the learned lawyer on the other side of the House, Mr. Brown, made, and I want to pay tribute to his profound knowledge of the Constitution concerning which there is no question.

The gentleman seemed very much exercised about the fact that we might in the passage of this anti-Communistic legislation veer away from the Constitution. I think the gentleman is unduly alarmed about that, and I might say to him very briefly, in answer, that I wish there had been as much alarm about veering away from the Constitution by the Democratic administration in Washington as there is here in the House in reference to these anti-Communistic bills.

Another gentleman, the gentleman from Westmoreland, Mr. Lovett, spoke about the fact that we were in no danger from the soap box orators of the Communist party. I agree with the gentleman in that particular statement, as far as it goes, but we are alarmed, not about the soap box Communistic orators, but we certainly are alarmed about all these orators who might be employed in the schools of our Commonwealth and paid by the tax-payers' money.

Another gentleman on the other side of the House quoted from a newspaper editorial and spoke about a Republican newspaper that has been purchased with blood money, and so forth. I do not intend to add to the argument, except to say that I want to quote very, very briefly from a Democratic newspaper which I do not believe was purchased with blood money, a Democratic newspaper which is edited by none other than a former Legislator in this House, the Honorable Hiram G. Andrews. This editorial has already been read into the record and I am simply going to quote one sentence which is as follows:

> "The Democrats so far have been standing with the Communists, and the Democrats in the House are making a mistake."

I do not know, Mr. Speaker, what the intention of the Democratic party is going to be with regard to House Bill No. 413, which has been amended, and I am not particularly concerned about it, but I am afraid that House Bill 413 when it is taken from the table tonight will be so emasculated by amendments that it will not serve a very useful purpose. I am also alarmed by the fact that it may be passed so late it will not pass through the Senate. I want to say, Mr. Speaker, that I have consulted with and I have on two different occasions made pleas to the gentleman from Allegheny, Mr. Harkins, the Chairman of the Education Committee, to bring out Senate Bill 518, which gives us definite amendments to the Tenure Act, which gives the right to school boards to fire teachers who teach subversive and un-American philosophy. Notwithstanding the fact that I have made those appeals to Mr. Harkins, and that the same appeals have been made by other members of this Legislature, he has chosen to ignore not only those appeals, but he has chosen to ignore the appeals of the newspaper editorials, of one of his own leaders, Jack Kelly of Philadelphia, the patriotic organizations and the pleas of the patriotic people of Pennsylvania. I would like to say, Mr. Speaker, I have great regard for the Chairman of the Education Committee, and I can not understand his obstinacy in this matter. I can only explain it by telling you a story that I heard one time about a colored man who bought a mule. When he took the mule home, he left it loose in the pasture. There was one tree in the pasture and as this mule ran around the field, every time he ran around it, he bumped into that tree. So he called up Rastus from whom he had bought the mule, and said,

"What kind of mule did you sell me?"

Rastus said, "What is the trouble?"

The reply was, "every time it runs around the field it bumps against this tree; it must be blind."

Rastus said, "No, that mule ain't blind; he just don't give a damn."

Mr. Speaker, I am coming to the conclusion that perhaps that is the trouble with the Chairman of the Education Committee. I am going to be brief in this matter. Too much time has already been taken up in these debates, but I want to quote to you one little item from a Labor Herald advertisement:

> "America's highest aim is to produce good citizens. The basis of good citizenship is character."
> Then the advertisement goes on to state as follows:
> "It will be of little use for us to fight against communism, Naziism and Fascism if our children are to have no future."

I say to you, Mr. Speaker, it will be of little use for us to try to educate our children spiritually if we do not make the proper fight against Fascism, Naziism and Communism in our schools, and the sabotage in the schools of Pennsylvania will be a whole lot worse than the sabotage in the defense plants.

In order to show the people of Pennsylvania how we on this side of the House feel about Senate Bill 518 and to show that we are definitely in earnest when we say we would like to have one definite amendment to the Teachers' Tenure Act that would make it permissible for school boards to fire un-American teachers, I have drawn up an appeal as a last resort to the Chairman of the Educational Committee, and I have asked the Republican Members of this House whether they wish to go along with this appeal. Every Republican member who was present yesterday and today has signed this appeal. Out of 82 Republican Members 79 signatures are thereon, the other three were absent. I would also desire to State, Mr. Speaker, that

the fourteen Republican Members on the Educational Committee have signed this appeal. It is a brief appeal and I wish to read it because I want to get it and the names of the Members thereon on the record. The appeal is as follows:

PETITION TO HOUSE COMMITTEE ON EDUCATION TO REPORT OUT SENATE BILL No. 518

We, the undersigned, members of the 1941 General Assembly of Pennsylvania, desiring an amendment to the Teachers Tenure Act which would definitely give school boards the right to discharge teachers who are in sympathy with or advocate or support un-American ideals and philosophies, or un-Democratic principles, hereby petition and request the Honorable Kenneth L. Harkins, Chairman, and the members of the Committee on Education, to immediately release Senate Bill 518 passed by the Senate and referred to said Committee on Education on April 22, 1941. This bill was passed in the Senate by a vote of 46 to 1 and the minority members of the House Committee on Education have signed this petition.

Therefore, we ask and urge the Committee on Education to bring this bill on the floor of the House at once so that the members of the House of Representatives can register their votes on this important legislation.

Fred P. Hare, Jr. ....Rep.
Lloyd H. Wood ....Rep.
Kenneth H. Haines ....Rep.
Albert F. Foor ....Rep.
Charles A. Auker ....Rep.
C. Frank Gillan ....Rep.
Wrayburn B. Hall ....Rep.
W. W. Muir ....Rep.
Don Wilkinson ....Rep.
Howard F. Boorse ....Rep.
R. Guy Rank ....Rep.
George W. Fisher ....Rep.
George W. Cooper ....Rep.
W. Stuart Helm ....Rep.
Samuel B. Dennison ....Rep.
Robert D. Fleming ....Rep.
Ronald L. Thompson ....Rep.
John E. Van Allsburg ....Rep.
Ray E. Taylor ....Rep.
James J. O'Dare ....Rep.
Arthur P. Bretherick ....Rep.
George E. Jones ....Rep.
Albert B. McClester ....Rep.
Ray W. Greenwood ....Rep.
Benjamin F. James ....Rep.
G. Edgar Kline ....Rep.
William W. Serrill ....Rep.
William R. McMillen ....Rep.
John McKinney ....Rep.
George T. Weingartner ....Rep.
William A. Fletcher ....Rep.
David P. Reese, Jr. ....Rep.
Elmer F. McSurdy ....Rep.
D. Raymond Sollenberger ....Rep.
Kenneth H. Wagner ....Rep.
C. G. Krise ....Rep.
Frank E. Snyder ....Rep.
J. Perry Eckels ....Rep.
Thomas B. Stockham ....Rep.
Wilson L. Yeakel ....Rep.
L. D. Stambaugh ....Rep.
Thomas H. Lee ....Rep.
Edwin A. Lee ....Rep.
Robert J. Cordier ....Rep.
Norman Wood ....Rep.
Harry E. Trout ....Rep.
George W. Huntley, Jr. ....Rep.
Charles R. Reagan ....Rep.
William E. Habbyshaw ....Rep.
Earl E. Hewitt, Sr. ....Rep.
Baker Royer ....Rep.
Adam T. Bower ....Rep.
Ivan C. Watkins ....Rep.
Lambart Cadwalader ....Rep.
Irving S. Dix ....Rep.
Wilbert D. Imbrie ....Rep.
Herbert G. Gates ....Rep.
Robert E. Woodside, Jr. ....Rep.
R. Roscoe Simons ....Rep.
Amos M. Leisey ....Rep.
Edwin M. Rhea ....Rep.
Furman H. Gyger ....Rep.
Ellwood J. Turner ....Rep.
Wilson D. Gillette ....Rep.
Glenn W. Ely ....Rep.
Kenneth L. Leydic ....Rep.
H. David Sarge ....Rep.
Franklin H. Lichtenwalter ....Rep.
Paul H. Groose ....Rep.
Matthew T. Knoble ....Rep.
Ray L. Riley ....Rep.
W. Henry Elder ....Rep.
Thomas Lyons ....Rep.
Edwin Winner ....Rep.
Herbert P. Sorg ....Rep.
Homer Cook ....Rep.
Charles H. Brunner, Jr. ....Rep.
Ira T. Fiss ....Rep.
Walter E. Rose, Jr. ....Rep.
Delbert W. Dalrymple ....Rep.

It is my intention, Mr. Speaker, to present this appeal to the Honorable Chairman of the Educational Committee later this evening, and I want to say to the Democratic members of the House if any of you wish to sign this petition, or this appeal you can do so by coming to my desk.

I also want to say that if we adjourn this Legislature without giving the people of Pennsylvania what they want in this matter, without giving the school boards the right to fire teachers of communistic theories, then we will go down in history as having violated our oaths and as therefore having committed a political debauchery which has never been equalled in the annals of the political history of Pennsylvania.

PERMISSION TO ADDRESS HOUSE

Mr. WATKINS asked and obtained unanimous consent to address the House.

Mr. Speaker, I note with satisfaction that this political-divided legislature and the administration early today adopted an agreement ending their six-month long controversy over budget matters, which would allow us to adjourn finally at the end of this week.

Put the blame where you like for this long session, it is a matter of fact that for months, week after week, certain groups and members of the legislature have been frittering away precious time in idle partisan squabbling, introducing bills by the ton, making speeches by the thousands, and after all accomplishing very little of net value for the people of Pennsylvania.

I believe that the cheap tactics of partisan meddling brought about by any group, be it Republicans or Democrats, will come back to haunt them, and as Members of the Assembly, they will realize that they are doing not only their individual political careers a disservice by placing their ineptness so conspicuously on display, but their party's services to the State as well.

It is highly important for any leaders and groups of the Assembly, be they either in the majority or the

minority, to realize that a long drawn out session is detrimental not only to the administration in power, and the people of the Commonwealth in general, but it is exceedingly important to realize that the members themselves are placed at a serious disadvantage in properly representing the people electing them.

Perhaps all, or at least the most of the members of the Assembly, have professions, business of some kind, or some other employment which certainly must be neglected to a certain extent when we are spending our time in Harrisburg, mostly taken up, as stated before, by idly witnessing partisan speeches and squabbles.

Therefore, my point is this, if we are to have the clientel of members which we are accustomed of having in the Assembly seek the office, it becomes necessary that more solid and fundamental business methods be used, harmony by all leaders and groups prevail, which in the end will allow the Members of the Assembly the opportunity of accomplishing in four months that which it has just taken six months to complete.

Without criticising any leader, party or group of this House in particular for the delays involved, I am hoping in future sessions of the Assembly these principles will be adhered to, and that all the work of the legislature can be done satisfactorily in a reasonable time, much to the advantage of the membership making up this body. And I further state that I believe I am speaking the thoughts and ideas in the minds of all the members of this Assembly.

This is the only way in which we can retain the high type of membership which our State has been accustomed to.

COMMUNICATION FROM THE GOVERNOR

The Secretary to the Governor being introduced, presented a communication in writing from His Excellency the Governor, which was read as follows:

APPROVAL OF HOUSE BILL No. 1660.

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, July 9, 1941.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Bill No. 1660, Printer's No. 792, entitled, "An act to amend section seven hundred and thirty of the act approved the ninth day of April one thousand nine hundred and twenty-nine, (P. L. 343) entitled 'An act relating to the finances of the State government; providing for the settlement, assessment, collection, and lien of taxes, bonus, and all other accounts due the Commonwealth, the collection and recovery of fees and other money or property due or belonging to the Commonwealth, or any agency thereof, including escheated property and the proceeds of its sale, the custody and disbursement or other disposition of funds and securities belonging to or in the possession of the Commonwealth, and the settlement of claims against the Commonwealth the resettlement of accounts and appeals to the courts. refunds of moneys erroneously paid to the Commonwealth, auditing the accounts of the Commonwealth and all agencies thereof, of all public officers collecting moneys payable to the Commonwealth, or any agency thereof, and all receipts of appropriations from the Commonwealth and imposing penalties; affecting every department, board, commission, and officers of the State government, every political subdivision of the State, and certain officers of such subdivisions, every person, association, and corporation required to pay, assess, or collect taxes, or to make returns or reports under the laws imposing taxes for state purposes, or to pay license fees or other moneys to the Commonwealth, or any agency thereof, every State depository and every debtor or creditor of the Commonwealth,' by authorizing the furnishing of certain confidential information to other states and the United States."

ARTHUR H. JAMES.

RESOLUTION

RECALLING HOUSE BILL No. 892, FROM THE GOVERNOR

Mr. SCANLON offered the following resolution which was twice read, considered and adopted:

In the House of Representatives, July 9, 1941.

Resolved (if the Senate concur), that House Bill No. 892, Printer's No. 1049, entitled "An act authorizing a commission to study recreational facilities available in first class cities imposing powers and duties on said commission."

be recalled from the Governor for the purpose of amendment.

Ordered, That the Clerk present the same to the Senate for concurrence.

BILLS SIGNED BY SPEAKER

Bills numbered and entitled as follows having been prepared for presentation to the Governor, and the same being correct, the titles were publicly read as follows:

HOUSE BILL No. 49.

An Act making an appropriation for the maintenance repair and improvement of the Port of Philadelphia.

HOUSE BILL No. 220.

An Act to amend section four of the act, approved the twenty-second day of June, one thousand nine hundred and thirty-one (P. L. 720) entitled "An act providing for the taking over by the Commonwealth, under certain terms, conditions, and limitations, of certain streets in cities of the second class, second class A, and third class as State highways, and for the improvement, construction, reconstruction, resurfacing and maintenance by the Commonwealth of certain defined widths of said streets; imposing duties on such cities and on public utility companies using such streets; providing that no assessment shall be made upon the Commonwealth in the elimination of any grade crossing thereon; authorizing cities, persons, associations, or corporations to enter into agreements with the Commonwealth to bear a portion of the cost of construction or maintenance; providing for the assessment of certain portions of the cost of street improvements on abutting property owners; regulating the replacement of certain facilities of public utility companies; prohibiting the opening of said streets after improvement without a permit, and providing penalty therefor; regulating the maintenance of detours; authorizing the increase of city indebtedness in certain cases; and appropriating money in the Motor License Fund for the purposes of this act" authorizing the Department of Highways to take over structures bridges and viaducts on State highways in cities of the second class A and third class.

HOUSE BILL No. 361.

An Act making an appropriation to the City of Harrisburg to compensate members of the police force for the extra police protection afforded by the Harrisburg police force for the properties and activities of the Commonwealth within the Capital City.

HOUSE BILL No. 639.

An Act requiring the Department of Property and Supplies, with the approval of the Department of Military Affairs to complete and thereafter maintain "The Twenty-eighth Division Shrine," at Boalsburg, Centre County; dedicating the same to the officers and men of the Twenty-eighth Division; and making an appropriation.

HOUSE BILL No. 723.

An Act to further amend section fourteen of the act approved the eighteenth day of July one thousand nine hundred and seventeen (P. L. 1043) entitled "An act establishing a public school employes' retirement system and creating a retirement board for the administration thereof establishing certain funds from contributions by the Commonwealth and contributing employes defining the uses and purposes thereof and the manner of payments therefrom and providing for the guaranty by the Commonwealth of certain of said funds imposing powers and duties upon boards having the employment of public school employes exempting annuities allowances returns benefits and rights from taxation and judicial process and providing penalties" extending the retirement provisions relating to former teachers to additional cases who separated from school service because of physical or mental disability prior to the first day of July one thousand nine hundred and nineteen.

HOUSE BILL No. 820.

An Act to amend section one of the act, approved the second day of May, one thousand eight hundred and ninety-nine (P. L. 184), entitled "An act to provide revenue by imposing a mercantile license tax on vendors of or dealers in goods, wares, and merchandise, and providing for the collection of said tax," as amended, exempting from the mercantile license tax so much of the business of manufacturers and mechanics as comprises the vending of goods of their manufacture from their factories and workshops.

HOUSE BILL No. 1095.

An Act to further amend section six of the act, approved the fifth day of May, one thousand nine hundred and eleven (P. L. 198), entitled "An act to establish a county court for the county of Allegheny, and prescribing its powers and duties; regulating the procedure therein and providing for the expenses thereof," by conferring upon said county court jurisdiction in certain civil actions transferred to it by the Court of Common Pleas of Allegheny County.

HOUSE BILL No. 1488.

An Act preserving the rights of persons enlisting or being inducted or drafted into the military or naval service of the United States during a national emergency under licenses or registrations issued by the Department of Public Instruction and brokers licenses issued by the Department of Insurance to practice professions or to work at trades or occupations and providing for renewals after discharge from such service.

HOUSE BILL No. 1572.

An Act to amend the act approved the second day of March one thousand nine hundred thirty-three (P. L. 6) entitled "An act to enable persons associations partnerships and corporations engaged in farming and raising breeding fattening and marketing livestock to borrow money and secure the repayment thereof by the execution and recordation of chattel mortgages on livestock farm machinery farm equipment and crops and designating the operation and effect of the lien of such mortgages" as amended by extending enlarging and removing the limitations upon the class of those who may become chattel mortgagees by making further provisions respecting the fees of recorders of deeds in connection with chattel mortgages the extension of the lien and defaults of said mortgages and by defining violations and prescribing penalties.

HOUSE BILL No. 1611.

An Act creating a presumption of release or discharge of certain mortgages held by the Commonwealth and empowering the Department of Justice to enter satisfaction thereof at the cost of the property owners.

HOUSE BILL No. 1650.

An Act providing for the cooperation of the Commonwealth and certain political subdivisions thereof with the United States in respect to flood control projects authorizing the Secretary of Highways on behalf of the Commonwealth and the authorities of the various counties cities boroughs and townships with the approval of the Water and Power Resources Board to enter into certain agreements with and to grant and convey to the United States certain rights and easements in and relative to the highways streets roads and bridges thereof and lands bordering the same over which such governmental units may have control .

HOUSE BILL No. 1716.

An Act to further amend sections three and ten of the act approved the fifth day of May one thousand nine hundred and thirty-three (P. L. 284) entitled as amended "An act imposing a State tax payable by those herein defined as manufacturers and by others on malt or brewed beverages used sold transported or delivered within the Commonwealth prescribing the method and manner of evidencing the payment and collection of such tax conferring powers and imposing duties on the Department of Revenue and those using or engaged in the sale at retail or wholesale or in the transportation of malt or brewed beverages taxable hereunder and providing penalties" by prescribing malt beverage tax rates for certain original containers or standard fractions thereof and providing for refunds of tax for malt or brewed beverages sold to commissaries ship's stores and voluntary unincorporated organizations of the Army or of the Navy personnel operating under regulations promulgated by the Secretary of War or the Secretary of the Navy.

HOUSE BILL No. 1760.

An Act creating a commission to make a study and investigation of the various problems related to the surface subsidence frequently caused by the mining of anthracite coal directing such commission to make a report and recommendations to the General Assembly conferring certain powers upon such commission including the power to issue subpoenas administer oaths and affirmations retain employes and expend funds and making an appropriation.

HOUSE BILL No. 1919.

An Act to amend sections 103 301 304 305 307 308 310 311 401 402 403 404 405 410 501 502 503 505 506 508 510 511 512 513 703 801 802 803 804 807 808 809 904 1003 and 1101 of the act approved the twenty-eighth day of April one thousand nine hundred and thirty-seven (P .L. 417) entitled "An act relating to milk and the products thereof creating a Milk Control Commission establishing its jurisdiction powers and duties regulating the production transportation manufacturing processing storage distribution delivery and sale of milk and certain products thereof providing for the licensing of milk dealers and the payment of fees therefor requiring milk dealers to file bonds to secure payment for milk to producers and certain milk dealers authorizing the holding of hearings and the issuance of subpoenas by the commission conferring jurisdiction upon courts to punish contempts and to prohibit violations of this act and of rules regulations and orders of the commission authorizing the commission to adopt rules regulations and orders and to enter into interstate and Federal compacts requiring persons who weigh measure

sample or test milk to procure permits or certificates to take examinations to pay fees therefor to furnish certain notices records and statements and to use certain methods of weighing measuring sampling and testing authorizing the commission to examine the business papers and premises of milk dealers and producers requiring the keeping of records and the filing of reports by milk dealers and permitting with limitations the use of information obtained thereby authorizing the commission to fix prices for milk and certain milk products subject to the approval of the Governor and conferring certain powers upon the Governor with respect thereto providing for appeals to the courts from decisions of the commission and for the burden of proof upon such appeals prescribing penalties fines and imprisonment for violations of this act and rules regulations and orders of the commission defining perjury defining remedies repealing legislation supplied and superseded by this act and saving rights duties and proceedings thereunder and making appropriations" by adding the term "handler" as a synonym for the term "milk dealer" defining the terms "handle" and "handler" extending the provisions of the act to those who handle milk by bailment brokerage consignment or purchase authorizing special agents or examiners to conduct hearings on behalf of the Milk Control Commission enabling certain officers employes and agents to administer oaths providing the method and effect of service of certain orders and the posting of rules regulations and certain orders enabling employes of the commission to photograph photostat mark or stamp for identification books and papers that they have inspected providing for action with milk control agencies of other states and of the United States in holding hearings and promulgating and enforcing orders requiring milk dealers or handlers to be licensed stating grounds for refusal suspension revocation of licenses and the right to transfer licenses stating grounds for refusal of the right to apply for a license stating the effect of service by registered mail enlarging requirements of milk dealers or handlers to file bonds to secure payment to producers and certain milk dealers or handlers prescribing the effective date and term of such bonds and providing for their release providing for the increase or decrease of the amounts of bonds prescribing the effect of orders and findings of fact of the commission relating to licenses in suits on bonds providing for payment to those entitled thereto of moneys in the hands of the commission owing from dealers or handlers to producers and from subdealers or subhandlers to dealers or handlers increasing the scope of regulation of subdealers or subhandlers making certain information available to cooperatives and producers groups clarifying the requisites of orders fixing prices for milk providing for the competency of certain statistical testimony and data providing that all provisions of price-fixing orders shall be presumed to be valid and placing the burden of proving any invalidity of any order or part thereof stating the effect of partial invalidity of price-fixing orders defining violations of orders of the commission fixing prices making milk dealers or handlers responsible for acts of their directors officers agents or other persons acting for or on behalf of them giving certain additional rights to cooperatives and producers' and farmers' unions or organizations of producers of milk further regulating and imposing duties on milk dealers or handlers prescribing procedure on appeal from orders of the commission further defining and prescribing penalties defenses rights and remedies and providing for the payment of funds in the hands of the commission owing producers or dealers or handlers to those entitled thereto.

Whereupon,

The SPEAKER, in the presence of the House, signed the same.

PERMISSION GRANTED COMMITTEES TO MEET DURING SESSION

Mr. BROWN asked and obtained permission for the Committee on Judiciary General to meet during the session of the House to consider Senate Bill No. 177 (House Bill No. 1606).

Mr. HIRSCH asked and obtained permission for the Committee on Fisheries to meet during the session of the House to consider House Bills Nos. 1954 and 1955.

SENATE MESSAGE

SENATE ADOPTS CONFERENCE COMMITTEE REPORT ON SENATE BILL No. 418

The Clerk of the Senate being introduced, informed that the Senate has adopted the report of the Committee of Conference on the subject of the difference existing between the two Houses on Senate Bill numbered and entitled as follows:

SENATE BILL No. 418.

An Act requiring the Governor of the Commonwealth to issue a proclamation setting apart September thirteenth of each year as Commodore John Barry Day

REPORT OF COMMITTEE ON CONFERENCE ON SENATE BILL No. 418

Mr. CULLEN. Mr. Speaker, I desire to call up the report of the Committee of Conference on Senate Bill No. 418, Printer's No. 582.

The report was read by the Clerk as follows:

To the Members of the Senate and House of Representatives:

We, the undersigned, Committee of Conference on the part of the Senate and House of Representatives for the purpose of considering Senate Bill No. 418, entitled:

"An Act requiring the Governor of the Commonwealth to issue a proclamation setting apart September thirteenth of each year as Commodore John Barry Day".

Respectfully submit the following bill as our report:

GEORGE N. WADE
JACOB W. CARR
JOHN J. McCREESH
(Committee on the Part of Senate.)

FRANK J. CULLEN
JOHN J. FINNERTY
JAMES J. O'DARE
(Committee on the part of the House of Representatives.)

An Act requiring the Governor of the Commonwealth to issue annual proclamation setting apart September thirteenth of each year as Commodore John Barry Day

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1. The Governor shall this year issue a proclamation setting apart September thirteenth as Commodore John Barry Day and recommending that it be observed annually by the people with appropriate exercises in the public schools and otherwise as he may see fit to the end hat the memory of the service rendered by Commodore John Barry during the struggle for American independence may be perpetuated

Section 2 This act shall become effective immediately upon final enactment

On the question,

Will the House adopt the report of the Committee of Conference?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows, viz:

YEAS—182

Achterman,	Fletcher,	Longo,	Rose, S.,
Auker,	Flynn,	Lovett,	Rosenfeld,
Baker,	Foor,	Lyons,	Royer,
Balthaser,	French,	Malloy,	Rush,
Bentley,	Gallagher,	Marks,	Sarge,
Bentzel,	Gates,	McClanaghan,	Sarraf,
Boles,	Gerard,	McClester,	Scanlon,
Boney,	Gillan,	McDermott,	Schwab,
Boorse,	Gillette,	McDowell,	Serrill,
Bower,	Goodwin,	McFall,	Shaffer,
Bradley,	Gross,	McIntosh,	Shaw,
Breth,	Gryskewicz,	McKinney,	Shepard,
Bretherick,	Habbyshaw,	McLane,	Simons,
Brown,	Haberlen,	McSurdy,	Skale,
Brunner, C. H.,	Hall,	Melchiorre,	Snyder,
Brunner, P. A.,	Hamilton,	Mihm,	Sollenberger,
Burns,	Hare,	Modell,	Sorg,
Burris,	Harkins,	Monks,	Stank,
Cadwalader,	Harmuth,	Mooney,	Stine,
Chervenak,	Harris,	Moran,	Stockham,
Chudoff,	Heatherington,	Moul,	Tarr,
Cochran	Helm,	Muir,	Tate,
Cohen, M. M.,	Hering,	Munley,	Thompson, E. F.,
Cohen, R. E.,	Herman,	Nagel,	Trout,
Cook,	Hersch,	Nunemacher,	Turner,
Cooper,	Hewitt,	O'Brien,	Van Allsburg,
Cordier,	Hirsch,	O'Connor,	Verona,
Corrigan,	Holland,	O'Dare,	Vincent,
Croop,	Huntley,	O'Mullen,	Vogt,
Cullen,	Imbrie,	O'Neill,	Volkow,
Dalrymple,	James,	Owens,	Wagner,
Dennison,	Jefferson,	Petrosky,	Watkins,
DiGenova,	Jones, G. E.,	Pettit,	Weingartner,
Dix,	Jones, P. N.,	Polaski,	Weiss,
Dolon,	Kline,	Polen,	Welsh, E. B.,
D'Ortona,	Knoble,	Powers,	Williams,
Duffy,	Kolankiewicz,	Prosen,	Wood, L. H.,
Elder,	Komorofski,	Rank,	Wood, N.,
Elliott,	Krise,	Rausch,	Woodring,
Ely,	Lee, T. H.,	Readinger,	Woodside,
Finestone,	Leisey,	Reese, D. P.,	Wright,
Finnerty,	Leonard,	Reese, R. E.,	Yeakel,
Fisher,	Lesko,	Reynolds,	Yester,
Fiss,	Levy,	Rhea,	Young,
Fleming,	Leydic,	Riley,	Kilroy,
	Lichtenwalter,	Rooney,	Speaker.

NAYS—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative and the report of the Committee of Conference was adopted.

Ordered, That the Clerk inform the Senate accordingly.

SENATE MESSAGE

HOUSE BILLS CONCURRED IN BY SENATE

The Clerk of the Senate being introduced, returned bills from the House of Representatives numbered and entitled as follows:

HOUSE BILL No. 94.

An Act to amend section fifteen hundred and nine of the act approved the eighteenth day of May one thousand nine hundred and eleven (P. L. 309) entitled "An act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith" by providing that the board of directors of any school district may appropriate funds to pay for medical examinations for tuberculosis for pupils teachers janitors or other employes

HOUSE BILL No. 1013.

An Act to repeal section five of the act approved the fourth day of May one thousand nine hundred and five (P. L. 385) entitled "An act creating the Water Supply Commission of Pennsylvania defining its duties fixing the scope of its authority and powers and making an appropriation for the payment of the salaries and expenses connected therewith" prohibiting the issuance of letters patent to water companies until approved by the Water Supply Commission

HOUSE BILL No. 1643.

An Act to amend the act approved the ninth day of April one thousand nine hundred and twenty-nine (P. L. 343) entitled "An act relating to the finances of the State government providing for the settlement assessment collection and lien of taxes bonus and all other accounts due the Commonwealth the collection and recovery of fees and other money or property due or belonging to the Commonwealth or any agency thereof including escheated property and the proceeds of its sale the custody and disbursement or other disposition of funds and securities belonging to or in the possession of the Commonwealth and the settlement of claims against the Commonwealth the resettlement of accounts and appeals to the courts refunds of moneys erroneously paid to the Commonwealth auditing the accounts of the Commonwealth and all agencies thereof of all public officers collecting moneys payable to the Commonwealth or any agency thereof and all receipts of appropriations from the Commonwealth and imposing penalties affecting every department board commission and officer of the State government every political subdivision of the State and certain officers of such subdivisions every person association and corporation required to pay assess or collect taxes or to make returns or reports under the laws imposing taxes for State purposes or to pay license fees or other moneys to the Commonwealth or any agency thereof every State depository and every debtor or creditor of the Commonwealth" by providing for the manner of payment of escheator's fees informant's commissions and other lawful charges due from moneys escheated to the Commonwealth and escheatable moneys paid to the Commonwealth without escheat designating the funds to which such moneys shall be credited and making an appropriation

HOUSE BILL No. 1648.

An Act to amend the act approved the first day of May one thousand nine hundred and twenty-nine (P. L. 1005) entitled "An act relating to and regulating tractors and trailers and their operation providing for their registration and the licensing of certain operators by the Department of Revenue upon payment of prescribed fees prescribing and limiting the powers of local authorities to deal with the subject matter of this act conferring powers and imposing duties upon the Department of Revenue the Department of Highways peace officers mayors burgesses magistrates aldermen justices of the peace the courts and the clerks thereof owners of tractors and trailers providing that records are admissible as evidence imposing upon owners counties cities boroughs incorporated towns and townships within the Commonwealth liability for damages caused by the negligent operation of tractors and trailers imposing penalties imposing certain costs upon counties providing for the disposition of fines forfeitures fees and miscellaneous receipts making an appropriation and providing for refunds" as variously amended by changing registration years fractions of registration years operator's license years extending the time for exemption from fees for transfer of registration to conform with changed registration year reducing operator's license fee and giving the secretary power to determine whether certain motor vehicles are of tractor type

With the information that the Senate has passed the same without amendment.

COMMUNICATIONS FROM THE GOVERNOR

The Secretary to the Governor being introduced, presented communications in writing from His Excellency the Governor, which were read as follows:

APPROVAL OF RESOLUTION RECALLING HOUSE BILL No. 1837

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, July 9, 1941.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed a resolution of the House of Representatives and Senate recalling from the Governor House Bill No. 1837, Printer's No. 1077, for the purpose of amendment.

Accordingly, the original bill is herewith returned.

ARTHUR H. JAMES.

COMMUNICATION AND BILL LAID ON TABLE

Mr. ACHTERMAN. Mr. Speaker, I move that the communication from the Governor together with the bill be laid on the table.

The motion was agreed to.

APPROVAL OF RESOLUTION RECALLING HOUSE BILL No. 291

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, July 9, 1941.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed a resolution of the House of Representatives and Senate recalling from the Governor House Bill No. 291, Printer's No. 1047, for the purpose of further consideration.

Accordingly, the original bill is herewith returned.

ARTHUR H. JAMES.

COMMUNICATION AND BILL LAID ON TABLE

Mr. ACHTERMAN. Mr. Speaker, I move that the communication from the Governor together with the bill be laid on the table.

The motion was agreed to.

APPROVAL OF RESOLUTION RECALLING HOUSE BILL No. 389

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, July 9, 1941.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed a resolution of the House of Representatives and Senate recalling from the Governor House Bill No. 389, Printer's No. 339, for the purpose of further consideration.

Accordingly, the original bill is herewith returned.

ARTHUR H. JAMES.

COMMUNICATION AND BILL LAID ON TABLE

Mr. ACHTERMAN. Mr. Speaker, I move that the communication from the Governor together with the bill be laid on the table.

The motion was agreed to.

APPROVAL OF RESOLUTION RECALLING HOUSE BILL No. 581

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, July 9, 1941.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed a resolution of the House of Representatives and Senate recalling from the Governor House Bill No. 581, Printer's No. 976, for the purpose of further consideration.

Accordingly, the original bill is herewith returned.

ARTHUR H. JAMES.

COMMUNICATION AND BILL LAID ON TABLE

Mr. ACHTERMAN. Mr. Speaker, I move that the communication from the Governor together with the bill be laid on the table.

The motion was agreed to.

APPROVAL OF RESOLUTION RECALLING HOUSE BILL No. 1066

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, July 9, 1941.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed a resolution of the House of Representatives and Senate recalling from the Governor House Bill No. 1066, Printer's No. 978, for the purpose of further consideration.

Accordingly, the original bill is herewith returned.

ARTHUR H. JAMES.

COMMUNICATION AND BILL LAID ON TABLE

Mr. ACHTERMAN. Mr. Speaker, I move that the communication from the Governor together with the bill be laid on the table.

The motion was agreed to.

APPROVAL OF RESOLUTION RECALLING HOUSE BILL No. 1083

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, July 9, 1941.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed a resolution of the House of Representatives and Senate recalling from the Governor House Bill No. 1083, Printer's No. 614, for the purpose of further consideration.

Accordingly, the original bill is herewith returned.

ARTHUR H. JAMES.

COMMUNICATION AND BILL LAID ON TABLE

Mr. ACHTERMAN. Mr. Speaker, I move that the communication from the Governor together with the bill be laid on the table.

The motion was agreed to.

APPROVAL OF RESOLUTION RECALLING HOUSE BILL No. 1106

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, July 9, 1941.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed a resolution of the House of Representatives and Senate recalling from the Governor House Bill No. 1106, Printer's No. 1046, for the purpose of further consideration.

Accordingly, the original bill is herewith returned.

ARTHUR H. JAMES.

COMMUNICATION AND BILL LAID ON TABLE

Mr. ACHTERMAN. Mr. Speaker, I move that the communication from the Governor together with the bill be laid on the table.

The motion was agreed to.

APPROVAL OF RESOLUTION RECALLING HOUSE BILL No. 1203.

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, July 9, 1941.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed a resolution of the House of Representatives and Senate recalling from the Governor House Bill No. 1203, Printer's No. 612, for the purpose of further consideration.

Accordingly, the original bill is herewith returned.

ARTHUR H. JAMES.

COMMUNICATION AND BILL LAID ON TABLE

Mr. ACHTERMAN. Mr. Speaker, I move that the communication from the Governor together with the bill be laid on the table.

The motion was agreed to.

HOUSE BILLS MADE SPECIAL ORDER

Mr. ACHTERMAN. Mr. Speaker, I move that all House Bills on third reading and final passage be made special order of business in their order immediately.

The motion was agreed to.

BILL ON FINAL PASSAGE

Agreeably to order,

The House proceeded to the consideration on final passage of House Bill No. 1854, as follows:

An Act to further amend section three hundred eleven of the act approved the second day of May one thousand nine hundred and twenty-nine (P. L. 1278) entitled "An act relating to counties of the second third fourth fifth sixth seventh and eighth classes and revising amending and consolidating the laws relating thereto" by protecting and regulating the retirement rights of county employes now or hereafter under any county retirement system who are required to enter active service with the military or naval forces of the United States

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section three hundred eleven of the act approved the second day of May one thousand nine hundred and twenty-nine (P. L. 1278) entitled "An act relating to counties of the second third fourth fifth sixth seventh and eighth classes and revising amending and consolidating the laws relating thereto" as last amended by the act approved the fifteenth day of June one thousand nine hundred and thirty-nine (P. L. 365) is hereby further amended to read as follows

Section 311 "County employes" Defined A county employe for the purpose of this subdivision of this act is any person employed by the county or by the county institution district or by any county workhouse and inebriate asylum or by the county retirement system at a wage or salary payable at stated intervals that is to say semi-monthly monthly quarterly or annually The term may at the option of the Retirement Board include any person elected by the vote of the people In all cases of doubt the Retirement Board shall determine who is an employe within the meaning of this act

Any county employe who has been or hereafter may be required to enter active service with the military or naval forces of the United States under the provisions of any act of Congress may acquire and retain all rights of county employes under this subdivision of this act during the period for which such service is required by paying into the retirement fund that amount if any which such employe would have paid had he remained a county employe and by continuing to pay into that fund the same monthly amount as was being paid at the time of entrance into military or naval service

Any county employe thus called into active military or naval service making the payments aforesaid shall have all the rights and privileges of other county employes under this subdivision

Section 2 The provisions of this act shall become effective immediately upon final enactment

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows, viz:

YEAS—182

Achterman,	Flynn,	Lovett,	Rosenfeld,
Auker,	Foor	Lyons,	Royer,
Baker,	French,	Malloy,	Rush,
Balthaser,	Gallagher,	Marks,	Sarge,
Bentley,	Gates,	McClanaghan,	Sarraf,
Bentzel,	Gerard,	McClester,	Scanlon,
Boles,	Gillan,	McDermott,	Schwab,
Boney,	Gillette,	McDowell,	Serrill,
Boorse,	Goodwin,	McFall,	Shaffer,
Bower,	Gross,	McIntosh,	Shaw,
Bradley,	Gryskewicz,	McKinney,	Shepard,
Breth,	Habbyshaw,	McLane,	Simons,
Bretherick,	Haberlen,	McSurdy,	Skale,
Brown,	Hall,	Melchiorre,	Snyder,
Brunner, C. H.,	Hamilton,	Mihm,	Sollenberger,
Brunner, P. A.,	Hare,	Modell,	Sorg,
Burns,	Harkins,	Monks,	Stank,
Burris,	Harmuth,	Mooney,	Stine
Cadwalader,	Harris,	Moran,	Stockham,
Chervenak,	Heatherington,	Moul,	Tarr,
Chudoff,	Helm,	Muir,	Tate,
Cochran,	Hering,	Munley,	Thompson, E. F.,
Cohen, M. M.,	Herman,	Nagel,	Trout,
Cohen, R. E.,	Hersch,	Nunemacher,	Turner,
Cook,	Hewitt,	O'Brien,	VanAllsburg,
Cooper,	Hirsch,	O'Connor	Verona,
Cordier,	Holland,	O'Dare,	Vincent,
Corrigan,	Huntley,	O'Mullen,	Vogt,
Croop,	Imbrie,	O'Neill,	Voldow,
Cullen,	James,	Owens,	Wagner,
Dalrymple,	Jefferson,	Petrosky,	Watkins,
Dennison,	Jones, G. E.,	Pettit	Weingartner,
DiGenova,	Jones, P. N.,	Polaski,	Weiss,
Dix,	Kline,	Polen,	Welsh, E. B.,
Dolon,	Knoble,	Powers,	Williams,
D'Ortona,	Kolankiewicz,	Prosen,	Wood, L. H.,
Duffy,	Komorofski,	Rank,	Wood, N.,
Elder,	Krise,	Rausch,	Woodring,
Elliott,	Lee, T. H.,	Readinger,	Woodside,
Ely,	Leisey,	Reese, D. P.,	Wright,
Finestone,	Leonard,	Reese, R. E.,	Yeakel,
Finnerty,	Lesko,	Reynolds,	Yester,
Fisher,	Levy,	Rhea,	Young,
Fiss,	Leydic,	Riley,	Kilroy,
Fleming,	Lichtenwalter,	Rooney,	Speaker.
Fletcher,	Longo,	Rose, S.,	

NAYS—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

PERMISSION GRANTED COMMITTEE TO MEET DURING SESSION

Mr. SHAW asked and obtained permission for the Committee on Welfare to meet during the session of the House, to consider Senate Bill No. 594.

BILLS ON THIRD READING

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1880, as follows:

An Act to add section three hundred twenty-eight to article three of the act approved the second day of May one thousand nine hundred twenty-nine (P. L. 1278) entitled "An act relating to counties of the second third fourth fifth sixth seventh and eighth classes and revising amending and consolidating the laws relating thereto" defining the pension rights and obligations of certain employes of second class counties when by operation of law such employes become State employes

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Article three of the act approved the second day of May one thousand nine hundred twenty-nine (P. L. 1278) entitled "An act relating to counties of the second third fourth fifth sixth seventh and eighth classes and revising amending and consolidating the laws relating thereto" is hereby amended by adding thereto after section three hundred twenty-seven a new section to read as follows

Section 328 Certain Additional Pension Rights Any member of the county pension system established and maintained by a second class county under the provisions of this article who was an employe of a county institution on the day when such institution was taken over by the Commonwealth under the terms of the act approved the twenty-ninth day of September one thousand nine hundred thirty-eight (P. L. 53) entitled "An act relating to institutions of counties cities and institution districts for the care maintenance and treatment of mental patients providing for the transfer of such institutions to the Commonwealth providing for the management and operation or closing and abandonment thereof and the maintenance of mental patients therein including the collection of maintenance in certain cases providing for the transfer of certain property to institution districts under certain circumstances conferring and imposing upon the Governor the Department of Welfare the courts of common pleas and counties cities and institution districts certain powers and duties prohibiting cities counties and institution districts from maintaining and operating institutions in whole or in part for the care and treatment of mental patients and repealing inconsistent laws" shall continue as a member of such county pension system without further payroll deductions on account of such membership and upon retirement for superannuation after attaining the age of sixty such member shall be entitled to a retirement allowance from such county pension system which shall supplement the retirement allowance from the State Employes' Retirement System which retirement allowance shall consist of

(a) A member's annuity which shall be the actuarial equivalent of the accumulated deductions to his or her credit in the county pension system and

(b) A county annuity of one-one hundredth (1/100) of the average annual salary earnable by the member as a county employe during the last two years of service to the county for each year of service to such county

In the event of the death of the member while in such State service or entry upon a disability retirement allowance or in the event of withdrawal from State service or in the event of written notice at any time to the county pension system of intention to withdraw from such system the obligation of the county pension system to such member would be limited to the return of the accumulated deductions of such member to his credit in such county pension system

And said bill having been read at length the third time, and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows, viz:

YEAS—182

Achterman,	Fletcher,	Longo,	Rose, S.,
Auker,	Flynn,	Lovett,	Rosenfeld,
Baker,	Foor,	Lyons,	Royer,
Balthaser,	French	Malloy,	Rush,
Bentley,	Gallagher,	Marks,	Sarge,
Bentzel,	Gates,	McClanaghan,	Sarraf,
Boles,	Gerard,	McClester,	Scanlon,
Boney,	Gillan,	McDermott,	Schwab,
Boorse,	Gillette,	McDowell,	Serrill,
Bower,	Goodwin,	McFall,	Shaffer,
Bradley,	Gross,	McIntosh,	Shepard,
Breth,	Gryskewicz,	McKinney,	Shaw,
Bretherick,	Habbyshaw,	McLane,	Simons,
Brown,	Haberlen,	McSurdy,	Skale,
Brunner, C. H.,	Hall,	Melchiorre,	Snyder,
Brunner, P. A.,	Hamilton,	Mihm,	Sollenberger,
Burns,	Hare,	Modell,	Sorg,
Burris,	Harkins,	Monks,	Stank,
Cadwalader,	Harmuth,	Mooney,	Stine,
Chervenak,	Harris,	Moran,	Stockham,
Chudoff,	Heatherington,	Moul,	Tarr,
Cochran,	Helm,	Muir,	Tate,
Cohen, M. M.,	Hering,	Munley,	Thompson, E. F.,
Cohen, R. E.,	Herman,	Nagel,	Trout,
Cook,	Hersch,	Nunemacher,	Turner,
Cooper,	Hewitt,	O'Brien,	Van Allsburg,
Cordier,	Hirsch,	O'Connor,	Verona,
Corrigan,	Holland,	O'Dare,	Vincent,
Croop,	Huntley,	O'Mullen,	Vogt,
Cullen,	Imbrie,	O'Neill,	Voldow,
Dalrymple,	James,	Owens,	Wagner,
Dennison,	Jefferson,	Petrosky,	Watkins,
DiGenova,	Jones, G. E.,	Pettit,	Weingartner,
Dix,	Jones, P. N.,	Polaski,	Weiss,
Dolon,	Kline,	Polen,	Welsh, E. B.,
D'Ortona,	Knoble,	Powers,	Williams,
Duffy,	Kolankiewicz,	Prosen,	Wood, L. H.,
Elder,	Komorofski,	Rank,	Wood, N.,
Elliott,	Krise,	Rausch,	Woodring,
Ely,	Lee, T. H.,	Readinger,	Woodside,
Finestone,	Leisey,	Reese, D. P.,	Wright,
Finnerty,	Leonard,	Reese, R. E.,	Yeakel,
Fisher,	Lesko,	Reynolds,	Yester,
Fiss,	Levy,	Rhea,	Young,
Fleming,	Leydic,	Riley,	Kilroy,
	Lichtenwalter,	Rooney,	Speaker.

NAYS—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1930, as follows:

An Act authorizing the Pennsylvania Historical Commission on behalf of the Commonwealth of Pennsylvania to acquire by gift the monument erected in Greene County to Sarah Jane Price Ackley and providing for the control management supervision and maintenance thereof

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The Pennsylvania Historical Commission hereby is authorized to acquire by gift in the name of the Commonwealth of Pennsylvania from the owners thereof the monument erected in Greene County to the memory of Sarah Jane Price Ackley a great pioneer mother of western Pennsylvania on the State highway between Graysville Greene County and Burnsville Washington County which acts as a double marker since it stands on the site of Ackley Covered Bridge removed by Henry Ford to Greenfield Village Dearborn Michigan and there restored and upon its acquisition to preserve and to maintain the same as an historical place

Section 2 The title to said real estate shall be taken in the name of the Commonwealth of Pennsylvania and shall before its acquisition be approved by the Department of Justice

Section 3 This act shall become effective immediately upon final enactment

And said bill having been read at length the third time, and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows, viz:

YEAS—182

Achterman,	Flynn,	Lovett,	Rosenfeld,
Auker,	Foor,	Lyons,	Royer,
Baker,	French,	Malloy,	Rush,
Balthaser,	Gallagher,	Marks,	Sarge,
Bentley,	Gates,	McClanaghan,	Sarraf,
Bentzel,	Gerard,	McClester,	Scanlon,
Boies,	Gillan,	McDermott,	Schwab,
Boney,	Gillette,	McDowell,	Serrill,
Boorse,	Goodwin,	McFall,	Shaffer,
Bower,	Gross,	McIntosh,	Shaw,
Bradley,	Gryskewicz,	McKinney,	Shepard,
Breth,	Habbyshaw,	McLane,	Simons,
Bretherick,	Haberlen,	McSurdy,	Skale,
Brown,	Hall,	Melchiorre,	Snyder,
Brunner, C. H.,	Hamilton,	Mihm,	Sollenberger,
Brunner, P. A.,	Hare,	Modell,	Sorg,
Burns,	Harkins,	Monks,	Stank,
Burris,	Harmuth,	Mooney,	Stine,
Cadwalader,	Harris,	Moran,	Stockham,
Chervenak,	Heatherington,	Moul,	Tarr,
Chudoff,	Helm,	Muir,	Tate,
Cochran,	Hering,	Munley,	Thompson, E. F.,
Cohen, M. M.,	Herman,	Nagel,	Trout,
Cohen, R. E.,	Hersch,	Nunemacher,	Turner,
Cook,	Hewitt,	O'Brien,	VanAllsburg,
Cooper,	Hirsch,	O'Connor,	Vincent,
Cordier,	Holland,	O'Dare,	Verona,
Corrigan,	Huntley,	O'Mullen,	Vogt,
Croop,	Imbrie,	O'Neill,	Voldow,
Cullen,	James,	Owens,	Wagner,
Dalrymple,	Jefferson,	Petrosky,	Watkins,
Dennison,	Jone G. E.,	Pettit,	Weingartner,
DiGenova,	Jones, P. N.,	Polaski,	Weiss,
Dix,	Kline,	Polen,	Welsh, E. B.,
Dolon,	Knoble,	Powers,	Williams,
D'Ortona,	Kolankiewicz,	Prosen,	Wood, L. H.,
Duffy,	Komorofski,	Rank,	Wood, N.,
Elder,	Krise,	Rausch,	Woodring,
Elliott,	Lee, T. H.,	Readinger,	Woodside,
Ely,	Leisey,	Reese, D. P.,	Wright,
Finestone,	Leonard,	Reese, R. E.,	Yeakel,
Finnerty,	Lesko,	Reynolds,	Yester,
Fisher,	Levy,	Rhea,	Young,
Fiss,	Leydic,	Riley,	Kilroy
Fleming,	Lichtenwalter,	Rooney,	Speaker.
Fletcher,	Longo,	Rose, S.,	

NAYS—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1831, as follows:

An Act to further amend section twenty-one of the act approved the seventh day of June one thousand nine hundred fifteen (P. L. 900) entitled "An act to provide for the immediate registration of all births and deaths throughout the Commonwealth of Pennsylvania by means of certificates of births and deaths and burial or removal permits requiring prompt returns to the Central Bureau of Vital Statistics as required to be established by the State Department of Health and in order to secure prompt and faithful registration of births marriages deaths and diseases of practitioners of medicine and surgery of midwives nurses and undertakers and of all persons whose occupation is deemed to be of importance in obtaining complete registration of births deaths marriages and diseases throughout the State as provided in section ten of an act entitled 'An act creating the Department of Health and defining its powers and duties' approved the twenty-seventh day of April nineteen hundred and five and providing penalties for violations of this act" by directing the Department of Health to maintain branch offices in counties of the second class for the filing of death certificates authorizing such offices to issue certified copies of death certificates and make searches of their files imposing additional duties upon local registrars in such counties and prescribing fees

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section twenty-one of the act approved the seventh day of June one thousand nine hundred fifteen (P. L. 900) entitled "An act to provide for the immediate registration of all births and deaths throughout the Commonwealth of Pennsylvania by means of certificates of births and deaths and burial or removal permits requiring prompt returns to the Central Bureau of Vital Statistics as required to be established by the State Department of Health and in order to secure prompt and faithful registration of births marriages deaths and diseases of practitioners of medicine and surgery of midwives nurses and undertakers and of all persons whose occupation is deemed to be of importance in obtaining complete registration of births deaths marriages and diseases throughout the State as provided in section ten of an act entitled 'An act creating the Department of Health and defining its powers and duties' approved the twenty-seventh day of April nineteen hundred and five and providing penalties for violations of this act" as last amended by the act approved the twenty-second day of April one thousand nine hundred thirty-seven (P. L. 399) is hereby further amended to read as follows

Section 21 The Department of Health shall upon request and the payment of the fee as hereinafter provided furnish any applicant a certified copy of the record of any birth death or marriage registered under provisions of this act Provided however That no certified copy of an illegitimate birth record nor any information relative thereto except as herein otherwise provided shall be furnished to any person other than the illegitimate child or the mother of the child or upon an order of a court of competent jurisdiction When a certified copy is furnished of a birth certificate which was not filed within ten days from the birth there shall be furnished with such copy a true copy of any affidavit or affidavits or other papers filed with such birth certificate When a request is made for a birth certificate of any person who has been adopted by any other person pursuant to the provisions of any law and there is filed with such request a certified copy of the decree of the court in such adoption proceedings the department shall upon special request therefor issue in lieu of a certified copy of the original record a certificate showing only (a) the name of the adopted person as changed by the decree of adoption if changed (b),

the date and place of birth (c) the names of the adopting parent or parents and (d) the permanent file number of the original birth certificate Such special certificate shall be accepted by all school authorities as evidence of the child's age for all purposes connected with employment or school attendance For the making and certification of each certified copy of the record of any birth death or marriage or of any special birth certificate the department shall be entitled to a fee of one dollar to be paid by the applicant and any such copy of the record of a birth or death or marriage when properly certified by the Department of Health to be a true copy thereof shall be prima facie evidence in all courts and places of the facts therein stated Provided That certified copies of the record of any birth death or marriage shall be furnished to honorably discharged soldiers sailors marines war nurses and their dependents without the payment of any fee For any search of the files and records when no certified copy is made the Department of Health shall be entitled to a fee of fifty cents for each hour or fractional hour of time of search to be paid by the applicant And the Department of Health shall keep a true and correct account of all fees by it received under these provisions and pay the same into the State Treasury through the Department of Revenue

In all counties of the second class the Department of Health shall establish in a convenient location a branch office for the receipt and filing of death certificates It shall be the duty of all local registrars in such counties to make one copy of every death certificate in addition to the copy now required by law to be retained in their offices Such additional copy shall be forwarded immediately upon its completion to the branch office hereinbefore provided for and it shall thereafter have the same validity and effect as the original death certificate forwarded to the Department of Health in Harrisburg for filing Certified copies of any death certificate on file with such branch office shall be issued by it immediately upon request and payment of the fee hereinbefore in this section prescribed Such certified copies shall have the same force and effect as other certified copies issued under the authority of this section Such branch office shall also make searches of its death certificate records or files upon payment of the fee hereinbefore in this section prescribed

Section 2 The provisions of this act shall become effective immediately upon final enactment

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows, viz:

YEAS—182

Achterman,	Fletcher,	Longo,	Rose, S.,
Auker,	Flynn,	Lovett,	Rosenfeld,
Baker,	Foor,	Lyons,	Royer,
Balthaser,	French,	Malloy,	Rush,
Bentley,	Gallagher,	Marks,	Sarge,
Bentzel,	Gates,	McClanaghan,	Sarraf,
Boles,	Gerard,	McClester,	Scanlon,
Boney,	Gillan,	McDermott,	Schwab,
Boorse,	Gillette,	McDowell,	Serrill,
Bower,	Goodwin,	McFall,	Shaffer,
Bradley,	Gross,	McIntosh,	Shaw,
Breth,	Gryskewicz,	McKinney,	Shepard,
Bretherick,	Habbyshaw,	McLane,	Simons,
Brown,	Haberlen,	McSurdy,	Skale,
Brunner, C. H.,	Hall,	Melchiorre,	Snyder,
Brunner, P. A.,	Hamilton,	Mihm,	Sollenberger,
Burns,	Hare,	Modell,	Sorg,
Burris,	Harkins,	Monks,	Stank,
Cadwalader,	Harmuth,	Mooney,	Stine,
Chervenak,	Harris,	Moran,	Stockham,
Chudoff,	Heatherington,	Moul,	Tarr,
Cochran,	Helm,	Muir,	Tate,
Cohen, M. M.,	Hering,	Munley,	Thompson, E. F.,
Cohen, R. E.,	Herman,	Nagel,	Trout,
Cook,	Hersch,	Nunemacher,	Turner,
Cooper,	Hewitt,	O'Brien,	Van Allsburg,
Cordier,	Hirsch,	O'Connor,	Verona,
Corrigan,	Holland,	O'Dare,	Vincent,
Croop,	Huntley,	O'Mullen,	Vogt,
Cullen,	Imbrie,	O'Neill,	Voldow,
Dalrymple,	James,	Owens,	Wagner,
Dennison,	Jefferson,	Petrosky,	Watkins,
DiGenova,	Jones, G. E.,	Pettit,	Weingartner,
Dix,	Jones, P. N.,	Polaski,	Weiss,
Dolon,	Kline,	Polen,	Welsh, E. B.,
D'Ortona,	Knoble,	Powers,	Williams,
Duffy,	Kolankiewicz,	Prosen,	Wood, L. R.,
Elder,	Komorofski,	Rank,	Wood, N.,
Elliott,	Krise,	Rausch,	Woodring,
Ely,	Lee, T. H.,	Readinger,	Woodside,
Finestone,	Leisey,	Reese, D. P.,	Wright,
Finnerty,	Leonard,	Reese, R. E.,	Yeakel,
Fisher,	Lesko,	Reynolds,	Yester,
Fiss,	Levy,	Rhea,	Young,
Fleming,	Leydic,	Riley,	Kilroy,
	Lichtenwalter,	Rooney,	Speaker.

NAYS—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1895, as follows:

An Act to amend section five of the act approved the fourth day of April one thousand nine hundred twenty-nine (P. L. 144) entitled "An act prescribing the powers and duties of the Department of Agriculture with regard to farm products providing for co-operation with the Department of Internal Affairs to establish standard receptacles for farm products authorizing the Department of Agriculture to establish and promulgate standards for the grade and other classification of farm products and to promulgate regulations for the enforcement thereof defining farm products to include agricultural horticultural vegetable fruit and floricultural products of the soil live stock and meats wools hides poultry eggs dairy products nuts mushrooms and honey and providing penalties" by including certificates of the United States Department of Agriculture as evidence of grade and classification

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section five of the act approved the fourth day of April one thousand nine hundred twenty-nine (P. L. 144) entitled "An act prescribing the powers and duties of the Department of Agriculture with regard to farm products providing for co-operation with the Department of Internal Affairs to establish standard receptacles for farm products authorizing the Department of Agriculture to establish and promulgate standards for the grade and other classification of farm products and to promulgate regulations for the enforcement thereof defining farm products to include agricultural horticultural vegetable fruit and floricultural products of the soil live stock and meats wool hides poultry eggs dairy products nuts mushrooms and honey and providing penalties" is hereby amended to read as follows

Section 5 A certificate when not superseded by a finding of the grade or other classification of any farm product issued under this act and a certificate issued by the United States Department of Agriculture independently or in co-operation with a co-operating agency as to grade or other classification of any farm product when certified by the authorized agent of that department shall be accepted in any court of this Commonwealth as prima facie evidence of the [true grade or other classification] [of such farm product at the time of its classification] truth of the statements therein contained including the true grade or other classification of such farm product at the time of its classification

Section 2 The provisions of this act shall become effective immediately upon final enactment

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows, viz:

YEAS—182

Achterman,	Fletcher,	Lichtenwalter,	Rooney,
Auker,	Flynn,	Longo,	Rose, S.,
Baker,	Foor,	Lovett,	Rosenfeld,
Balthaser,	French,	Lyons,	Royer,
Bentley,	Gallagher,	Malloy,	Rush,
Bentzel,	Gates,	Marks,	Sarge,
Boles,	Gerard,	McClanaghan,	Sarraf,
Boney,	Gillan,	McClester,	Scanlon,
Boorse,	Gillette,	McDermott,	Schwab,
Dower,	Goodwin,	McDowell,	Serrill,
Bradley,	Gross,	McFall,	Shaffer,
Breth,	Gryskewicz,	McIntosh,	Shaw,
Bretherick,	Habbyshaw,	McKinney,	Shepard,
Brown,	Haberlen,	McLane,	Simons,
Brunner, C. H.,	Hall,	McSurdy,	Skale,
Brunner, P. A.,	Hamilton,	Melchiorre,	Snyder,
Burns,	Hare,	Mihm,	Sollenberger,
Burris,	Harkins,	Modell,	Sorg,
Cadwalader,	Harmuth,	Monks,	Stank,
Chervenak,	Harris,	Mooney,	Stine,
Chudoff,	Heatherington,	Moran,	Stockham,
Cochran,	Helm,	Moul,	Tarr,
Cohen, M. M.,	Hering,	Muir,	Tate,
Cohen, R. E.,	Herman,	Munley,	Thompson, E. F.,
Cook,	Hersch,	Nagel,	Trout,
Cooper,	Hewitt,	Nunemacher,	Turner,
Cordier,	Hirsch,	O'Brien,	Van Allsburg,
Corrigan,	Holland,	O'Connor,	Verona,
Croop,	Huntley,	O'Dare,	Vincent,
Cullen,	Imbrie,	O'Mullen,	Vogt,
Dalrymple,	James,	O'Neill,	Voldow,
Dennison,	Jefferson,	Owens,	Wagner,
DiGenova,	Jones, G. E.,	Petrosky,	Watkins,
Dix,	Jones, P. N.,	Pettit,	Weingartner,
Dolon,	Kline,	Polaski,	Weiss,
D'Ortona,	Knoble,	Polen,	Welsh, E. B.,
Duffy,	Kolankiewicz,	Powers,	Williams,
Elder,	Komorofski,	Prosen,	Wood, L. H.,
Elliott,	Krise,	Rank,	Wood, N.,
Ely,	Lee, T. H.,	Rausch,	Woodring,
Finestone,	Leisey,	Readinger,	Woodside,
Flannerty,	Leonard,	Reese, D. P.,	Wright,
Fisher,	Lesko,	Reese, R. E.,	Yeakel,
Fiss,	Levy,	Reynolds,	Yester,
Fleming,	Leydic,	Rhea,	Young,
		Riley,	Kilroy, Speaker

NAYS—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1935, as follows:

An Act to further amend clause six of section one and section three of the act approved the twenty-seventh day of June one thousand nine hundred and twenty-three (P. L. 858) entitled "An act establishing a State employes' retirement system and creating a retirement board for the administration thereof establishing certain funds from contributions by the Commonwealth and contributing State employes defining the uses and purposes thereof and the manner of payments therefrom and providing for the guaranty by the Commonwealth of certain of said funds imposing powers and duties upon the heads of departments in which State employes serve excepting annuities allowances returns benefits and rights from taxation and judicial process and providing penalties" by further defining "State employe" so as to include certain employes of the Board of Fish Commissioners providing that such employes shall have the option of joining the State Employes Retirement Association and permitting their membership in such association to be retroactive upon the making of certain back payments by them and by the Board of Fish Commissioners

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Clause six of section one and section three of the act approved the twenty-seventh day of June one thousand nine hundred and thirty-three (P. L. 858) entitled "An act establishing a State employes' retirement system and creating a retirement board for the administration thereof establishing certain funds from contributions by the Commonwealth and contributing State employes defining the uses and purposes thereof and the manner of payments therefrom and providing for the guaranty by the Commonwealth of certain of said funds imposing powers and duties upon the heads of departments in which State employes serve excepting annuities allowances returns benefits and rights from taxation and judicial process and providing penalties" as last amended by the act approved the eighteenth day of May one thousand nine hundred and thirty-seven (P. L. 683) are hereby further amended to read as follows

Section 1 Be it enacted et cetera That the following words and phrases as used in this act unless a different meaning is plainly required by the context shall have the following meanings

* * * *

6 "State employes" shall mean any person holding a State office or position under the Commonwealth of Pennsylvania employed and paid on a yearly or monthly basis by the State Government of the Commonwealth of Pennsylvania in any capacity whatsoever and shall also include any employes of the Board of Fish Commissioners who although listed on a per diem payroll are in fact employed on a full time basis and at a regular compensation and shall include also any attorney solicitor investigator appraiser and clerk employed by the year or by the month in the office of any register of wills howsoever appointed whose compensation is actually paid from Commonwealth moneys and shall also include all judges of the several courts of this Commonwealth whose salaries are paid by the Commonwealth and also all clerks and secretaries employed by judges and paid on a yearly or monthly basis by such judges from moneys appropriated by the Commonwealth for such purposes and also all officers and employes of the Pennsylvania State College paid on a yearly or monthly basis other than those paid wholly from Federal funds and also all officers and employes of the Delaware River Joint Commission paid on a yearly or monthly basis if the Delaware River Joint Commission shall agree to contribute and contributes to the State Employes' Retirement Fund from time to time the moneys required to build up the reserves necessary for the payment of the State annuities of such officers and employes without any liability on the part of the Commonwealth to make appropriations for such purposes and also but only for the purposes of this act all officers and employes of any separate independent public corporation created by act of Assembly (not including however any municipal or quasi-municipal corporation) who immediately prior to their employment by such public corporation were employes of the Commonwealth so long as if they remain officers or employes of such public corporation if such public corporation shall agree to contribute and contributes to the State Employes' Retirement Fund from time to time the moneys required to build up the reserve necessary for the payment of the State annuitiees of such officers and employes without any liability on the part of the Commonwealth to make appropriations for such purposes But the term "State employe" shall not include those persons defined as employes in section one paragraph seven of the act approved the eighteenth day of July one thousand nine hundred and seventeen (P. L. 1043) entitled "An act establishing a public school employes' retirement

system and creating a retirement board for the administration thereof establishing certain funds from contributions by the Commonwealth and contributing employes defining the uses and purposes thereof and the manner of payments therefrom and providing for the guaranty by the Commonwealth of certain of said funds imposing powers and duties upon boards having the employment of public school employes exempting annuities allowances returns benefits and rights from taxation and judicial process and providing penalties" as amended by section one paragraph seven of the act approved the twenty-first day of April one thousand nine hundred and twenty-one (P. L. 245) excepting such officers and employes of the Department of Public Instruction as are not members of or who may withdraw from the public school employes' retirement association provided by said act and no member shall be deprived of credit for prior service as a State employe because of the fact that such service was rendered while he or she was a member of the public school employes' retirement association

The term "State employe" shall also include all State officers and employes regularly employed by the year or by the month at a fixed annual or monthly compensation when the General Assembly is not in session but who during a legislative session instead of a fixed annual or monthly salary or compensation are paid upon a per diem basis or by a fixed salary or compensation from the legislative session

In all cases of doubt the retirement board shall determine whether any person is a State employe as defined in this paragraph and its decision shall be final

Sction 3 A State employes' retirement association is hereby organized the membership of which shall consist of all State employes as defined in paragraph six of section one of this act who by written application to the Retirement Board shall either as an original member or a new member elect to be covered by the retirement system Any State employe who becomes a State employe subsequent to the thirty-first day of December nineteen hundred twenty-four except as provided in paragraphs nine and ten of section one of this act as to judges shall during the first six months of employment as a State employe have the option of membership but after the first six months of such employment as a State employe membership as a new member shall be compulsory Provided however That neither the Governor nor the Lieutenant Governor nor the head or deputy heads of any administrative department nor the members of any independent administrative board or commission or of any departmental administrative board or commission or of any advisory board of commission nor the secretary to the Governor nor the budget secretary nor any employes of the Board of Fish Commissioners who although listed on a per diem payroll are in fact employed on a full-time basis and at a regular compensation nor any person over the age of fifty years shall be compelled to become members of said State employes' retirement association

The head of each department board commission or other agency of the State government shall see to it that an application for membership is executed by each new State employe within said six months' period and that payroll deductions are not delayed beyond said period

Section 2 The foregoing change made in the definition of "State Employe" by this act shall be considered retroactive that is all persons included as State employes by such change and electing to join the retirement association shall be afforded the same rights as though they had become members of the retirement association at the time they first became State employes No such persons shall be considered as having become members of the retirement association prior to January first one thousand nine hundred and twenty-five and all such persons shall pay to the retirement association through regular payroll deductions a sum equal to all the back payments which such persons would have made if a member of the retirement association during the entire period they had the status of State employes

The Board of Fish Commissioners shall make the same back payments into the State Employes' Retirement Fund on account of such persons as would have been made if they had become members of the retirement association when they first became State employes

Section 3 The provisions of this act shall become effective immediately upon final enactment

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows, viz:

YEAS—182

Achterman,	Fletcher,	Lichtenwalter,	Rooney,
Auker,	Flynn,	Longo,	Rose, S.,
Baker,	Foor,	Lovett	Rosenfeld,
Balthaser,	French,	Lyons,	Royer,
Bentley	Gallagher,	Malloy,	Rush,
Bentzel,	Gates,	Marks,	Sarge,
Boney,	Gerard,	McClanaghan	Sarraf,
Boles,	Gillan,	McClester,	Scanlon,
Boorse,	Gillette,	McDermott	Schwab,
Bower,	Goodwin,	McDowell	Serrill,
Bradley,	Gross,	McFall	Shaffer,
Breth,	Gryskewicz,	McIntosh	Shaw,
Bretherick,	Habbyshaw,	McKinney,	Shepard,
Brown,	Haberlen,	McLane,	Simons,
Brunner, C. H.,	Hall,	McSurdy,	Skale,
Brunner, P. A.,	Hamilton,	Melchiorre,	Snyder,
Burns,	Hare,	Mihm,	Sollenberger
Burris,	Harkins,	Modell,	Sorg,
Cadwalader,	Harmuth,	Monks,	Stank,
Chervenak,	Harris,	Mooney,	Stine,
Chudoff,	Heatherington,	Moran,	Stockham,
Cochran,	Helm,	Moul,	Tarr,
Cohen, M. M.,	Hering,	Muir,	Tate,
Cohen, R. E.,	Herman,	Munley	Thompson, E. F.,
Cook,	Hersch,	Nagel,	Trout,
Cooper,	Hewitt,	Nunemacher,	Turner,
Cordier,	Hirsch,	O'Brien,	Van Allsburg,
Corrigan,	Holland,	O'Connor,	Verona,
Croop,	Huntley,	O'Dare,	Vincent,
Cullen,	Imbrie,	O'Mullen,	Vogt,
Dalrymple,	James,	O'Neill,	Voldow,
Dennison,	Jefferson,	Owens,	Wagner,
DiGenova,	Jones, G. E.,	Petrosky,	Watkins,
Dix,	Jones, P. N.,	Pettit,	Weingartner,
Dolon,	Kline,	Polaski,	Weiss,
D'Ortona,	Knoble,	Polen,	Welsh, E. B.,
Duffy,	Kolankiewicz,	Powers,	Williams,
Elder,	Komorofski,	Prosen,	Wood, L. H.,
Elliott,	Krise,	Rank,	Wood, N.,
Ely,	Lee, T. H.,	Rausch,	Woodring,
Finestone,	Leisey,	Readinger	Woodside,
Finnerty,	Leonard,	Reese, D. P.,	Wright,
Fisher,	Lesko,	Reese, R. E.,	Yeakel,
Fiss,	Levy,	Reynolds,	Yester,
Fleming,	Leydic,	Rhea,	Young,
		Riley,	Kilroy, Speaker.

NAYS—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 629, as follows:

An Act to amend section one of and to add section three and one tenth to the act approved the twentieth day of June one thousand nine hundred and one (P. L. 582) entitled "An act to provide for the registration of labels trade-marks trade-names stamps designs devices shop-marks terms brands designations descriptions or forms of advertisement and protect and secure the rights property and interest therein of the persons copartnerships or corporations adopting and filing the same and providing penalties for the violations of the act" further regulating the registration of labels trade-marks

trade-names devices shop-marks designations and forms of advertisement and providing for the cancellation of such registrations in certain cases

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section one of the act approved the twentieth day of June one thousand nine hundred and one (P. L. 582) entitled "An act to provide for the registration of labels trade-marks trade-names stamps designs devices shop-marks terms brands designations descriptions or forms of advertisement and protect and secure the rights property and interest therein of the persons copartnerships or corporations adopting and filing the same and providing penalties for the violations of the act" is hereby amended to read as follows

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That whenever any person or persons copartnership or corporation has heretofore adopted or used or shall hereafter adopt or use any label trade-mark trade-name device shop-mark designation or form of advertisement for the purpose of designating making known or distinguishing any goods wares merchandise or other product of labor as having been manufactured prepared packed bottled or placed on sale by such person or persons co-partnership or corporation he or they if residents of or doing business in the United States may file the same for record in the office of the Secretary of State of the State of Pennsylvania by leaving two copies counterparts or facsimilies thereof with said Secretary and shall file therewith a certificate specifying the names of the person or persons copartnership or corporation so filing such label trade-mark trade-name device brand shop-mark designation or form of advertisement his or its residence location or place of business the class of merchandise and the particular description of goods comprised therein the class to which it has been or is intended to be appropriated and the length of time if any during which it has been in use Such certificate shall be accompanied by the written declaration verified under oath by the person or one of persons or some member of the copartnership or officer of the corporation by whom it is filed to the effect that the party so filing such label trade-mark trade-name device shop-mark designation description or form of advertisement has the right to the use of the same and that no other person or persons copartnership or corporation has a right to such use either in the identical form or in any such near resemblance thereto as may be calculated to deceive and that the facsimiles copies or counterparts filed therewith are true and correct There shall be paid to such secretary for such filing a fee of [one dollar] five dollars Said Secretary shall deliver to such person or persons copartnership or corporation so filing the same a duly attested certificate of the record of the same for which he shall receive a fee of [one dollar] five dollars Such certificate of record shall in all suits and prosecutions under this act sufficient proof of the adoption of such label trade-mark trade-name stamp design device term brand shop-mark designation description or form of advertisement No label trade-mark trade-name stamp design device term brand shop-mark designation or form of advertisement shall be recorded [that would reasonably be mistaken for the label trade-mark trade-name stamp design device term brand designation shop-mark description or form of advertisement already filed for record] which

(a) Consists of or comprises immoral or scandalous matter or

(b) Consists of or comprises the flag or coat-of-arms or other insignia of the United States or any similation thereof or of any state or municipality or of any foreign nation or

(c) Is identical with a registered or known label trade-mark trade-name stamp design device term brand shop-mark designation description or form of advertisement owned and in use by another and appropriated to merchandise of the same descriptive properties or which so nearly resemble any such registered or known trade-mark or item owned and in use by another and appropriated to merchandise of the same descriptive properties as to be likely to cause confusion or mistake in the mind of the public or to deceive purchasers or

(d) Consists merely in the name of an individual firm corporation or association not written printed impressed or woven in some particular or descriptive manner or not associated with the portrait of the individual or merely in words or devices which are descriptive of the goods with which they are used or of the character or quality of such goods or merely a geographical name or term

Section 2 Said act is hereby amended by adding thereto after section three a new section to read as follows

Section 3.1 Whenever any person or persons copartnership or corporation has heretofore registered or shall hereafter register any label trade-mark trade-name device shop-mark designation or form of advertisement in the office of the Secretary of the Commonwealth and shall have received a certificate of record therefor as provided by this act and such person or persons copartnership or corporation shall have discontinued or gone out of the business to which such registration is pertinent or for any reason shall have never used or abandoned or discontinued the use of said label trade-mark trade-name device shop-mark designation or form of advertisement the said registration and certificate shall be revoked under the following conditions in the following manner to wit

(a) In the case of a person persons or copartnership or corporation not having filed articles of dissolution or a decree of dissolution but having discontinued or gone out of the business to which such registration is pertinent or having never used or abandoned or discontinued the use of the item so registered for a period of at least five years and such discontinuance still persists any person may present his affidavit to the Secretary of the Commonwealth accompanied by a fee of fifteen dollars setting forth the above facts relative thereto together with proof of service of notice of such affidavit upon the person persons copartnership or corporation in whose name the said registration is recorded and asking that such registration be cancelled The Secretary shall fix a time to hear the parties concerned in the matter and send by registered mail a notice thereof to the person persons copartnership or corporation in whose name such registration is recorded After hearing the same if the Secretary is satisfied of the truth of the facts alleged in the affidavit in accordance with the provisions of this clause he shall cancel the said registration

(b) In the case of a corporation having filed articles of dissolution or a decree of dissolution any person may at any time at least three years thereafter present his affidavit to the Secretary of the Commonwealth accompanied by a fee of fifteen dollars setting forth such fact The said Secretary if satisfied of the truth of the alleged facts shall cancel the registration of said item recorded in the name of such corporation

Section 2 This act shall become effective immediately upon final enactment

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows, viz:

YEAS—182

Achterman,	Flynn,	Lovett	Rosenfeld,
Auker,	Foor,	Lyons,	Royer,
Baker,	French,	Malloy,	Rush,
Balthaser,	Gallagher,	Marks,	Sarge,
Bentley,	Gates,	McClanaghan	Sarraf,
Bentzel,	Gerard,	McClester,	Scanlon,
Boles,	Gillan,	McDermott,	Schwab,
Boney,	Gillette,	McDowell	Serrill,
Boorse,	Goodwin,	McFall	Shaffer,
Bower,	Gross,	McIntosh	Shaw,
Bradley,	Gryskewicz,	McKinney,	Shepard,
Breth	Habbyshaw,	McLane,	Simons,
Bretherick,	Haberlen,	McSurdy,	Skale,
Brown,	Hall,	Melchiorre,	Snyder,
Brunner, C. H.,	Hamilton,	Mihm,	Sollenberger,

Brunner, P. A.,	Hare,	Modell,	Sorg,
Burns,	Harkins,	Monks,	Stank,
Burris,	Harmuth,	Mooney,	Stine,
Cadwalader,	Harris,	Moran,	Stockham,
Charvenak,	Heatherington,	Moul,	Tarr,
Chudoff,	Helm,	Muir,	Tate,
Cochran,	Hering,	Munley,	Thompson, E. F.,
Cohen, M. M.,	Herman,	Nagel,	Trout,
Cohen, R. E.,	Hersch,	Nunemacher,	Turner,
Cook,	Hewitt,	O'Brien,	Van Allsburg,
Cooper,	Hirsch,	O'Connor,	Verona,
Cordier,	Holland,	O'Dare,	Vincent,
Corrigan,	Huntley,	O'Mullen,	Vogt,
Croop,	Imbrie,	O'Neill,	Voldow,
Cullen,	James,	Owens,	Wagner,
Dalrymple,	Jefferson,	Petrosky,	Watkins,
Dennison,	Jones, G. E.,	Pettit,	Weingartner,
DiGenova,	Jones, P. N.,	Polaski,	Weiss,
Dix,	Kline,	Polen,	Welsh, E. B.,
Dolon,	Knoble,	Powers,	Williams,
D'Ortona,	Kolankiewicz,	Prosen,	Wood, L. H.,
Duffy,	Komorofski,	Rank,	Wood, N.,
Elder,	Krise,	Rausch,	Woodring,
Elliott,	Lee, T. H.,	Readinger	Woodside,
Ely,	Leisey,	Reese, D. P.,	Wright,
Finestone,	Leonard,	Reese, R. E.,	Yeakel,
Finnerty,	Lesko,	Reynolds,	Yester,
Fisher,	Levy,	Rhea,	Young,
Fiss,	Leydic,	Riley,	Kilroy.
Fleming,	Lichtenwalter,	Rooney,	Speaker.
Fletcher,	Longo,	Rose, S.,	

NAYS—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

SENATE MESSAGE

SENATE BILLS FOR CONCURRENCE

The Clerk of the Senate being introduced presented for concurrence bills numbered and entitled as follows:

SENATE BILL No. 1312. (HOUSE BILL No. 1978).

An Act to add section 2321 to the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 177) entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments boards commissions and officers thereof including the boards of trustees of State Normal Schools or Teachers Colleges abolishing creating reorganizing or authorizing the reorganization of certain administrative departments boards and commissions defining the powers and duties of the Governor and other executive and administrative officers and of the several administrative departments boards commissions and officers fixing the salaries of the Governor Lieutenant Governor and certain other executive and administrative officers providing for the appointment of certain administrative officers and of all deputies and other assistants and employes in certain departments boards and commissions and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments boards and commissions shall be determined" by providing for the administration of public assistance by the Department of Welfare providing for the appointment by the Governor of an Employment Board and defining its powers and duties conferring additional powers on the State Welfare Commission providing for a civil service system for the employes of the Department of Welfare and Local Boards engaged in public assistance work and repealing the provisions of this act relating to the Department of Public Assistance.

Referred to the Committee on Welfare.

SENATE BILL No. 1314. (HOUSE BILL No. 1979).

An Act authorizing the Department of Property and Supplies to acquire on behalf of the Commonwealth certain land upon which the historic Fort Roberdeau once stood in Blair County as a memorial providing for the control management supervision restoration and maintenance thereof authorizing the Pennsylvania Historical Commission to make and enforce rules and regulations for the preservation and visitation thereof and making an appropriation.

Referred to the Committee on Appropriations.

SENATE BILL No. 1311. (HOUSE BILL No. 1980).

An Act to further amend the act approved the twenty-fourth day of June one thousand nine hundred and thirty-seven (P. L. 2051) entitled "An act relating to public assistance providing for and regulating assistance to certain classes of persons designated and defined as dependent children aged persons blind persons and other persons requiring relief providing for the administration of this act by the Department of Public Assistance and county boards of assistance hereby created for this purpose authorizing the Department of Public Assistance to cooperate with and to accept and disburse moneys received from the United States Government for assistance to such persons providing for the liquidation of the State Emergency Relief Board Boards of Trustees of the Mothers' Assistance Fund and Boards of Trustees of Pension Fund for the Blind and repealing laws relating to mothers' assistance pensions for the blind old age assistance and the State Emergency Relief Board" limiting the grant of general assistance to unemployable persons transferring the administration of this act from the Department of Public Assistance to the Department of Welfare abolishing the Department of Public Assistance and the State Board of Public Assistance conferring powers on the State Welfare Commission changing the powers and duties of local boards and imposing certain duties in respect to employable persons on the Department of Labor and Industry.

Referred to the Committee on Welfare.

SENATE BILL No. 399. (HOUSE BILL No. 1981).

An Act making an appropriation to the Treasury Department for the use of the Board of Finance and Revenue in granting refunds of "store and theatre" tax.

Referred to the Committee on Appropriations.

SENATE BILL No. 558. (HOUSE BILL No. 1982).

An Act to safeguard human health and life by providing for the issuance of permits to and the regulation of persons and entities selling milk and milk products conferring powers and imposing duties on the Secretary of Health and Secretary of Agriculture establishing a Dairy Advisory Council in the Department of Health conferring powers and imposing duties thereon defining certain qualities for milk providing for inspection of and standards for dairy farms and milk plants providing for the administration of the act and the establishment of rules and regulations thereunder and for appeals to the Court of Common Pleas of Dauphin County and imposing penalties.

Referred to the Committee on Dairy Industries.

SENATE BILL No. 1308. (HOUSE BILL No. 1983).

An Act to amend section one further amend section three and to reenact section six of the act approved the twenty-second day of May one thousand nine hundred thirty-three (P. L. 912) entitled "An act to protect the public health defining and providing for the licensing of bakeries and regulating the inspection maintenance and operation of bakeries and premises stores and shops connected therewith defining and regulating the manufacture sale and offering for sale of bakery products conferring

powers on the Department of Agriculture and providing penalties" by redefining "bakery" removing the exception from registration and licensing requirements requiring registered bakery products to show the fact of such registration making it unlawful for any person to sell offer for sale or have in possession with intent to sell unregistered bakery products or to import bakery products from bakeries not licensed hereunder and making possession prima facie evidence of intention to sell.

Referred to the Committee on Law and Order.

REPORT FROM COMMITTEE

Pursuant to motion heretofore adopted bills reported from committee as committed were read the first time.

Mr. TATE, from the Committee on Judiciary General, reported as committed, House Bill No. 1606, (Senate Bill 177), entitled:

An Act regulating and limiting the rights of slayers in real and personal property and in the benefits from insurance policies, arising out of or as a result of the death of the person slain; and protecting and saving the rights of purchasers and insurers dealing with slayers without notice of the slaying and repealing certain legislation.

BILL ON FIRST READING

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1606, (Senate Bill No. 177), entitled:

An Act regulating and limiting the rights of slayers in real and personal property and in the benefits from insurance policies, arising out of or as a result of the death of the person slain; protecting and saving the rights of purchasers and insurers dealing with slayers without notice of the slaying, and repealing certain legislation.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

REPORT FROM COMMITTEE

Mr. McFALL, from the Committee on Agriculture reported as committed, House Bill No. 1620, (Senate Bill No. 714), entitled:

An Act to further amend section fifteen of the act, approved the eleventh day of May, one thousand nine hundred and twenty-one (P. L. 522), entitled "An act relating to dogs, and the protection of live stock and poultry from damage by dogs; providing for the licensing of dogs by the Secretary of Agriculture; providing for the enumeration of dogs by assessors; regulating the keeping of dogs, and authorizing their destruction in certain cases; providing for the protection of licensed dogs, and for dogs temporarily imported for trial, show, and breeding purposes; prescribing certain privileges for hunting dogs, and dogs owned or used by the Board of Game Commission; providing for the assessment of damages done to live stock and poultry by dogs, and for the illegal killing of licensed dogs, and the payment of such damages by the Commonwealth; imposing powers and duties on certain State, county, city borough, town, and township officers and employes; directing the payment of all moneys collected into the State Treasury; and making an appropriation thereof; and providing penalties," by providing for the return of a portion of moneys received for licenses to the counties for use by Societies for the Prevention of Cruelty to Animals and specifically appropriating the same for such purpose.

BILL ON FIRST READING

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1620, (Senate Bill No. 714), entitled:

An Act to further amend section fifteen of the act, approved the eleventh day of May, one thousand nine hundred and twenty-one (P. L. 522), entitled "An act relating to dogs, and the protection of live stock and poultry from damage by dogs; providing for the licensing of dogs by the Secretary of Agriculture; providing for the enumeration of dogs by assessors; regulating the keeping of dogs, and authorizing their destruction in certain cases; providing for the protection of licensed dogs, and for dogs temporarily imported for trial, show, and breeding purposes; prescribing certain privileges for hunting dogs, and dogs owned or used by the Board of Game Commissioners; providing for the assessment of damages done to livestock and poultry by dogs, and for the illegal killing of licensed dogs, and the payment of such damages by the Commonwealth; imposing powers and duties on certain State, county, city, borough, town, and township officers and employes; directing the payment of all moneys collected into the State Treasury; and making an appropriation thereof; and providing penalties," by providing for the return of a portion of moneys received for licenses to the counties for use by Societies for the Prevention of Cruelty to Animals and specifically appropriating the same for such purpose

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

REPORT FROM COMMITTEE

Mr. SHAW, from the Committee on Welfare, reported as committed, House Bill No. 1844, (Senate Bill No. 594), entitled:

An Act to amend the act, approved the twenty-fourth day of June, one thousand nine hundred and thirty-seven (P. L. 2051), entitled "An act relating to public assistance; providing for and regulating assistance to certain classes of persons designated and defined as dependent children, aged persons, blind persons and other persons requiring relief; providing for the administration of this act by the Department of Public Assistance and county boards of assistance hereby created for this purpose; authorizing the Department of Public Assistance to cooperate with, and to accept and disburse moneys received from, the United States Government for assistance to such persons; providing for the liquidation of the State Emergency Relief Board, Boards of Trustees of the Mothers' Assistance Fund, and Boards of Trustees of Pension Fund for the Blind; and repealing laws relating to mothers' assistance, pensions for the blind, old age assistance, and the State Emergency Relief Board," as amended, by redefining assistance to include work relief, and authorizing the Department of Public Assistance, with the approval of the Governor, to administer work relief projects.

BILL ON FIRST READING

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1844, (Senate Bill No. 594), entitled:

An Act to amend the act, approved the twenty-fourth day of June, one thousand nine hundred and thirty-seven (P. L. 2051), entitled "An act relating to public assistance; providing for and regulating assistance to certain classes of persons designated and defined as dependent children, aged persons, blind persons and other persons requiring relief; providing for the administration of this act by the Department of Public Assistance and county boards of assistance hereby created for this purpose; authorizing the Department of Public Assistance to cooperate with, and to accept and disburse moneys received from the United States Government for assistance to such

persons; providing for the liquidation of the State Emergency Relief Board, Boards of Trustees of the Mothers' Assistance Fund, and Boards of Trustees of Pension Fund for the Blind; and repealing laws relating to mothers' assistance, pensions for the blind, old age assistance, and the State Emergency Relief Board," as amended, by redefining assistance to include work relief, and providing for the establishment of a Board of Review and Appeal to supervise and regulate work relief projects authorizing the Department of Public Assistance, with the approval of the Board of Review and Appeal to administer work relief projects subject to certain provisions and conditions, making certain acts unlawful and imposing penalties.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

BILL RECOMMITTED

Mr. SHAW. Mr. Speaker, I move that this bill be recommitted to the Committee on Welfare for the purpose of further study.

The motion was agreed to.

PERMISSION GRANTED COMMITTEE TO MEET DURING SESSION

Mr. SHAW asked and obtained permission for the Committee on Welfare to meet during the session of the House.

REPORTS FROM COMMITTEES

Mr. POLASKI from the Committee on Fisheries reported as committed, House Bill No. 1954, entitled:

An Act to add section two hundred twenty-nine and one-tenth to the act, approved the second day of May, one thousand nine hundred and twenty-five (P. L. 448), entitled "An act relating to fish; and amending, revising, consolidating, and changing the law relating to fish in the inland waters and the boundary lakes and boundary rivers of the Commonwealth," limiting the right of certain lessees or owners of or holders of certain rights in property for fishing purposes, to exclude the general public from fishing from such property.

Mr. POLASKI from the Committee on Fisheries reported as committed House Bill No. 1955, entitled:

An Act to amend section two hundred and fifty-four of the act, approved the second day of May, one thousand nine hundred and twenty-five (P. L. 448), entitled "An act relating to fish; and amending, revising, consolidating, and changing the law relating to fish in the inland waters and the boundary lakes and boundary rivers of the Commonwealth," limiting the right of certain lessees or owners of or holders of certain rights in property for fishing purposes, to exclude the general public from fishing from such property.

BILLS ON FIRST READING

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1954, entitled:

An Act to add section two hundred twenty-nine and one-tenth to the act, approved the second day of May, one thousand nine hundred and twenty-five (P. L. 448), entitled "An act relating to fish; and amending, revising, consolidating, and changing the law relating to fish in the inland waters and the boundary lakes and boundary rivers of the Commonwealth," limiting the right of certain lessees or owners of or holders of certain rights in property for fishing purposes, to exclude the general public from fishing from such property.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1955, entitled:

An Act to amend section two hundred and fifty-four of the act, approved the second day of May, one thousand nine hundred and twenty-five (P. L. 448), entitled "An act relating to fish; and amending, revising, consolidating, and changing the law relating to fish in the inland waters and the boundary lakes and boundary rivers of the Commonwealth," limiting the right of certain lessees or owners of or holders of certain rights in property for fishing purposes, to exclude the general public from fishing from such property.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

REPORT FROM COMMITTEE

Mr. BONEY from the Committee on Motor Vehicles, re-reported as amended, House Bill No. 570, entitled:

An Act to add two new definitions to Section 102, to amend the table of contents to Article VI, to further amend Sections 601, 603, 605, and 606, and to amend Section 609, to further amend Sections 613, 620, and 621, to add Sections 623, to 638, both inclusive, to article VI, and to further amend Section 713 of the act, approved the first day of May, one thousand nine hundred twenty-nine (P. L. 905), entitled "An act for the protection of the public safety: regulating the use of highways, and the operation of vehicles, tractors, street cars, trackless trolley omnibuses, bicycles, pedestrians, and the riding of animals upon the highways of this Commonwealth; providing for the titling, including liens, encumbrances, and legal claims; registration of certain vehicles and licensing the operators thereof, upon payment of prescribed fees; prescribing and limiting the powers of local authorities to deal with the subject matter of this act; conferring powers and imposing duties upon the Department of Revenue, the Department of Highways, peace officers, mayors, burgesses, magistrates, aldermen, justices of the peace, the courts and the clerks thereof, owners of vehicles, and garage keepers; providing that records are admissible as evidence; imposing upon owners, counties, cities, boroughs, incorporated towns, townships, within the Commonwealth, liability for damages caused by the negligent operation of their motor vehicles; imposing penalties; imposing certain costs upon counties; providing for the disposition of fines, forfeitures, fees, and miscellaneous receipts; making an appropriation and providing for refunds," providing for the issuance of commercial operators' licenses; regulating the operation of motor vehicles, motor busses, omnibuses, and school busses; fixing fees; and imposing additional penalties.

PERMISSION GRANTED COMMITTEE TO MEET DURING SESSION

Mr. WEISS asked and obtained permission for the Committee on Municipal Corporations to meet during the session of the House.

MR. MELCHIORRE IN THE CHAIR.

REPORT FROM COMMITTEE

Mr. MUNLEY, from the Committee on Municipal Corporations, reported as committed, House Bill No. 1361, (Senate Bill 338), entitled:

An Act to further amend sections four and five of the act, approved the sixth day of April, one thousand nine

hundred thirty-five (P. L. 90), entitled "An act to promote uniformity in the assessment and taxation of properties and persons within the territorial limits of the cities of the second class A, by providing that city and school taxes within such territorial limits shall be assessed, levied, and collected upon the basis of the assessments for taxation for county purposes, and requiring the furnishing of tax duplicates by the county taxing authorities to such cities and to school districts coterminous therewith; abolishing the department of assessors in cities of the second class A; consolidating tax statements covering city, school, county, and poor taxes therein, and making uniform the time for levy and collection of said taxes respectively, and regulating the discounts therefrom and penalties thereon," by further regulating discounts for prompt payment of taxes and penalties and interest imposed on said taxes and by changing the date of certain tax payments.

BILL ON FIRST READING

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1361, (Senate Bill No. 338), entitled:

An Act to further amend sections four and five of the act, approved the sixth day of April, one thousand nine hundred thirty-five (P. L. 90), entitled "An act to promote uniformity in the assessment and taxation of properties and persons within the territorial limits of cities of the second class A, by providing that city and school taxes within such territorial limits shall be assessed, levied, and collected upon the basis of the assessments for taxation for county purposes; and requiring the furnishing of tax duplicates by the county taxing authorities to such cities and to school districts coterminous therewith abolishing the department of assessors in cities of the second class A; consolidating tax statements covering city, school, county and poor taxes therein, and making uniform the time for levy and collection of said taxes respectively, and regulating the discounts therefrom and penalties thereon," by further regulating discounts for prompt payment of taxes and penalties and interest imposed on said taxes and by changing the date of certain tax payments.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

REPORT FROM COMMITTEE

Mr. MAXWELL, from the Committee on Game, reported as committed, House Bill No. 1965, (Senate Bill No. 1300), entitled:

An Act to amend sections 410 and 411 of the act approved the third day of June one thousand nine hundred and thirty-seven (P. L. 1225) entitled "An act concerning game and other wild birds and wild animals and amending revising consolidating and changing the law relating thereto" by eliminating the requirement that owners make available open public hunting areas contiguous to regulated shooting grounds and changing shooting restrictions on regulated shooting grounds.

BILL ON FIRST READING

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1965, (Senate Bill No. 1300), entitled:

An Act to amend sections 410 and 411 of the act approved the third day of June one thousand nine hundred and thirty-seven (P. L. 1225) entitled "An act concerning game and other wild birds and wild animals and amending revising consolidating and changing the law relating thereto" by eliminating the requirement that owners make available open public hunting areas contiguous to regulated shooting grounds and changing shooting restrictions on regulated shooting grounds.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

PERMISSION GRANTED COMMITTEE TO MEET DURING SESSION

Mr. TARR asked and obtained permission for the Committee on Game to meet during the session of the House to consider Senate Bill No. 1300.

THE SPEAKER (Elmer Kilroy) IN THE CHAIR

The SPEAKER. The Chair thanks the gentleman from Philadelphia, Mr. Melchiorre, for presiding.

PERMISSION GRANTED COMMITTEE TO MEET DURING SESSION

Mr. READINGER asked and obtained permission for the Committee on State Government to meet during the session of the House.

BILL ON SECOND READING

Mr. BROWN asked and obtained unanimous consent to call up out of order House Bill No. 1929, (Senate Bill No. 1098), Printer's No. 553, on page 2 of today's calendar, bills on second reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 1929, (Senate Bill No. 1098), entitled:

An Act relating to the sale transfer assignment and pledge of accounts receivable and providing for the making of appropriate record of the fact of such assignment

The first section was read.

On the question,

Will the House agree to the section?

Mr. BROWN. Mr. Speaker, I desire to offer the following amendments.

The amendments were read by the Clerk as follows:

Amend Sec. 1, page 2, line 9, by striking out the following "forthwith and contemporaneously" and inserting in lieu thereof "concurrently."

Amend Sec. 1, page 2, line 10, by inserting after the word "the" the following: "books of account or other."

Amend Sec. 1, page 2, line 14, by striking out the following "and the date thereof"

Amend Sec. 1, page 2, line 15, by inserting after the word "such" where it appears the first time in said line, the following: "books of account or other."

Amend Sec. 1, page 2, lines 15, by inserting after the word "fact" the following: "and the date."

Amend Sec. 1, page 2, line 28, by striking out the word "having" and inserting in lieu thereof: "constituting."

The amendments were agreed to.

The section was agreed to as amended.

The second section was read.

On the question,

Will the House agree to the section?

Mr. BROWN. Mr. Speaker, I desire to offer the following amendments.

The amendments were read by the Clerk as follows:

Amend Sec. 2, page 3, lines 5 to 9, both inclusive, by striking out all of said lines, and inserting in lieu thereof:

Section 2. Notification to the principal debtor of the fact that on account owing by such principal debtor has been sold, assigned, transferred or pledges shall be sufficient to make such sale, assignment, transfer or pledge valid in law as, and enforceable against all subsequent purchasers, assignees, transferees, pledgees, execution, attaching or other creditors, notwithstanding the fact that a record of such sale, assignment, transfer or pledge is not made upon the books of account or other records of the seller, assignor, transferor or pledgor.

Section 3. The term "accounts receivable" as used in this act shall include any indebtedness due or to become due and not evidenced by a judgment or a written instrument.

The amendments were agreed to.

The section was agreed to as amended.

The third section was read.

On the question,

Will the House agree to the section?

Mr. BROWN. Mr. Speaker, I desire to offer the following amendments.

The amendments were read by the Clerk as follows:

Amend Sec. 3, page 3, line 10, by striking out the figure "3" and inserting in lieu thereof: "4."

The amendments were agreed to.

The section was agreed to as amended.

The title was read.

On the question,

Will the House agree to the title?

Mr. BROWN. Mr. Speaker, I desire to offer the following amendments.

The amendments were read by the Clerk as follows:

Amend title, page 1, line 2 of title, by striking out the word "and."

Amend title, page 1, lines 3 and 4 of title, by striking out the following "providing for the making" in line 3, and all of line 4.

The amendments were agreed to.

The title was agreed to as amended.

And said bill having been read at length the second time and agreed to as amended.

Ordered, To be transcribed for a third reading.

REPORT FROM COMMITTEE

Mr. SHAW from the Committee on Welfare re-reported as amended, House Bill 1844, (Senate Bill No. 594), entitled:

An Act to amend the act, approved the twenty-fourth day of June, one thousand nine hundred and thirty-seven (P. L. 2051) entitled "An act relating to public assistance; providing for and regulating assistance to certain classes of persons designated and defined as dependent children, aged persons, blind persons and other persons requiring relief; providing for the administration of this act by the Department of Public Assistance and county boards of assistance hereby created for this purpose; authorizing the Department of Public Assistance to cooperate with, and to accept and disburse moneys received from, the United States Government for assistance to such persons; providing for the liquidation of the State Emergency Relief Board, Boards of Trustees of the Mothers' Assistance Fund, and Boards of Trustees of Pension Fund for the Blind; and repealing laws relating to mothers' assistance, pensions for the blind, old age assistance, and the State Emergency Relief Board," as amended, by redefining assistance to include work relief, and providing for the establishment of a Board of Review and Appeal to supervise and regulate work relief projects authorizing the Department of Public Assistance, with the approval of the Board of Review and Appeal to administer work relief projects subject to certain provisions and conditions; making certain acts unlawful and imposing penalties.

PERMISSION GRANTED COMMITTEE TO MEET DURING SESSION

Mr. GALLAGHER asked and obtained permission for the Committee on Elections to meet during the session of the House.

BILL RE-REFERRED

Mr. MELCHIORRE returned from the Committee on Law and Order with the recommendation that it be re-referred to the Committee on Public Health and Sanitation, House Bill No. 1983, (Senate Bill No. 1308, entitled:

An Act to amend section one further amend section three and to reenact section six of the act approved the twenty-second day of May one thousand nine hundred thirty-three (P. L. 912) entitled "An act to protect the public health defining and providing for the licensing of bakeries and regulating the inspection maintenance and operation of bakeries and premises stores and shops connected therewith defining and regulating the manufacture sale and offering for sale of bakery products conferring powers on the Department of Agriculture and providing penalties" by redefining "bakery" removing the exception from registration and licensing requirements requiring registered bakery products to show the fact of such registration making it unlawful for any person to sell offer for sale or have in possession with intent to sell unregistered bakery products or to import bakery products from bakeries not licensed hereunder and making possession prima facie evidence of intention to sell.

The SPEAKER. The bill is re-referred to the Committee on Public Health and Sanitation.

REPORT FROM COMMITTEE

Mr. WEINGARTNER from the Committee on Elections reported as committed, House Bill No. 1868, (Senate Bill 1055), entitled:

An Act to amend sections five, six, twenty-seven, thirty-one, thirty-two and thirty-nine of the act, approved the twenty-fifth day of May, one thousand nine hundred and thirty-seven (P. L. 849) entitled "An act to provide for the permanent personal registration of electors in cities of the third class as a condition of their right to vote at elections and primaries, and their enrollment as members of political parties as a further condition of their right to vote at primaries; prescribing certain procedure for the conduct of elections and primaries and the challenge and proof of qualifications of electors; and prescribing the powers and duties of citizens, parties, political bodies, registration commissions, commissioners, registrars, inspectors of registration and other appointees of registration commissions, county election boards, election officers, municipal officers, departments and bureaus, police officers, courts, judges, prothonotaries, sheriffs, county commissioners, peace officers, county treasurers, county controllers, registrars of vital statistics, certain public utility corporations, real estate brokers, rental agents, and boards of school directors; imposing penalties; and repealing existing legislation," extending the powers and duties of the registration commission and further regulating the check-up of electors and the cancellation of their registrations by the commission.

BILL ON FIRST READING

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1868, (Senate Bill No. 1055), entitled:

An Act to amend sections five, six, twenty-seven, thirty-one, thirty-two and thirty-nine of the act, approved the twenty-fifth day of May, one thousand nine hundred and thirty-seven (P. L. 849), entitled "An act to provide for the permanent personal registration of electors in cities of the third class as a condition of their right to vote at elections and primaries, and their enrollment as members of political parties as a further condition of their right to vote at primaries; prescribing certain procedure for the conduct of elections and primaries and the challenge and proof of qualifications of electors; and prescribing the powers and duties of citizens, parties, political bodies, registration commissions, commissioners, registrars, inspectors of registration and other appointees of registration commissions, county election boards, election officers, municipal officers, departments and bureaus, police officers, courts, judges, prothonotaries, sheriffs, county commissioners, peace officers, county treasurers, county controllers, registrars of vital statistics, certain public utility corporations, real estate brokers, rental agents, and boards of school directors; imposing penalties; and repealing existing legislation," extending the powers and duties of the registration commission and further regulating the check-up of electors and the cancellation of their registrations by the commission.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

REPORT FROM COMMITTEE

Mr. LESKO from the Committee on State Government reported as committed House Bill No. 1934, (Senate Bill 1256), entitled:

An Act authorizing the Department of Property and Supplies with the approval of the Governor to sell and convey certain plots of land.

BILL ON FIRST READING

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1934, (Senate Bill No. 1256), entitled:

An Act authorizing the Department of Property and Supplies with the approval of the Governor to sell and convey certain plots of land.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

PERMISSION GRANTED COMMITTEE TO MEET DURING SESSION

Mr. SARRAF asked and obtained permission for the Committee on Public Health and Sanitation to meet during the session of the House.

REPORTS FROM COMMITTEES

Mr. READINGER, from the Committee on State Government, reported as committed, House Bill No. 1936, (Senate Bill No. 653), entitled:

An Act regulating and improving the civil service of certain departments and agencies of the Commonwealth vesting in the State Civil Service Commission and a Personnel Director certain powers and duties providing for classification of positions adoptions of compensation schedules and certification of payrolls, imposing duties upon certain officers and employes of the Commonwealth, authorizing service to political sub-divisions of the Commonwealth in matters relating to civil service, defining certain crimes and misdemeanors, imposing penalties, making an appropriation and repealing certain acts and parts thereof

Mr. READINGER, from the Committee on State Government, reported as committed, House Bill No. 1937, (Senate Bill No. 654), entitled:

An Act to amend sections two hundred two and four hundred fifty-two of the act, approved the ninth day of April one thousand nine hundred and twenty-nine (P. L. 177), entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments, boards commissions and officers thereof, including the boards of trustees of State Normal Schools or Teachers Colleges, abolishing, creating, reorganizing or authorizing the reorganization of certain administrative departments, boards and commissions, defining the powers and duties of the Governor and other executive and administrative officers and of the several administrative departments, boards, commissions and officers fixing the salaries of the Governor, Lieutenant Governor and certain other executive and administrative officers, providing for the appointment of certain administrative officers and of all deputies and other assistants and employes in certain departments, boards and commissions and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments, boards and commissions shall be determined," as amended, in order to establish the State Civil Service Commission as a departmental administrative commission in the Executive Department

BILLS ON FIRST READING

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1936, (Senate Bill No. 653), entitled:

An Act regulating and improving the civil service of certain departments and agencies of the Commonwealth vesting in the State Civil Service Commission and a Personnel Director certain powers and duties providing for classification of positions, adoptions of compensation schedules and certification of payrolls imposing duties upon certain officers and employes of the Commonwealth, authorizing service to political sub-divisions of the Commonwealth in matters relating to civil service, defining certain crimes and misdemeanors imposing penalties and making an appropriation and repealing certain acts and parts thereof

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1937, (Senate Bill No. 654), entitled:

An Act to amend sections two hundred two and four hundred fifty-two of the act approved the ninth day of April, one thousand nine hundred and twenty-nine (P. L. 177), entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof, and the administrative departments, boards, commissions and officers thereof, including the boards of trustees of State Normal Schools or Teachers Colleges, abolishing, creating, reorganizing or authorizing the reorganization of certain administrative departments, boards, and commissions, de-

fining the powers and duties of the Governor and other executive and administrative officers and of the several administrative departments, boards, commissions and officers, fixing the salaries of the Governor, Lieutenant-Governor and certain other executive and administrative officers, providing for the appointment of certain administrative officers and of all deputies and other assistants and employes in certain departments, boards, and commissions and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments, boards and commissions shall be determined," as amended in order to establish the State Civil Service Commission as a departmental administrative commission in the Executive Department

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

BILLS RECOMMITTED

Mr. READINGER. Mr. Speaker, I move that House Bill No. 1936, (Senate Bill No. 653), and House Bill No. 1937, (Senate Bill No. 654), be recommitted to the Committee on State Government for further study.

The motion was agreed to.

REPORT FROM COMMITTEE

Mr. WEISS, from the Committee on State Government, reported as committed, House Bill No. 1939, (Senate Bill 883), entitled:

An Act to enlarge the powers of the Navigation Commission for the Delaware River and its navigable tributaries with respect to the maintenance operation and financing of a nautical school for the Commonwealth of Pennsylvania.

BILL ON FIRST READING

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1939, (Senate Bill No. 883), entitled:

An Act to enlarge the powers of the Navigation Commission for the Delaware River and its navigable tributaries with respect to the maintenance operation and financing of a nautical school for the Commonwealth of Pennsylvania.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

REPORT FROM COMMITTEE

Mr. REYNOLDS from the Committee on State Government reported as committed House Bill No. 1940, (Senate Bill No. 913), entitled:

An Act authorizing and directing the Department of Revenue, to prepare airport approach plans for publicly owned airports; empowering and directing such department and also counties, municipalities and other political subdivisions to promulgate, administer and enforce airport zoning regulations, limiting the height of structures excepting those structures that are under jurisdiction of the Pennsylvania Public Utility Commission and objects of natural growth, and otherwise regulating the use of property in the vicinity of such airports; providing for the granting of zoning permits and variances and for appeals from zoning regulations; authorizing the acquisition by purchase, grant or condemnation of air rights and other interests in land; and providing penalties and remedies for violations of this act or of any ordinance or regulation made under the authority conferred thereby.

BILL ON FIRST READING

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1940, (Senate Bill No. 913), entitled:

An Act authorizing and directing the Department of Revenue, to prepare airport approach plans for publicly owned airports; empowering and directing such department and also counties, municipalities and other political subdivisions to promulgate, administer and enforce airport zoning regulations, limiting the height of structures excepting those structures that are under the jurisdiction of the Pennsylvania Public Utility Commission, and objects of natural growth, and otherwise regulating the use of property in the vicinity of such airports; providing for the granting of zoning permits and variances and for appeals from zoning regulations; authorizing the acquisition by purchase, grant or condemnation of air rights and other interests in land; and providing penalties and remedies for violations of this act or of any ordinance or regulation made under the authority conferred thereby

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

REPORT FROM COMMITTEE

Mr. KLINE, from the Committee on State Government, reported as committed, House Bill No. 1886, (Senate Bill No. 1114), entitled:

An Act authorizing the Department of Public Instruction with the approval of the Board of Trustees of the Indiana State Teachers' College to contract with the Borough of Indiana for the erection of a sewage disposal plant and the connection therewith and use thereof by the Indiana State Teachers' College and the payment of part of the cost of maintenance thereafter; and making an appropriation.

BILL ON FIRST READING

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1886, (Senate Bill No. 1114), entitled:

An Act authorizing the Department of Public Instruction with the approval of the Board of Trustees of the Indiana State Teachers' College to contract with the Borough of Indiana for the erection of a sewage disposal plant and the connection therewith and use thereof by the Indiana State Teachers' College and the payment of part of the cost of maintenance thereafter; and making an appropriation.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

PERMISSION GRANTED COMMITTEE TO MEET DURING SESSION

Mr. GERARD asked and obtained permission for the Committee on Ways and Means to meet during the session of the House.

REPORT FROM COMMITTEE

Mr. SARRAF, from the Committee on Public Health

and Sanitation reported as committed, House Bill No. 1983, (Senate Bill No. 1308), entitled:

An Act to amend section one further amend section three and to reenact section six of the act approved the twenty-second day of May one thousand nine hundred thirty-three (P. L. 912) entitled "An act to protect the public health defining and providing for the licensing of bakeries and regulating the inspection maintenance and operation of bakeries and premises stores and shops connected therewith defining and regulating the manufacture sale and offering for sale of bakery products conferring powers on the Department of Agriculture and providing penalties" by redefining "Bakery" removing the exception from registration and licensing requirements requiring registered bakery products to show the fact of such registration making it unlawful for any person to sell offer for sale or have in possession with intent to sell unregistered bakery products or to import bakery products from bakeries not licensed hereunder and making possession prima facie evidence of intention to sell.

BILL ON FIRST READING

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1983, (Senate Bill No. 1308), entitled:

An Act to amend section one further amend section three and to reenact section six of the act approved the twenty-second day of May one thousand nine hundred thirty-three (P. L. 912) entitled "An act to protect the public health defining and providing for the licensing of bakeries and regulating the inspection maintenance and operation of bakeries and premises stores and shops connected therewith defining and regulating the manufacture sale and offering for sale of bakery products conferring powers on the Department of Agriculture and providing penalties" by redefining "Bakery" removing the exception from registration and licensing requirements requiring registered bakery products to show the fact of such registration making it unlawful for any person to sell offer for sale or have in possession with intent to sell unregistered bakery products or to import bakery products from bakeries not licensed hereunder and making possession prima facie evidence of intention to sell.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

REPORT FROM COMMITTEE

Mr. WOODRING, from the Committee on Elections, reported as committed, House Bill No. 1892, (Senate Bill No. 1054), entitled:

An Act to amend sections four, five, twenty-six, thirty, thirty-one and thirty-eight of the act, approved the twenty-ninth day of April, one thousand nine hundred thirty-seven (P. L. 487), entitled "An act to provide for the permanent personal registration of electors in boroughs, towns, and townships as a condition of their right to vote at elections and primaries, and their enrollment as members of political parties as a further condition of their right to vote at primaries; prescribing certain procedure for the conduct of elections and primaries and the challenge and proof of qualifications of electors; requiring the county commissioners of the various counties to act as a registration commission therefor; and prescribing the powers and duties of citizens, parties, political bodies, registration commissions, commissioners, registrars, inspectors of regitration and other appointees of registration commissions, county election boards, election officers, municipal officers, departments and bureaus, police officers, courts, judges, prothonotaries, sheriffs, county commissioners, peace officers, county treasurers, county controllers, registrars of vital statistics, certain public utility corporations, real estate brokers, rental agents, and boards of school directors; and imposing penalties," extending the powers and duties of the registration commission and further regulating the check-up of electors and the cancellation of their registrations by the commission.

BILL ON FIRST READING

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1892, (Senate Bill No. 1054), entitled:

An Act to amend sections four, five, twenty-six, thirty, thirty-one and thirty-eight of the act, approved the twenty-ninth day of April, one thousand nine hundred thirty-seven (P. L. 487), entitled "An act to provide for the permanent personal registration of electors in boroughs, towns, and townships as a condition of their right to vote at elections and primaries, and their enrollment as members of political parties as a further condition of their right to vote at primaries; prescribing certain procedure for the conduct of elections and primaries and the challenge and proof of qualifications of electors; requiring the county commissioners of the various counties to act as a registration commission therefor; and prescribing the powers and duties of citizens, parties, political bodies, registration commissions, commissioners, registrars, inspectors of registration and other appointees of registration commissions, county election boards, election officers, municipal officers, departments and bureaus, police officers, courts, judges, prothonotaries, sheriffs, county commissioners, peace officers, county treasurers, county controllers, registrars of vital statistics, certain public utility corporations, real estate brokers, rental agents, and boards of school directors; and imposing penalties," extending the powers and duties of the registration commission and further regulating the check-up of electors and the cancellation of their registrations by the commission.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

REPORT FROM COMMITTEE

Mr. LEVY from the Committee on Ways and Means, reported as committed, House Bill No. 1580, (Senate Bill No. 574), entitled:

An Act to amend section twenty of the act approved the thirtieth day of April, one thousand nine hundred and twenty-nine (P. L. 885), entitled "An act to provide for the incorporation and regulation of cooperative agricultural associations having capital stock; and defining agriculture so as to include persons engaged in agriculture, dairying, livestock raising, poultry raising, floriculture, mushroom growing, bee keeping, horticulture, and other allied occupations; and providing penalties," by limiting exemptions of and by further exempting certain classes of associations formed under such act from State, county and municipal taxation, and from the duty of filing certain tax reports with State, county or municipal agencies.

BILL ON FIRST READING

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1580, (Senate Bill No. 574), entitled:

An Act to amend section twenty of the act, approved the thirtieth day of April, one thousand nine hundred and twenty-nine (P. L. 885), entitled "An act to provide for the incorporation and regulation of cooperative agricultural associations having capital stock; and defining agri-

culture so as to include persons engaged in agriculture, dairying, livestock raising, poultry raising, floriculture, mushroom growing, beekeeping, horticulture, and other allied occupations; and providing penalties," by limiting exemptions of and further exempting certain classes of associations formed under such act from State, county and municipal taxation, and from the duty of filing certain tax reports with State county or municipal agencies

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

REPORT FROM COMMITTEE

Mr. McFALL, from the Committee on State Government, reported as committed, House Bill No. 1817, (Senate Bill No. 1044), entitled:

An Act to further amend section eleven and section seventeen of the act approved the twenty-seventh day of June one thousand nine hundred twenty-three (P. L. 858) entitled "An act establishing a State employes' retirement system and creating a retirement board for the administration thereof establishing certain funds from contributions by the Commonwealth and contributing State employes defining the uses and purposes thereof and the manner of payments therefrom and providing for the guaranty by the Commonwealth of certain of said funds imposing powers and duties upon the heads of departments in which state employes serve excepting annuities allowances returns benefits and rights from taxation and judicial process and providing penalties" by permitting a member to borrow from his or her funds under certain provisions and regulating exemption from execution.

BILL ON FIRST READING

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1817, (Senate Bill No. 1044), entitled:

An Act to further amend section eleven and section seventeen of the act approved the twenty-seventh day of June, one thousand nine hundred twenty-three (P. L. 858), entitled "An act establishing a State employes' retirement system, and creating a retirement board for the administration thereof; establishing certain funds from contributions by the Commonwealth and contributing State employes; defining the uses and purposes thereof, and the manner of payments therefrom, and providing for the guaranty by the Commonwealth of certain of said funds; imposing powers and duties upon the heads of departments in which State employes serve; excepting annuities, allowances, returns, benefits and rights from taxation and judicial process; and providing penalties" by permitting a member to borrow from his or her funds under certain provisions and regulating exemption from execution.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

QUESTION OF PERSONAL PRIVILEGE

Mr. TURNER. Mr. Speaker, I rise to a question of personal privilege.

The SPEAKER. The gentleman from Delaware will state his question of personal privilege.

Mr. TURNER. Mr. Speaker, this afternoon on the floor of this House a member from Allegheny County made what was to my knowledge in the almost seventeen years that I have been in the House the most vicious attack I have ever heard made by a Member of this House. In fact I have tried since this afternoon to recall whether there was ever an incident at any time during my experience here in the House when as vicious an attack, when as scurrilous attack was made by a Member of this House upon another Member.

The Member from Allegheny, Mr. Speaker, read from what he said was an editorial from a York newspaper. The gentleman from York, Mr. Cohen, had advised me of this editorial, the editorial writer being a friend of his and consulting with him from time to time.

Mr. Speaker, we have been discussing a great question and a momentous question in so far as the state of Pennsylvania is concerned, and I think insofar as the people of this nation are concerned. I know it is a question that vitally affects and certainly causes a great amount of disquiet among the mothers and fathers of this state whose children are in our public schools.

I have always tried in the years I have been here to keep debate away from the personal side; I never believed that you could argue a question and put forth any kind of a substantial or logical argument if you sank to the level of personal invective or personal abuse. That is the lowest type of argument in debate. It is the kind which is resorted to, and is rather common among the Communists and the other isms that we are trying to combat, because generally when they are met with an argument they do not attempt to refute, but they attempt to destroy the person who is attacking them, their institutions and the things they are trying to promote, and they generally attack the individual and seek by abuse and villification to besmear that individual in hope that the individual's word will not carry very far.

Mr. Speaker, I might have entered into billingsgate with the gentleman from Allegheny this afternoon, I might have answered him promptly, I might have recounted to him some of the scandalous things in Pittsburgh and Allegheny County. I might have told him about some of the leaders in his own group with whom he is associated in Pittsburgh, and charges that are made and have been made in the newspapers of that city. I might have talked about the No. 1 man of the party, the Democratic Senator from Pennsylvania, who you recall has not paid his income tax, but who has built a sixty thousand dollar home in Washington. I do not think such an argument, I do not think such a reply to the gentleman from Allegheny would have been in any way an argument pro or con on the issue before this House and I do not think that I would have gained anything by taking a fling of that kind. I told the gentleman from Allegheny and I told the Members of this House that I could not be intimidated nor could I be driven from the stand which I am taking, even though I must sit here and take personal abuse from now until the time the gavel falls for sine die adjournment.

Mr. Speaker, the issues are too big. What happens to Ellwood Turner is not of importance, but what happens to the people of Pennsylvania, what happens to the school children of Pennsylvania, and what happens to this country of ours is of far greater importance than I. If the gentleman from Allegheny desires to attack me personally, let him attack my record in this House. I shall not object to any attack he may make upon that record. I may answer him. I have been here for almost seventeen years, for nine regular sessions, and I don't know

how many special sessions. I have stood upon this floor and have advocated legislation and the things I have stood for and the debates are on the pages of the Journal. The laws which I have sponsored and have introduced are on the statute books of Pennsylvania. I will stand on that record and will fight for it and defend it. Let me be attacked upon that source. What I do outside is my personal business and none of the business of the gentleman from Allegheny or the business of any other member of this House.

Now, Mr. Speaker, I do not like to take this stand, I do not believe in defenses. I have said before on the floor of this House you should never explain "because your friends don't need it and your enemies won't believe you." I would hesitate to say what I am going to say now were it not for the fact that I do not want to leave the record with the implications which were left by the gentleman from Allegheny this afternoon. You will recall that he got to talking about flag waving. He even, in a rather sarcastic and insinuating way, spoke about the fact that I have two sons who were in the army or were about to join the army. He then turned around and said, "Any person between the ages of forty-two and fifty-four in this House, where were they during the great world war?" I can only assume that the gentleman from Allegheny waved the flag and prided himself upon the fact that he had been a member of the armed forces during that time and that he was a member and is a member of the American Legion. I presume he was saying that he took his place and where was I at that time.

Mr. Speaker, I have never tried to make any boast and do not now say anything to cast particular pride upon myself, but I can not, as I said, leave the record as it is, and I would just like to say that I think I can recall during the period of 1917 and 1918 and down into the twenties that I served on drives for the Red Cross; I served on drives for the Salvation Army; I was secretary of what you would call today the Local Council of Defense; I served with the Food Administrator; I served with the Coal Administrator at that time, I was a sergeant in the First Pennsylvania Reserve Militia during the war and received an honorable discharge at the end of that time. True, Mr. Speaker, that was home defense; that was not out among the bullets, but it was doing that part which I could do. In July, 1917, as I said to you today, I had four children in my family. I was subject to the draft. I was just in the limit and in a few months I would have been out. My draft board placed me in the classification of those who are married men, but having no exemption. I claimed no exemption, I stood, as the gentleman from Allegheny would have, I presume, ready and willing to do my part. I was not called and in 1918 I applied for the officers' training camp, I think it was called either Camp Jackson or Fort Jackson. It was an artillery officers' training camp, but before I could be inducted into the service the armistice was signed and I did not get a chance to go. I am willing to compare that record with that of the gentleman from Allegheny. I do not mean to say this in a disparaging way, but the gentleman from Allegheny was drafted in June, 1918, as I am advised, and I presume that the information which I have is correct. I do not think that patriotism or Americanism depends upon those things or those fortunes that you happen to have. At that time the gentleman from Allegheny was a young man, I presume he was about twenty or twenty-one, when the war broke out. I presume he had no dependents upon him. I have answered that, not because I desire to do so, but I can not let stand upon the record the insinuations that have here been made.

I would not ordinarily pay any attention to the statements of the gentleman from Allegheny, because, while I have had a lot of pleasant associations with him, I know that when he gets riled, when his dander gets up, he is apt to erupt like Vesuvius, and he runs off at the mouth. I know he said a lot of things he did not mean, and he warned me within the week that he was going to say something this week about these things. Therefore, what he said this afternoon was premeditated, and when he attempted to defend the acts of himself and his colleagues in reference of these bills, he was throwing a smoke-screen and drawing a red herring across the trail.

The gentleman from Allegheny stands up on the floor of the House and says he believes in Americanism, the right kind of Americanism. If he believes that is the right kind of Americanism, he would be down here debating these issues upon their merits; debating them from the proper angle and not try to defend the course of action that has occurred during the past five months, until the people of Pennsylvania and the public press of Pennsylvania, until his very colleagues in the Legislature, until the Members of his own party themselves have become ashamed about their course and have demanded action here.

I apologize to you, Mr. Speaker, for taking the time and placing on the record those personal things and I feel a great amount of embarrassment in doing so, but again I say I believe the record should be clear.

PERMISSION TO ADDRESS HOUSE

Mr. HOLLAND asked and obtained unanimous consent to address the House.

Mr. Speaker, this afternoon in this House I spoke first on quotations of editorials which were read to the House from the Philadelphia Inquirer. I then read from the Gazette and Daily of York Pennsylvania a column on "Education of the Public." At no time in my talk, because I would not do it, as I have the greatest respect for the gentleman from Delaware, did I refer to Mr. Turner personally. I read this column written on M'Clureism, and I did not think any member of this House is persecuting or trying to persecute in any way the gentleman from Delaware. The gentleman from Delaware has his ideas on Americanism and the gentleman from Allegheny, Mr. Holland, has his ideas on Americanism.

As a matter of record I would like the gentleman from Delaware to go a little further and if he wishes to look up my war record he will find that on January 8th, my birthday, 1917 I enlisted in the Canadian Army. I might add that at that time I was district sales manager of the MacBeth-Evans Glass Company, and the company had applied for my exemption. I went to France as a buck private and rose to a commission from the ranks. I attended the artillery school. I was there at the same time that young Roosevelt, Teddy's son, and Mr. Taft, the Senator from Ohio were there

Mr. Speaker, I spoke strictly on M'Clureism; I did not say anything about Turnerism. I might add that there are two trends of thought on making America safe, there

are two trends of thought on saving America from isms. One of those trends of thought saved America in 1933. I was a member of that trend of thought then, New Dealism. I am still a member of the New Deal party. I would like to tell the gentleman from Delaware that I am the son of a puddler, a puddler who in 1897 was denied the right to organize, and one of the happiest moments of my life was when I stood in this House and voted on a bill that forbid the manufacturers of the United States to place on the boycott list any man who dared raise his voice to improve the social and labor conditions of his fellow workers. I say that to you because I believe I am the son of a real American, a man who during the World War served his country for two years without pay, watching the tunnel under the Jones and Laughlin Steel Company plant on the South Side of Pittsburgh.

Why should we be so worried about Communism, Naziism and Facism or any other ism? Any body politic that is not diseased, any body politic that administers to all classes in a government need never fear any foreign isms. If any foreign isms originate in the United States I will tell you where they originate. I remember, and I know the gentleman from Delaware remembers when in this state of ours the party that he represents permitted in the coal mining regions the Coal and Iron Police, those paid deputy sheriffs, to go into those communities and hammer over the head Americans who were merely asking for a decent living. I say to the gentleman from Delaware that with every blow over the head by those Coal and Iron Police, they were putting in indelible print on the brains of those people the thought that the government which permitted those atrocities was weak. But today, Mr. Speaker, we have a strong government, a government which not only represents the special interests but represents the man who works with his hands. America is a land of plenty and I say to the gentleman from Delaware that when a teacher in the public school points out to her class that monopolies exist in the United States, that due to certain crooked politicians and by graft—and I believe that anyone from Delaware County knows the meaning of graft—I say that when the teacher tells her students in the school that certain business men conspire by means of the money they have, to corrupt public officials, I say to the gentleman when they tell their pupils that they are trying to avoid a recurrence of that condition in the future, that teacher is doing her duty. It all depends on what side of the fence you are sitting when you speak about Americanism.

Last week or rather this week I was very happy to see on the first page of a newspaper of Pennsylvania, and it was news, that a son of one of our wealthiest families had enlisted in the army, Paul Mellon. I am taking my hat off to him for enlisting, but, Mr. Speaker, I think it is said when a dog bites a man it is not news, but when a man bites a dog it is news. So I say to the gentleman from Delaware that there were lots of sons of Pennsylvania who enlisted and their names did not appear on the front pages of every newspaper. May I also say to the gentleman from Delaware that I have three nephews who are now serving with Uncle Sam? I might also say to the gentleman from Delaware that I have had five cousins killed in the first month that England tried to defend democracy. Their names were Kelaghan, a very good Irish name. I do not think the gentleman from Delaware should take this matter as a personal issue. Certainly he is not the only member of this House who is an American. We are not all so-called Communists, and in his slurs he tried by inference to state that I was following the tactics used by the Communists. I might tell the gentleman from Delaware that I am a Roman Catholic, and as a Roman Catholic I do not think he would even try to accuse me of being a communist.

The gentleman from Delaware does not have to defend Elwood Turner to me. I admire Elwood Turner as a man, I admire Elwood Turner in stating what he thinks, and all I am interested in doing is permitting Elwood Turner to continue to state what he thinks. I hope Mr. Turner from Delaware County does not take the attacks I made on the floor today personally because I do not for one minute feel that Mr. Turner or the other two gentlemen from Delaware, Mr. James and Mr. Bretherick, are any part of M'Clureism, because to me M'Clureism is everything that is filthy in government. I would like to tell the gentleman from Delaware that I listened to members of his own party in the Senate, Senator Prince, say some very mean things, which were considerably, shall I say, more insulting to the face of Senator McClure than what I read out of the paper about McClureism. I am for Americanism; I am for letting the people live and express their opinions, have the right to work and the right to organize to secure a decent wage for that work. I am not in favor of the old regime that is typified by McClureism that goes back to those dark and dreary days when the mule in the mine was placed on a higher standing than the human being, the miner.

HOUSE BILL No. 413 TAKEN FROM TABLE

Mr. BROWN. Mr. Speaker, I move that House Bill No. 413, Printer's No. 1100, entitled:

An Act prohibiting the employment by the Commonwealth or any political subdivision thereof or by any authority or any institution receiving public funds of persons who hereafter advocate and actively participate in a movement proposing a change of the government of the United States by means not provided for in the Constitution of the United States providing for dismissals under existing laws and permitting appeals to courts of common pleas and appellate courts in all such cases

together with the amendments which were laid on the table, be taken from the table.

The motion was agreed to.

AMENDMENTS WITHDRAWN

Mr. TURNER. Mr. Speaker, I desire to withdraw the amendments I submitted the other day when this bill was before the House.

On the question recurring.

Will the House agree to the bill on second reading?

RECONSIDERATION OF VOTE

Mr. BROWN. Mr. Speaker, I move that the vote by which this bill passed second reading be reconsidered.

Mr. TARR. Mr. Speaker, I second the motion.

The SPEAKER. How did the gentleman from Allegheny, Mr. Brown, vote on the second reading of the bill?

Mr. BROWN. Mr. Speaker, I voted in the majority.

The SPEAKER. How did the gentleman from Fayette, Mr. Tarr, vote on the second reading of the bill?

Mr. TARR. Mr. Speaker, I voted in the majority.

On the question,

Will the House agree to the motion?

It was agreed to.

Mr. BROWN. Mr. Speaker, I move that the vote by which the title was agreed to be reconsidered.

Mr. TARR. Mr. Speaker, I second the motion.

The motion was agreed to.

Mr. BROWN. Mr. Speaker, I move that the vote by which the various sections were agreed to be reconsidered.

Mr. TARR. Mr. Speaker, I second the motion.

Mr. TURNER. I desire to interrogate the gentleman from Allegheny, Mr. Brown.

The SPEAKER. Will the gentleman from Allegheny permit himself to be interrogated?

Mr. BROWN. I shall, Mr. Speaker.

Mr. TURNER. Mr. Speaker, I would like to ask the gentleman whether he has a copy of the amendments I sent to him yesterday, the amendments which I propose to offer?

Mr. BROWN. I believe I have, Mr. Speaker. If the gentleman will give me just a second, I have so many papers, I will have to try to resurrect the amendments.

Mr. TURNER. Mr. Speaker, I desire to offer the following amendment.

The amendment was read by the Clerk as follows:

Amend bill, page 1, by inserting before line 1 and immediately after the enacting clause, the following:

"Section 1. The phrase "un-American or Subversive Doctrines" shall be construed to mean doctrines which teach or advocate the overthrow of the Government of the United States of America or of the Commonwealth of Pennsylvania by revolution, or the destruction or change of the democratic form of American Government and the substitution therefor of an undemocratic form of government by means or methods other than those provided for in the Constitution of the United States, or the Constitution of the Commonwealth of Pennsylvania

On the question,

Will the House agree to the amendment?

The SPEAKER. Does the gentleman from Allegheny, Mr. Brown, have a copy of these amendments?

Mr. BROWN. I do not, Mr. Speaker, the copy the gentleman from Dauphin, Mr. Woodside, handed to me was not the amendment read by the clerk.

The SPEAKER. The Chair will furnish the gentleman with a copy of the amendments.

Mr. BROWN. Mr. Speaker, I yield to the gentleman from Delaware.

The SPEAKER. The Chair thanks the gentleman from Allegheny, Mr. Brown, for yielding.

Mr. TURNER. Mr. Speaker, I thank the gentleman from Allegheny for his courtesy in yielding.

I have attempted this evening to study the amendments which I understand are to be offered by the gentleman from Allegheny, Mr. Brown. I have a copy of them before me which he very kindly sent to my desk. I have been unable to find any great difference between us except in the insertion in the bill of some words referring to counties and districts in the title. The main difference is the elimination from the amendments which Mr. Brown will offer, of the provision with respect to advocating and supporting Communism, Facism or Naziism. You will recall that the gentleman from Allegheny, Mr. Brown, took me to task the other day when he said the trouble with the proposals which we made was that they were indefinite, that we were dealing here with a law that should be definite; that we were going to propose changes further than he suggested and that we should get down to something definite. The differences in our thoughts, as I see it, throughout these debates, which now have lasted for several weeks, has been that the gentleman from Allegheny, Mr. Brown, wants the law to read in the way he originally had it, or as the amendments originally were. As I see that, a person would have to be guilty of treason before you could fire him from the state payroll or remove him as a teacher. In other words, as you may recall, you had to advocate and actively participate in overt acts. I could not see anything in that except that you would have to participate in overt acts, if those were the kind of acts which would be revolutionary, you would have to be active and use open force against the government of the United States, to change it by processes not provided for under the Constitution. That is not a satisfactory solution. What we are trying to get at is this: I think I could go along with Mr. Brown as far as he goes, but as I said before he is not going far enough. A person under that amendment could teach in the schools, communism, could advocate communism. He would not necessarily be participating in a movement to overthrow unless he had committed some overt act, and unless you put into this amendment this provision that they advocate or support Communism or Facism or Naziism, you are not striking at the very root of the evil. You are permitting the great mass of these people to go into our schools, to become public officials and to carry on their work and their efforts to change the minds of the people, to make them believe that Communism, Facism, or Naziism is the proper form of government. I do not think we have many people that are advocating Facism and Naziism except for a few of these Bunds that are in America, and they have been pretty well smoked out.

I realize that this problem is a legislative one. I do not want to seem to be embarking upon a witch hunt, and I do not want to see people falsely accused because they sometimes differ with me. I said on the floor of the House that I dislike intolerance, I hate intolerance, I believe in freedom of speech. Of course, the Communists would like to go out and talk, because they have the right to stand on the corner on a soap box and talk to the people. I have seen them in front of the Bulletin Building in Philadelphia. If you stop there for a few minutes you will hear some good arguments on any conceivable subject by some very queer looking individuals. I would not want to drive them off the street. If they want to hire a hall, let them hire a hall, as far as I am concerned. That is all right. That is within the Constitution.

Mr. Speaker, what we are trying to say to the Members of the House is this: where persons are on the public payroll, when they become members of the Department of Public Assistance, for instance, and go out into the homes of the people who are distressed, the man who is down and out lots of times, the man who feels that the world is against him, the man who feels perhaps, that the government is wrong, they do not try to buck him up, they do not try to tell him that a job

is the most important thing, that he can get a job if he goes out and hustles for it, maybe he can get on W. P. A. or in some way he can find some kind of work, that there is opportunity here. Oh, no, they do not do that. They begin by insidious propaganda to undermine that individual and by sympathy to make that person believe in a change. They go into our schools. I have been told within the last week that down in Philadelphia they are giving small children fifty cents to carry pamphlets and leaflets into the schools to be read by mature people. I do not care if they give out pamphlets to mature people, who say they are one hundred per cent American and who claim they believe in the American system of government, but if we say it is unconstitutional for us to say that the teacher cannot advocate and cannot participate in a movement of that kind, then we cannot defend our government. If we say that, then we do not believe in our system of government. Are we going to supinely sit by and let these people talk to the young and to the inexperienced, to the children who are in the formative stage, from six to fourteen years of age, in our schools, not openly to advocate the overthrow of our government. No, they do not do that. They do not say to the school children that Communism is the best form of government, that Soviet Russia is the best form of government; they do not say to the school children that Facism is the best form of government, and that they ought to go out and overthrow the United States Government. They do not do that.

Take and read some of the books we have talked about. Sure, you can take the text as a whole. They are beautifully written, they are fine books, but you can find woven through them the vein of the propaganda that you know is meant to be there. You cannot help but understand that it is meant to warp the opinion, or to warp the understanding of the small child in the school.

The gentleman from Allegheny and others have said to me, you cannot define these things. They have said to me the trouble with Communism, Naziism and Facism is that you cannot define it. I think you can find a definition in some of the standard dictionaries that are very good definitions, and which cover the subject. As far as Communism is concerned, you need only take the speeches and the reports of Earl Browder; you need only take the platform of the Communist Party; you need only take the reports of the governmental agencies that tell us what the Communist Party stands for. Do you mean to say that freedom of speech goes to the point where we say we cannot stop the teacher in the school from preaching this doctrine?

Let me read a little of it. I read from "Isms, a review of revolutionary Communism and its active sympathizers in the United States," Prepared for use of American Legion Posts by the National Americanism Commission of the American Legion, National Headquarters, Indianapolis, Indiana." What I am going to read to you is from a federal report. This is what they say here:

> "In a report which the Committee Investigating Un-American Activities made to the House of Representatives on February 15, 1935, there appears the following:
>
> "In December, 1934, it (the House Committee Investigating Un-American Activities) held a series of public hearings at Washington, D. C., at which representatives from various organizations and agencies that have recently been investigating communism presented statements of their findings accompanied by one or more recommendations.
>
> "The Communist Party of the United States is not a national political party concerned primarily and legitimately with conditions in this country. Neither does it operate on American principles for the maintenance and improvement of the form of government established by the organic law of the land.
>
> "The nature and extent of organized Communist activity in the United States have been established by testimony and the objectives of such activities clearly defined. Both from documentary evidence submitted to the committee and from the frank admission of Communist leaders (cf Browder and Ford, New York hearing, July 12, 1934) these objectives include:
>
> "1. The overthrow by force and violence of the republican form of government guaranteed by article IV, section 4, of the Federal Constitution.
>
> "2. The substitution of a Soviet form of government, based on class domination to be achieved by abolition of elected representatives, both to the legislative and executive branches, as provided by article I, by the several sections of article II of the same Constitution, and by the fourteenth amendment.
>
> "3. The confiscation of private property by governmental decree, without the due process of law and compensation guaranteed by the fifth amendment.
>
> "4. Restriction of the rights of religious freedom, of speech, and of the press as guaranteed by the first amendment.
>
> "These specific purposes by Communist admission are to be achieved not by peaceful exercise of the ballot under constitutional right, but by revolutionary upheavals, by fomenting class hatred, by incitement to class warfare, and by other illegal, as well as by legal, methods. The tactics and specific stages to be followed for the accomplishment of this end are set forth in circumstantial detail in the official program of the American Communist Party adopted at the convention held at Cleveland on April 2 to 8, 1934."

Now, Mr. Speaker, are we in this House of Representatives, as men who are charged with the duty to make laws, are we here going to say we are not going to outlaw the teaching of Communism in our public schools? Are we going to say that we are going to permit those things to be taught to our children; are we going to say because we feel we do not have a sufficient definition, that we are going to permit these people to advocate that party to subsist on the public payroll and in our schools, a party that by its own admission says it is going to bring about the overthrow of this government by illegal means, a party that says it is going to destroy property rights without due process of law, as provided and guaranteed to us under the Constitution of the United States? That is the reason why a year ago I said the Communist Party should be barred from the ballot, because I do not think any member of the Communist party could take the oath of office to support and defend the Constitution, because they do not intend that the Constitution shall be supported and defended. Therefore, if this party or this objective or this cause that they openly avow and declaim, if this party is allowed to continue in Pennsylvania, if it is allowed to put out its propaganda, if its members are allowed to remain on the public payrolls where they can go out among the people and abuse their privileges by attempting to bring about a change in our government by revolutionary methods, then it seems to

me it is time we fold up and tear down the Constitution in Pennsylvania, and that we put a lock upon the door. We might as well go home and allow these Communists, their fellow travelers and brethren to take over the government of Pennsylvania, and allow them to take over all our property and all our business and all our industry.

The gentleman from Allegheny said a while ago he was an American, that his father had fought for certain things, and that he had done certain things. So am I an American, and as I read the things that were said by our forefathers, that they were going to hand down to us a priceless heritage, a heritage of freedom, that they were going to hand to posterity the freedom which they had gained, the kind of freedom that was written into the Constitution of the United States, and the liberties that were written into the ten amendments with respect to certain inalienable rights, I intend as far as I am concerned to see that they don't take them away from my children and my children's children if possible, and from future posterity of this Commonwealth of ours and this government of ours.

Therefore, Mr. Speaker I ask the Members of the House to support this amendment which specifically defines the thing which I believe should be prohibited and which I think we should fight against as far as it is possible for us to fight.

Mr. BROWN. Mr. Speaker, in my years of service here in the House I do not think any bill has been debated as much as this bill. I feel very much chagrined at the amount of record that I have piled up in the Legislative Journal. However, I want to allay the feelings of the gentleman from Delaware, Mr. Turner.

We have denominated in our amendment, not the name Communism, but have said "Any advocacy of any change in our form of government by revolution or by means not provided for in the Constitution," and I think upon sober perusal of the amendments which I will present on behalf of myself and the gentleman from Philadelphia, Mr. McClanaghan, you will find that we have tried to stop the loopholes.

It doesn't make any difference whether you say Communism or some other kind of ism; a rose by any other name will smell just as sweet, and Communism by any other name is just as poisonous, so we have gone the gentleman from Delaware one better; we say "Any advocacy," so that if they wanted to change their name, and we name Communism they would be protected by his bill. Therefore when we define the term in the broad meaning we catch Communism, and if they change their name to some other kind of ism, we catch them there.

We did that because we and the gentleman from Delaware, Mr. Turner, want to catch them at every turn of the road, and I want to assure the gentleman that we have not weakened the bill, but upon sober reflection he will understand that we have strengthened the bill. I think we have all been thinking along the same line in this bill; we are not so far apart, any of us.

There is one clause in his amendment with which I do not agree and which will not be in our amendment, we do not make the law ex-post-facto. After the argument this afternoon I decided to get the law in order that by reading the law I might be able to convince the gentleman from Delaware, Mr. Turner, that there is such a thing as an ex-post-facto law, although it is not necessarily a penal law. If we are going to pass laws we must pass them within the bounds of the Constitution. Regardless of how we feel we are bound by the Constitution. The gentleman from Delaware this afternoon accused me of being so strictly in conformity with the law that I couldn't see anything else, and yet he says only ex-post-facto laws can be criminal laws.

Mr. TURNER. Mr. Speaker, I apologize to the gentleman from Allegheny, Mr. Brown for breaking in on his statement, but there is nothing ex-post-facto in the amendments which I have offered. The gentleman is reading from the amendments which were offered the other day. The amendments which were prepared and are being offered now remove both the "heretofore" and the "hereafter" which the gentleman from Allegheny, Mr. Brown, had inserted.

Mr. BROWN. Well now, Mr. Speaker, the gentleman from Delaware has changed so much that I think we had better proceed to vote down his amendments. Let us go ahead and vote down his amendments, and I assure you that with the brilliant mind of the gentleman from Philadelphia, Mr. McClanaghan, and with my mind that the gentleman said is so glued to the Constitution that I can't see anything else, we will allay the gentleman's feelings and give him the best bill for everybody. Now, the gentleman cannot complain about that.

Mr. TURNER. Mr. Speaker, the gentleman from Allegheny in his usual adroit way exploded at the end in a manner which has been increasing as the debates have gone on. I noticed in an article in a Pittsburgh paper the other day that the gentleman from Allegheny was quoted by the newspaper men as being the "coolest headed" . . .

QUESTION OF PERSONAL PRIVILEGE

Mr. BROWN. Mr. Speaker, may I rise to a question of personal privilege?

The SPEAKER. The gentleman will state his question of personal privilege.

Mr. BROWN. May I state, Mr. Speaker, the year before last I nosed Mr. Turner out; this year Mr. Turner nosed me out.

The SPEAKER. Another photo finish.

Mr. TURNER. Mr. Speaker, there was a dark horse in the race, anyway.

Mr. Speaker, I started out to say the gentleman from Allegheny was accorded the place of honor as the coolest headed man in the House. I hope adjournment will catch up with us before the gentleman voids the vote given by the newspaper men, because his temper has been gradually rising in each of his debates.

The gentleman from Allegheny, Mr. Brown, says that my amendments are changing. Well, Mr. Speaker, if anybody reads what Mr. Brown was advocating a week or ten days ago, and then reads what he now advocates in these amendments, I would say his amendments have almost caught up to mine. The definition of "un-American" and "subversive" were taken from my amendments, and he has got ten, almost everything in his now but Naziism Communism and Fascism, and he also took out the "heretofore". We had taken out the "hereafter" but I see he put that back in again.

The gentleman from Allegheny, Mr. Brown, has a great

reputation as a constitutional lawyer in this House, and I think we all admire and have admired for a number of years the fact that he was always well prepared on the subject upon which he spoke; that he generally spoke on legal matters and that he showed that he had made research, but he has hung so close to the constitution that someone on this side of the House said today that instead of his attacking the Communists, the gentleman from Allegheny, Mr. Brown, wanted to put us almost on the defensive with regard to the Bill of Rights.

I can agree with all the legal conclusions of the gentleman from Allegheny, except I differed with him this afternoon because I think he was quoting Purdon's Digest at me; I could quote another book if he wants it in order to contradict him on that one. That isn't the question here; the question is that under Mr. Brown's interpretation you are not going to catch the skunk.

Mr. Brown says "I think the smell is just as sweet." I think it stinks, and therefore I think we ought to go to the root of the thing, but you are not going to get at the root of the thing with these amendments if Mr. Brown has his way. We have engendered a lot of heat that I fear in these debates may cause us to go off on a tangent, but there is only one right way that I can see. Why defend these people? Why try to protect them? Why do we say that the school teacher who advocates these things shall be protected? Because Mr. Brown said he or she has freedom of speech to advocate these things? I say and you know they do not, not in the public schools or on the public payroll. Outside, yes, and that is our difference of opinion and I think the vote today will show where we stand.

I think it was the gentleman from Lackawanna who said "Let them stand up and be counted. Let us see where we stand and what we stand for." Why hide behind technicalities? Why recite the Bill of Rights? Why talk about any freedom of speech? Certainly you know that the people we are trying to get at do not believe in freedom of speech, they do not believe in the freedom of religion. The gentleman from Allegheny said he was a Roman Catholic, and we know the fight that the Roman Catholic Church has made. Why? Because they know that Fascism, Naziism and Communism are all against the Church, they are against religion. We know that Communism swept it out and we know Naziism came along next. Race hatreds, religious hatreds, intolerance are all in this thing Then why say that you are going to stand up and defend them? You say you are a friend of minority groups; you are afraid of somebody being caught in a witch hunt; you are afraid that somebody will wrongfully accuse them. I admire the gentleman from Allegheny, Mr. Brown, for standing here to protect the rights of the minority. I admire his stand that not one person should be persecuted or wrongfully accused if we can avoid it, but I am thinking on the other hand of the festering sore that we have. You can read the report I read, and from that report you will know what is going on in this country of ours.

Can we stamp it out? It appears that unless they march down the street and take brickbats, swords and daggers to go out and overthrow the government, we have no way of getting at them. I don't believe that is true.

Mr. HARKINS. Mr. Speaker, I think the gentleman from Delaware, Mr. Turner, hit the nail on the head a few moments ago when he said this side of the House has been trying to protect the Constitution and maintain the Bill of Rights. That is exactly, Mr. Speaker, what the Members on this side of the House have been insisting on from the beginning.

I also understood the gentleman from Delaware in his remarks just now to say that the bill under the amendments as proposed by the gentleman from Allegheny, Mr. Brown, would permit teaching of Communism in the public schools by public school teachers. I say, Mr. Speaker, that under the amendments which Mr. Brown has indicated he will present, the advocacy of any un-American doctrine, any doctrine for the overthrow of the government by revolution or by any means not permitted by the Constitution would be outlawed, whether it would be the advocacy of a doctrine by a teacher in the schools or out of the schools. So I say to you, Mr. Speaker, that the gentleman from Delaware, Mr. Turner, in his usual able and adroit way, has been trying to be on both sides of the question at the same time.

I have before me a record of the debate of the gentleman from Delaware in the 1937 session when he debated the tenure question. I would feel, Mr. Speaker, that the gentleman was absolutely sincere and earnest in his advocacy of his position, if he maintained his record all through his legislative career that he does in some of the sessions. In 1937, his statements read almost identically with the statements he made in the 1941 session, but in the 1939 session we see nothing in the Journal. I see no act proposed whereby those who now decry the efforts of this part of the House to maintain the Constitution and the Bill of Rights; I see no effort on the part of the now minority to take care of this situation, which all through the 1937 session the gentleman from Delaware, Mr. Turner, knew existed in as severe a manner as he now says it does. I say it is a test of sincerity on the part of the Republican Party. If their leaders believed this situation was so bad in 1937, that when they had control in 1939, they could have done something about it and not now try to defame every honest and sincere school teacher in the Commonwealth. I don't know why it is that only the Republicans seem to know so much about the Communists unless perhaps they have been consorting with some of them. We Democrats don't seem to know so much about the Communistic activities that have been going on.

We are sincere when we tell you that the people we represent that is, the districts that we represent are composed of good, honest citizens, who don't know about these things that you folks seem to be troubled by. I say further that the gentleman from Delaware is absolutely right when he talks about the oppressive forces of Naziism and Communism, but I say, Mr. Speaker, the thing that led to those forces being successful in the governments wherein they have become paramount was first the abolition of freedom of the press, abolition of freedom of speech.

I want to hark back to the Legislative Journal of March 31, 1937, and I want to refer the gentleman from Delaware, Mr. Turner, to No. 37 of Volume 21 of that session. I want to read for the record of this House a part of the statement of the gentleman on the question of sedition on his amendment to include sedition as a cause for dismissal of teachers. I want to read from that page the following statement:

> "When we have speeches made not only in our cities but in the Halls of Congress of the United States, of organizations that are supplying money and literature and propaganda in order to destroy our form of gov-

ernment, not to improve it, not to make changes in the machinery that may be necessary, but to absolutely destroy our idea of government that our forefathers laid down—I want to say to you that as far as I am concerned I am willing to infringe somewhat upon the freedom of speech of some of these people, if that be necessary, in order that we may not here have people who are undermining, boring and sapping into this Government of ours, and into our schools, in order to teach doctrines that are subversive to our Democratic form of government that we have under our Constitution."

Now, I say, Mr. Speaker, that regardless of how well-meaning the gentleman from Delaware is, regardless of how much his purpose may be similar to our purpose, he can never destroy one iota of the right of freedom of speech or anything else without likewise endangering his own freedom of speech, and I say that that which goes before Communism, Naziism and Fascism and all other types of subversive activity is the abolition of the right of freedom of speech. So if the gentleman from Delaware will only bear with us and give us credit for being equally as patriotic and equally as desirous of passing good laws and accomplishing good results, I think he will vote for our amendments when they are presented, and he will be satisfied with them in the end.

I think, Mr. Speaker, he can go home at the end of this Session and say to his constituents, who are intensely interested in this subject, "although I did not when I was Speaker of the House in 1939 accomplish a reform of this nature, I was most interested in the Session of 1941 wherein the Democratic House did pass a bill which will tend to cure that situation."

Mr. TURNER. Mr. Speaker, I think this is the second time that the gentleman from Allegheny has referred to a 1937 statement of mine and the 1939 session. It would be a long story for me to attempt to go over the 1939 session. I know the battle that we put up in 1937, trying to get into the Teachers Tenure Act some of the things we are now trying to do here, and I remember that it was the gentleman from Allegheny, Mr. Harkins, and his Democratic colleagues in 1937 who prevented those things from going into the Teachers Tenure Act as it was then written. Now they come forward at the revival services, after hanging back in the rear seats for five months, since January; they are coming down the aisle, hitting the saw dust trail, singing Hallelujah. They are getting on board the band wagon and they are going to grab the flag, because as the gentleman from Monroe, Mr. Achterman, said in his published statement of yesterday or today—anyway within the last few days—that these amendments would not bear Elwood Turner's name, they would bear the Democratic label. I know that the Bible says you can repent in the eleventh hour and the Lord is going to welcome you across the threshold if you do repent. I imagine the gentleman from Philadelphia, Rev. Shepard, knows more about that question; he ought to know more about repentence; he will have more of it to do than the others, nevertheless it would be amusing if the subject were not so serious, to see the boys march down the aisle with their flags and shouting "Hallelujah, praise the Lord". We have got ourselves on the right side. We will pass this legislation against subversive and un-American activities." Subversive and un-American, you will remember that was ripped out of the section a week ago and then put back again. "It is now part of our Democratic platform, it is a part of our Democratic proposal, a part of our Democratic program; we are going to go out and tell the people of Pennsylvania how we put it across when the Republicans failed to do it."

Well, if you can get anything out of this go ahead. I think the people of Pennsylvania are a pretty sensible lot of people, and I think the school teachers of Pennsylvania are a sensible lot of people.

QUESTION OF INQUIRY

Mr. AUKER. Mr. Speaker, I rise to a question of inquiry.

The SPEAKER. The gentleman from Blair will state his question of inquiry.

Mr. AUKER. Mr. Speaker, are we still a House of Representatives or are we turning into a mad house, that a speaker who is debating a very serious topic on the floor of this House cannot speak without being interrupted by a bunch of singers.

Mr. SPEAKER. The Chair insists that the members show respect to the gentleman who has the floor and the Chair requests the gentleman who is singing to please cease.

Mr. TURNER. Mr. Speaker, it doesn't annoy me a bit, because I thought the gentleman was just filled by that same religion that I talked about and was so happy about the amendments that he was just singing and therefore I wouldn't interrupt him for a moment. I will join him and help him sing when these amendments are adopted.

The gentleman from Allegheny was very unfair when he said something about my accusing all the school teachers. I do not remember just exactly how he put it. I repeat that the Communistic school teachers in Pennsylvania are in a great minority. I have talked with plenty of school teachers. I spent half an hour last night talking with one of the leading teachers in Pennsylvania, talking on some of these subjects, trying to get her viewpoint straightened out on what some of you Democrats told her my viewpoint was.

I have in my hand a letter from a school teacher—I don't know him—I won't read it all; it comes from another county. He starts off by saying

> "I wish to congratulate and commend you for your fight for legislation to remove from our schools every teacher who has in the past, or shall in the present or future, have any Communistic, Facist or Nazi affiliations or sympathies. I trust that you will block adjournment of the Legislature until your original bill is enacted into law.
>
> "I am a Philadelphia school teacher. I regret that the Teachers Union 'A. F. of L. Communist indicted,' has made it appear that the teachers as a whole are opposed to this legislative action. Of course, this is not true. The Teachers Union consists of but a mere handful of the actual teaching force in Philadelphia." Then he goes on to say "It is about time we begin, before it is too late, right in the schools to root out those who believe in and encourage the overthrow of our government."

Then I have in my hand an article from a Pittsburgh paper which relates to the meeting in Boston of the National Education Association. It says

> "One resolution drafted for presentation to the organization's 79th convention declared: 'Neither freedom of speech nor academic freedom should be used as a cloak for activities or teachings subversive

to the fundamental principles and ideals of the United States.'"

And they proposed the establishment of a commission to study and gave it money. Then I would like to call to the attention of those great constitutional thinkers on the other side of the House this statement when they get talking on the Bill of Rights. This is from Thomas Mann: "Democracy must never allow any group to exist that would destroy a democracy."

Mr. HARKINS. Mr. Speaker, I would like to interrogate the gentleman from Delaware Mr. Turner.

The SPEAKER. Will the gentleman from Delaware permit himself to be interrogated?

Mr. TURNER. I shall, Mr. Speaker.

Mr. HARKINS. Mr. Speaker, I would like to know from the gentleman from Delaware, Mr. Turner, why the particular bills he mentioned were not enacted in the 1939 session, if he is able to tell me. I notice that the answers he gave a few moments ago were incomplete, and if it is a long story I would like to have it.

Mr. TURNER. Mr. Speaker, I presume the House has a lot of time; I am not going any place, and I know a good many of our members haven't any money to go any place, so if the wish of the gentleman from Allegheny prevails, I would like to start on the story in 1937 because that is back of what we did in 1939.

The gentleman from Allegheny, Mr. Harkins, did not ask that question seriously. He knows just as well as I do that in 1937 and in 1939 we advocated it but in 1939 we didn't get any place with it, and therefore I don't see that that has anything to do with it, because even if the gentleman from Allegheny's inferences are correct he ought to accord me the same right to repent that I accorded him.

Mr. HARKINS. Mr. Speaker, I take it that the gentleman from Delaware, Mr. Turner, has answered the question, and I think it is self evident that the reason was the Republican party, then in control of the Legislature, both Houses and with a Republican Governor, knew there was no necessity for it, and they just didn't do it. The only thing that is necessary to be done will be done when Mr. Brown's amendments are put into the bill.

Mr. WOODSIDE. Mr. Speaker, since the gentleman has raised the question I think it ought to be answered and the true story ought to be told in connection with it.

As a matter of fact, practically all the problems of the last session that were dealt with were dealt with originally by this House. The one problem that was left to the Senate to deal with was the problem of the Teachers Tenure bill, and that problem was dealt with by a Senate that was practically evenly divided between the Democratic and the Republican parties. I can say to you, Mr. Speaker, without fear of contradiction that the group on this side favored the amendments to the Teachers Tenure bill that they proposed in 1939, but the reason they were not written into the Teachers Tenure bill was because of two gentlemen in the Senate, Senator Mundy and Senator Shapiro who proposed a different system, and I believe the gentleman who raised the question was in accord with that movement which kept from being written into the Teachers Tenure bill the things which we on this side felt should be written in. If he will recall, he will remember that the Teachers Tenure bill was amended in the very last week of the session. It went to conference committee and there was a great deal of discussion at that time about the two gentlemen whom I mentioned in the Senate, Members of the Democratic party, who had made agreements to go along with certain phases of the Teachers Tenure bill, which apparently was changed later, and they eventually did not go along. That is the answer to what happened to the Teachers Tenure bill in 1939 and the provisions relative to subversive activities.

Mr. LOVETT. Mr. Speaker, I would like to interrogate the gentleman from Dauphin, Mr. Woodside.

The SPEAKER. Will the gentleman from Dauphin permit himself to be interrogated?

Mr. WOODSIDE. I shall, Mr. Speaker.

Mr. LOVETT. Mr. Speaker, will the gentleman from Dauphin, Mr. Woodside, tell the House what the amendments to the Teachers Tenure Act were in 1939?

Mr. WOODSIDE. In 1939, Mr. Speaker, the Teachers' Tenure Act was amended to set up a rather complicated system of passing upon the merits of school teachers. I will get the Pamphlet Law for the gentleman if he is anxious to determine in detail. I do not remember all the details of it. As I said, it was the single problem that was left to the Senate in the 1939 session, because the Senate was evenly divided and the House was predominantly Republican. The majority on this side started all bills of any consequence, dealt with all other problems on this side and left that one problem to the Senate. Senator Shapiro and Senator Mundy dominated and controlled and influenced to a very large degree the amendments to the Teachers' Tenure Act. Although they were an improvement over the act of 1937, they still did not meet the situation that we felt should be met in 1937 and in 1939, but we had to take what we could get through the Senate. The gentleman knows we did not control the Senate at that time.

Mr. LOVETT. Mr. Speaker, I would like to remind the gentleman that I asked a question and I would like him to answer the question and not make a speech.

The question that I asked the gentleman was, what effect the amendment had on the Teachers' Tenure Act. What I want to know is what changes were made; I do not want the specific amendments.

Mr. WOODSIDE. Mr. Speaker, I have sent for the Pamphlet Law and I will read what the changes were.

Mr. LOVETT. Mr. Speaker, if the gentleman insists upon it,—

Mr. WOODSIDE. Mr. Speaker, the gentleman asked for it.

Mr. LOVETT. All I asked for, Mr. Speaker, is that the gentleman outline to the Members of the House the changes that were made in the Teachers' Tenure Act by the amendments.

Mr. WOODSIDE. The only answer to that, Mr. Speaker, is what is in the 1939 Pamphlet Law. The gentleman could get that himself; that is the only answer to it.

Mr. LOVETT. I would like further to interrogate the gentleman, Mr. Speaker, while we are waiting for the Pamphlet Law.

The SPEAKER. The gentleman will proceed.

Mr. LOVETT. I would like to ask the gentleman, Mr. Speaker, if he knows that Mr. O'Brien on this side of the House in the session of 1939 introduced legislation

amending the Teachers' Tenure Act, outlawing Communist teachers and party under the Teachers' Tenure Act, and what happened to those bills?

Mr. WOODSIDE. Mr. Speaker, I do not recall that any such bills were in the House. They may have been, but I am saying again to the gentleman that the amendments to the Teachers' Tenure Act were the problem that was dealt with by the Senate, and that we had to determine what could be gotten through the Senate.

Mr. LOVETT. Mr. Speaker, since the gentleman on the other side does not recall the three bills that were introduced by Mr. O'Brien, outlawing the Communist Party, I would like to inform him and the other Members of the House that there were such bills introduced during the 1939 session, in February, and I would appreciate if the gentleman will kindly tell us why there was not some action on these bills at that time, since he was the leader on the Republican side during that session.

Mr. WOODSIDE. I do not recall the bills at all, Mr. Speaker, at that time. I do not know that in 1937, we made a fight on what seemed to me to be the most important issue, and that is the question of the teacher in the schools. That was the important issue before us, and I know in 1937 we made a fight on it, and in 1939 we felt the same way about it, and we felt very much discouraged when the situation developed in the Senate as it did.

Mr. LOVETT. Mr. Speaker, I would like to ask the gentleman whether workmen's compensation and other labor bills were not more important than worrying about the Communistic bills that we have before us today?

Mr. WOODSIDE. Mr. Speaker, I do not think that we have anything before us today that is more important than the teaching of Communism or the teaching of subversive activities in the public schools of the Commonwealth of Pennsylvania or the United States of America; nothing is more important than that.

Mr. LOVETT. Mr. Speaker, does the gentleman feel that in 1939 it was just as important as it is now?

Mr. WOODSIDE. I do, Mr. Speaker, and I did; I felt it was just as important in 1937. It may not have been as important in 1937 or 1939 as it is today, but I felt it was tremendously important at that time. It is growing progressively more important.

Mr. LOVETT. Mr. Speaker, if the gentleman thought in 1939 it was just as important as it is today, I spent my time in the session of 1939 and I didn't hear the gentleman or any other gentleman on the other side of this House requesting that these bills be acted upon during the 1939 session.

Mr. WOODSIDE. Well, Mr. Speaker, the gentleman on the other side didn't take any action on it that I heard about; they never said anything to me about it. Maybe we didn't pay as much attention to some of these Democratic bills as we should have at that time, but I tell the gentleman again that it was the most important subject before us; I have explained how we felt about it.

Mr. LOVETT. Mr. Speaker, I would like to state in answer to the statement of the gentleman on the other side, that we on this side of the House during the 1939 session were so busy trying to save what liberal legislation passed in 1937 that we left it to the gentlemen on the other side to introduce the bills here in the House, and we left it to them to have them enacted into law in 1939, when they were in power. I think the gentleman will admit there was no action taken on those bills, and they died in committee. If the gentleman has the law and the changes I will appreciate his reading it.

Mr. WOODSIDE. Mr. Speaker, my lawyers haven't been able to find the amendments yet.

The SPEAKER. Is the gentleman from Westmoreland, Mr. Lovett, through with his interrogation?

Mr. LOVETT. I am not, Mr. Speaker, I am waiting for the law and for an answer.

Mr. WOODSIDE. Mr. Speaker, section 1201 of the school code was amended by Act 274, page 482, of the Pamphlet Laws of 1939. This is going to be a ten page pamphlet law reading here. I don't know whether the House wants to go through with it or not. I will be glad to give it to him and I will be glad to submit it in the record if the gentleman would care to have it, but I do not think we ought to take the time of the House to read it into the record.

Mr. LOVETT. Mr. Speaker, I do not insist that the gentleman read the Pamphlet Laws of 1939. I only asked that the gentleman give the information to this House, or at least to the new Members, as to just what the change was in the Teachers' Tenure Act by the amendments offered in 1939.

Mr. WOODSIDE. Mr. Speaker, I told the gentleman it did several things. In the first place, it set up a probationary period, and in the second place it set up a method of rating teachers. That method of rating teachers can only be explained accurately by reading into the record what the provisions of the act are. It creates the term, "professional employes," and defines professional employes. Then it has some provision relating to temporary employes, and then provides a method of rating.

Mr. Speaker, I think this matter is entirely off the point, I will be glad to put into the record, if the gentleman wants it, all of that Act, but it is a matter of public record; he can get it in the Pamphlet Laws. I will give it to him right here if he wants to read it, but his interrogation is entirely off the point.

Mr. LOVETT. Mr. Speaker, I do not like to differ with my good friend, Mr. Woodside, on the other side. As a Member of this House, I have always been courteous to the Members on the other side; I have never made it a personal issue or even a party issue. The only reason I asked the gentleman to explain the amendments to the Teachers' Tenure Act is that I want to ask the gentleman whether he feels the amendments of 1939 curbed in any way Communistic teaching or subversive actions or teaching by school teachers in the state of Pennsylvania. Will the gentleman please answer that question?

Mr. WOODSIDE. Mr. Speaker, to some extent I would say yes; not to a very large degree; not to a satisfactory degree by any means. However, as a result of the necessity for rating as a school teacher, that school teacher might be a little bit more careful not to teach Communism in the school for fear that it might in some way affect his rating as a teacher, and that would, of course, be particularly true of a teacher on probation. It is rather indirect and not by any means to any satisfactory degree does this amendment prevent the teaching of Communism in the schools, but I would say it might in some remote degree discourage the teaching of

Communism in the schools. There is also a provision in this act for rating teachers except in cases of suspended teachers, and that, of course, might have some slight effect and discourage the teaching of Communism.

Mr. LOVETT. Mr. Speaker, I want to thank the gentleman from Dauphin, Mr. Woodside. Due to the fact that he is at a disadvantage in attempting to inform this House that the amendments in 1939 had anything to do with communistic teaching in our schools, I would honestly say to the members of this House that the amendments offered in 1939 in no way had anything in the world to do with communistic teaching in the schools of Pennsylvania. I further want to say that from my knowledge of the probationary period, which I think was a matter of two years, it was a very lame amendment. The criticism which we received in my community on the Teachers' Tenure Act was the fact that married women taught school.

POINT OF ORDER

Mr. BAKER. Mr. Speaker, I rise to a point of order.

The SPEAKER. The gentleman from Allegheny will state his point of order.

Mr. BAKER. Mr. Speaker, are we now on the Teachers' Tenure Bill or are we on this House Bill 413?

The SPEAKER. The Chair cannot answer that question. Much latitude has been permitted and taken.

Mr. BAKER. Mr. Speaker, I yield to the gentleman from Westmoreland.

Mr. LOVETT. Mr. Speaker, I want to thank the gentleman from Allegheny, Mr. Baker, for yielding.

I thought at that time that the amendments to the Teachers' Tenure Act were protecting married teachers and the old teachers who already had served their probationary period under the Teachers' Tenure Act. I want to say to this House that I feel that the amendments of 1939 in no way curbed communistic teaching in our schools, but the gentlemen on the other side were possibly too busy enacting the Delaware County Authority Act whereby the people of the state of Pennsylvania could be swindled out of more money rather than interesting themselves in subversive activities.

Mr. BAKER. Mr. Speaker, I now move the previous question.

The previous question was seconded by Messrs. Stank, Paul A. Brunner, Marks, Wright, Verona, Polaski, Reynolds, Shaw, Moul, DiGenova, Komorofski, Tate, Heatherington, Woodring, Cochran, Boies, O'Neill, Munley, Melchiorre, Kolankiewicz and others.

On the question,

Shall the main question be now put?

It was agreed to.

On the question recurring,

Will the House agree to the amendments offered by the gentleman from Delaware, Mr. Turner?

Mr. BROWN. Mr. Speaker, in order that we might be clear, since there has been so much debate since I arose to oppose the amendments offered by the gentleman from Delaware, Mr. Turner, I reiterate my request that the members vote down these amendments.

The yeas and nays were required by Mr. Turner and Mr. Woodside and were as follows:

YEAS—66

Auker,	Gross,	Lichtenwalter,	Snyder,
Boorse,	Gyger,	Lyons,	Sollenberger,
Bower,	Habbyshaw,	McClester,	Sorg,
Bretherick,	Haines,	McKinney,	Stambaugh,
Brunner, C. H.,	Hall,	McMillen,	Stockham,
Cadwalader,	Hare,	McSurdy,	Trout,
Cooper,	Helm,	Muir,	Turner,
Cordier,	Huntley,	Rank,	VanAllsburg,
Dennison,	Imbrie,	Reagan,	Wagner,
Dix,	James,	Reese, D. P.,	Weingartner,
Ely,	Jones, G. E.,	Rhea,	Wilkinson,
Fiss,	Kline,	Riley,	Winner,
Fleming,	Knoble,	Rose, W. E.,	Wood, L. H.,
Gates,	Krise,	Royer,	Wood, N.,
Gillan,	Lee, T. H.,	Serrill,	Woodside,
Gillette,	Leisey,	Simons,	Yeakel,
Greenwood,	Leydic,		

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Achterman,	French,	Maxwell,	Rausch,
Baker,	Gallagher,	McClanaghan	Readinger,
Balthaser,	Gerard,	McDermott	Reese, R. E.,
Bentley,	Goodwin,	McFall	Reynolds,
Bentzel,	Gryskewicz,	McIntosh	Rooney,
Boies,	Hamilton,	McLanahan,	Rush,
Boney,	Harkins,	McLane,	Sarraf,
Bradley,	Harris,	Melchiorre,	Scanlon,
Breth,	Heatherington,	Mihm,	Schwab,
Brown,	Hering,	Modell,	Shaffer,
Brunner, P. A.,	Herman,	Monks,	Shepard,
Burns,	Hersch,	Mooney,	Stank,
Burris,	Hirsch,	Moran,	Stine,
Chervenak,	Holland,	Moul,	Tarr,
Chudoff,	Jefferson,	Munley	Tate,
Cochran,	Jones, P. N.,	Nagel	Verona,
Cohen, M. M.,	Keenan,	O'Brien,	Vincent,
Cohen, R. E.,	Kenehan,	O'Connor,	Vogt,
Corrigan,	Kolankiewicz,	O'Mullen,	Weiss,
Croop,	Komorofski,	O'Neill,	Welsh, E. B.,
Cullen,	Leonard,	Owens,	Williams,
DiGenova,	Lesko,	Petrosky,	Woodring,
Dolon,	Levy,	Pettit,	Wright,
D'Ortona,	Longo,	Polaski,	Yeater,
Elliott,	Lovett,	Polen,	Young,
Finestone,	Malloy,	Powers,	Kilroy,
Finnerty,	Marks,	Prosen,	Speaker.

So the question was determined in the negative and the amendments were not agreed to.

Messrs. BROWN and McCLANAGHAN. Mr. Speaker, we desire to offer the following amendment.

The amendment was read by the Clerk as follows:

Amend the bill, page 1, by inserting before line 1, the following section:

Section 1. The phrase "un-American or subversive doctrines" shall be construed to mean doctrines which teach or advocate the overthrow of the government of the United States or of the Commonwealth of Pennsylvania by revolution, or the changing of the form of the government of the United States or of the government of Pennsylvania by means not provided for in the Constitution of the United States or the Constitution of the Commonwealth of Pennsylvania.

On the question,

Will the House agree to the amendment?

Mr. WOODSIDE. Mr. Speaker, in order that the Republican position on these amendments may be put clearly in the record I wish to say that we propose to vote for them. We feel that half a loaf of bread is better than none at all. We feel further that these amendments are by far the best proposition that has come from that side of the House during this session. We feel, however, Mr. Speaker, that they fail in one very important particular.

I merely wish to give one single example of wherein I think this amendment fails, and I will not continue the debate any longer than to recite this one example:

Suppose I am a school teacher and I believe in the Communistic system of government. I am a man teaching civics in the eighth grade in the public schools of the Commonwealth of Pennsylvania. I say to those children

"Boys and girls, the democratic system of government is not right; it is not right because A, B, C, D, and E,"—and I give them a lecture on all the things I feel are wrong with the democratic system of government. Then I turn to them and say:

"Now, boys and girls, the government of Soviet Russia, the communistic government is a much better system for this, this, this, and this reason." I teach that day after day and week after week, but I always end my talk to those children by saying:

"Now, boys and girls, you shouldn't go out and use force, because I do not believe in using force, but you go out and use your influence to bring about this form of government by amending the Constitution."

I think it is perfectly proper, as has been said by the gentleman from Delaware, Mr. Turner, for a person to go out on a street corner and cry that to high heaven at all times or at any time; I think it is all right for a person to hire a hall and speak in those terms, because a man has a perfect right under our freedom of speech amendment to the Constitution to do that thing. But I do not think it is right that we as a Commonwealth should pay a teacher to teach that kind of thing to our boys and girls, and that kind of thing cannot be touched by this amendment.

In that respect this amendment fails and does not go far enough. As I said before, it is the best thing that has come from that side of the House, and we propose to vote for it for that reason.

Mr. SHEPARD. Mr. Speaker, I rise to support the amendments that have been offered by the gentleman on this side of the House. While it may be true that they do not go as far as the gentleman from Dauphin would like to see them go, they go a long way further than anything that came out of the Legislature in 1939 when the Republican party was in control of both Houses of this Legislature.

Mr. Speaker, there has been an attempt to brand the Democratic party as the Red party, that is, those who protect the Reds. If there has been any protection of the Reds in this Legislature it was done in 1939. The gentleman in answer to an inquiry said that the reason why, or he inferred that the reason why they didn't get any anti-Red bills through the Legislature in 1939 was because of the opposition of two minority Senators, Senator Mundy and Senator Shapiro. They must have been mighty powerful. I do not understand how it is that they got through every other item of their Republican program in 1939. They got it through even by getting over some of the Democratic Senators. If they got their program through in 1939, why didn't they get through some of this anti-Red legislation?

Representative O'Brien introduced three bills to carry out this program in the 1939 Session. They slumbered in the committee, and with all of the power that the Republicans had in this House, they did nothing about those bills, and now when they lost control of the House they are yelling to high Heaven that the Democrats are protecting the Reds.

Mr. Speaker, the Republican leadership has never yet explained to the satisfaction of the Members on this House, nor will they explain to the satisfaction of the people of Pennsylvania, why they did not pass these anti-Red bills in the 1939 Session.

QUESTION OF INQUIRY

Mr. HARE. Mr. Speaker, I rise to a question of inquiry.

The SPEAKER. The gentleman from Somerset will state his question of inquiry.

Mr. HARE. Mr. Speaker, what is the text of the address of the gentleman who is speaking? Is he speaking on the amendments?

Mr. SHEPARD. I am, Mr. Speaker.

The SPEAKER. The gentleman answered that question himself. The gentleman will proceed.

Mr. SHEPARD. Mr. Speaker, I rise in support of these amendments, and in reference to the label that the Republican minority has tried to put on the Democratic majority in this House, I say again that if anybody has protected the Reds, it was the Republican party in 1939. The gentleman from Delaware said he felt this was a burning issue in 1937 and in 1939. Why didn't he do something about it then? He had to wait until the Democrats got into control of this House, and the only thing that has ever been done has been done by this Democratic majority. I repeat, if there has been any coddling of the Reds, if there has been any protection of the subversive influence, it has been by the Republican majority in 1939, and I am happy that this House, controlled by Democrats, has decided to do something about the issue that the Republicans knew about many, many years ago and did nothing to cure. I insist, Mr. Speaker, on a roll call.

The SPEAKER. The Chair regrets that he did not have an opportunity to recognize the gentleman from Potter, Mr. Hall, on really the first time he asked to be recognized. This is the first time the gentleman has taken the floor.

Mr. HALL. Mr. Speaker, I believe we have wandered far afield. I have listened with a great deal of interest to the leaders who have spoken. It seems to me we are trying to legislate for a present crisis and what happened in 1939 was an academic question more or less, because the march of Hitler's army and the terrible effect of the fifth columnists and other activities was not apparent until after September 1, 1939. By all means, gentlemen, let us legislate for a present emergency.

Mr. McCLANAGHAN. Mr. Speaker, there were remarks made here by the gentleman from Dauphin to the effect that the most important matter before the public is this ism bill. There was a defense air port bill that went out of the House on May 6th, introduced by Mr. Nagel and myself. Over in the Senate they buried that bill in the garbage can. Senator Robert M. Miller presented a bill of his own. He is the Chairman of the Committee on Military Affairs. He is from Kingston, Luzerne County. That gentleman played with that bill for two months and a half and it has been on the Governor's desk since July 1st. This is a defense bill, a defense airport bill. This bill that we are now discussing is not as important as the defense airport bill. If the gentleman from Dauphin has any influence with his side of the

House, I hope he will have the Governor sign that bill.

Mr. CORDIER. Mr. Speaker, I welcome at last the Reverend Shepard in this great jubilee. We are glad to have him under our protective tent. There have been a lot of assertions made on this particular piece of legislation. We have gone back into ancient history, and I am a little bit confused as the sponsor of this legislation, as to its real intent after listening to some of the speeches. The Reverend Shepard referred to 1939 and wondered why these particular pieces of legislation slumbered in committee. Well, the record does not show that the Reverend Shepard rose upon his feet, or anybody on the other side of the House rose upon their feet to do anything about it, or to insist that they come out of committee. So, of course, these are superficial arguments. We are concerned here primarily with this great question, and whatever we put in the record, of course, will be read and considered by the people of the Commonwealth.

Mr. Speaker, I am going to vote "aye" on these amendments. In voting "aye," I do so because I believe that while they are not as strong and clear in definition as our amendments, they are a step in the right direction. The Republicans in the House, being in the minority, must accept this half a loaf on this question. We have served notice by our fight on this vital question for the last few weeks on the Democratic majority, that there is a clear demand by the vast majority of our citizens definitely to rid the Commonwealth of this scourge.

Mr. SARRAF. Mr. Speaker, I have been listening to this debate for quite some time over the past three weeks. I think in all fairness to the Members of this House the Speaker should direct the Clerk to call the roll and require each one to express his viewpoint on this bill.

Mr. McCLANAGHAN. Mr. Speaker, I would like to say just one word regarding the example that has been cited here this evening regarding the amendments offered by Mr. Brown and myself. These amendments clearly define what are un-American and subversive activities. They define them as follows:

> "The phrase 'un-American or subversive doctrines' shall be construed to mean doctrines which teach or advocate the overthrow of the government of the United States or of the Commonwealth of Pennsylvania by revolution,"—and then let me repeat those words again, "Teach or advocate the overthrow of the government of the United States or of the Commonwealth of Pennsylvania by means not provided for in the Constitution of the United States or the Constitution of Pennsylvania."

We say that it refers to a person who teaches that our form of government is all wrong and that a form of government such as Soviet Russia has is correct or desirable, but to say that such a person does not advocate violence is to misstate the facts. It is well known that it is a cardinal principle of Communism to advocate the overthrow of government by force. To say that you advocate Communism but deny that you advocate the use of force to overthrow the government is not to say that you do not advocate or teach a change in the form of the government in a manner not provided for in the Constitution. These amendments will cover that situation. If a person teaches or advocates a change in the form of government in a manner not provided for in the Constitution, they are covered by these amendments.

Mr. BAKER. Mr. Speaker, I now move the previous question.

The previous question was seconded by Messrs. Elliott, Paul A. Brunner, Stank, Marks, Wright, Finestone, Kolankiewicz, Polaski, Reynolds, Verona, Shaw, McLane, Gryskewicz, Malloy, Herman, Cochran, O'Brien, Heatherington, DiGenova, Woodring, Komorofski and others.

On the question,

Shall the main question be now put?

It was agreed to.

On the question recurring,

Will the House agree to the amendments offered by the gentleman from Allegheny, Mr. Brown?

The yeas and nays were required by Mr. Brown and Mr. Shepard and were as follows:

YEAS—171

Achterman,	Gates,	Lovett,	Riley,
Auker,	Gerard,	Lyons,	Rooney,
Baker,	Gillan,	Malloy,	Rose, W. E.,
Balthaser,	Gillette,	Marks,	Royer,
Bentley,	Goodwin,	Maxwell,	Rush,
Bentzel,	Greenwood,	McClanaghan	Sarraf,
Boles,	Gross,	McClester	Scanlon,
Boney,	Gryskewicz,	McDermott	Schwab,
Boorse,	Gyger,	McFall	Serrill,
Bower,	Habbyshaw,	McIntosh	Shaffer,
Bradley,	Haberlen,	McKinney,	Shepard,
Breth,	Haines,	McLanahan,	Simons,
Bretherick,	Hall,	McLane,	Snyder,
Brown,	Hamilton,	McMillen,	Sollenberger,
Brunner, C. H.,	Hare,	McSurdy,	Sorg,
Brunner, P. A.,	Harkins,	Melchiorre,	Stambaugh,
Burns,	Harris,	Mihm,	Stank,
Burris,	Heatherington,	Modell,	Stine,
Cadwalader,	Helm,	Monks,	Stockham,
Chervenak,	Hering,	Mooney,	Tarr,
Chudoff,	Herman,	Moran,	Tate,
Cochran,	Hersch,	Moul,	Trout,
Cohen, M. M.,	Hirsch,	Muir,	Turner,
Cohen, R. E.,	Holland,	Munley,	VanAllsburg,
Cooper,	Huntley,	Nagel	Verona,
Cordier,	Imbrie,	O'Brien,	Vincent,
Corrigan,	James,	O'Connor,	Vogt,
Croop,	Jefferson,	O'Mullen,	Wagner,
Cullen,	Jones, G. E.,	O'Neill,	Watkins,
Dalrymple,	Keenan,	Owens,	Weingartner,
DiGenova,	Kenehan,	Petrosky,	Weiss,
Dix,	Kline,	Pettit,	Welsh, E. B.,
Dolon,	Knoble,	Polaski,	Wilkinson,
D'Ortona,	Kolankiewicz,	Polen,	Williams,
Duffy,	Komorofski,	Powers,	Winner,
Ely,	Krise,	Rank,	Wood, L. H.,
Falkenstein,	Lee, T. H.,	Rausch,	Wood, N.,
Finestone,	Leisey,	Readinger,	Woodring,
Finnerty,	Leonard,	Reagan,	Woodside,
Fisher,	Lesko,	Reese, D. P.,	Wright,
Fleming,	Levy,	Reese, R. E.,	Yeakel,
Fletcher,	Leydic,	Reynolds,	Yester,
French,	Lichtenwalter,	Rhea,	Young,
Gallagher,	Longo,		Kilroy, Speaker

NAYS—2

Jones, P. N.,	Prosen,

So the question was determined in the affirmative and the amendments were agreed to.

The first section was read.

On the question,

Will the House agree to the section?

Mr. TURNER. Mr. Speaker, I desire to offer the following amendments.

The amendments were read by the Clerk as follows:

Amend section 1, page 1, line 1, by striking out after the word "Section" the numeral "1" and inserting the following: "2."

Amend section 1, page 1, line 1, by striking out after the word "who" and before the word "advocates" the following: "hereafter."

Amend section 1, page 1, line 1, by striking out after the word "advocates" the words "and ac-" and inserting in lieu thereof the following: "or."

Amend section 1, page 1, line 2, by striking out at the beginning of the said line the part of the word "tively."

Amend section 1, page 2, line 3, by inserting after the words "United States" and before the word "shall" the following: "or who advocates or supports a political party or organization of individuals advocating or supporting Communism, Fascism or Naziism, or any "un-American or Subversive Doctrines," or is a member of any organization of individuals advocating or supporting Communism, Fascism or Naziism, or any "un-American or Subversive Doctrines."

Amend section 1, page 2, line 6, by inserting after the word "any" and before the word "authority" the following: "school district, vocational school district, institution district."

On the question,

Will the House agree to the amendments?

They were not agreed to.

On the question recurring,

Will the House agree to the section?

Messrs. BROWN and McCLANAGHAN. Mr. Speaker, we desire to offer the following amendments.

The amendments were read by the Clerk as follows:

Amend Sec. 1, page 1, line 1, by striking out the figure "1" and inserting in lieu thereof: "2."

Amend Sec. 1, page 1, lines 1 and 2, by striking out the words "and actively" and inserting in lieu thereof: "or."

Amend Sec. 1, page 1, line 2, by striking out the words "a move-."

Amend Sec. 1, page 2, lines 1, 2 and 3, by striking out all of lines 1 and 2, and the words "situation of the United States" in line 3, and inserting in lieu thereof: "un-American or subversive doctrines."

Amend Sec. 1, page 2, line 6, by striking out the words "political subdivision" and inserting in lieu thereof: "county, city, borough, incorporated town, township, school district, vocational school district or institution district."

Amend Sec. 1, page 2, line 7, by striking out the words "the recipient of public funds" and inserting in lieu there: of: "supported."

Amend Sec. 1, page 2, line 8, by inserting after the word "part" the following: "out of public funds."

Amend Sec. 1, page 2, line 19, by inserting after the word "proper" the following: "In the event the employe so dismissed requests a jury trial in the said court of common pleas, the court shall order the appeal to be tried before a jury in the same manner provided for by existing law for such trials."

On the question,

Will the House agree to the amendments?

They were agreed to.

The second section was read.

On the question,

Will the House agree to the section?

Mr. TURNER. Mr. Speaker, I desire to offer the following amendment.

The amendment was read by the Clerk as follows:

Amend section 2, page 3, line 1, by striking out the numeral "2" and inserting the following: "3."

On the question,

Will the House agree to the amendment?

It was not agreed to.

On the question recurring,

Will the House agree to the section?

Messrs. BROWN and McCLANAGHAN. Mr. Speaker, we desire to offer the following amendment.

The amendment was read by the Clerk as follows:

Amend section 2, page 3, line 1, by striking out the figure "2" and inserting in lieu thereof: "3."

On the question,

Will the House agree to the amendment?

It was agreed to.

The third section was read.

On the question,

Will the House agree to the section?

Mr. TURNER. Mr. Speaker, I desire to offer the following amendments.

The amendments were read by the Clerk as follows:

Amend section 3, page 3, line 9, by inserting after the word "any" and before the word "part" the following: "clause or clauses, phrase or phrases."

Amend section 3, page 3, line 6, by striking out the numeral "3" and inserting the following: "4."

On the question,

Will the House agree to the amendments?

They were not agreed to.

On the question recurring,

Will the House agree to the section?

Messrs. BROWN and McCLANAGHAN. Mr. Speaker, we desire to offer the following amendment.

The amendment was read by the Clerk as follows:

Amend sec. 3, page 3, line 6, by striking out the figure "3" and inserting in lieu thereof "4."

On the question,

Will the House agree to the amendment?

It was agreed to.

The fourth section was read.

On the question,

Will the House agree to the section?

Mr. TURNER. Mr. Speaker, I desire to offer the following amendment.

The amendment was read by the Clerk as follows:

Amend section 4, page 3, line 15, by striking out the numeral "4" and inserting the following: "5."

On the question,

Will the House agree to the amendment?

It was not agreed to.

On the question recurring,

Will the House agree to the section?

Messrs. BROWN and McCLANAGHAN. Mr. Speaker, we desire to offer the following amendment.

The amendment was read by the Clerk as follows:

Amend sec. 4, page 3, line 13, by striking out the figure "4" and inserting in lieu thereof "5."

On the question,

Will the House agree to the amendment?

It was agreed to.

The fifth section was read.

On the question,

Will the House agree to the section?

Mr. TURNER. Mr. Speaker, I desire to offer the following amendment.

The amendment was read by the Clerk as follows:

Amend section 5, page 3, line 17, by striking out the numeral "5" and inserting the following: "6."

On the question,

Will the House agree to the amendment?

It was not agreed to.

On the question recurring,

Will the House agree to the section?

Messrs. BROWN and McCLANAGHAN. Mr. Speaker, we desire to offer the following amendment.

The amendment was read by the Clerk as follows:

Amend sec. 5, page 3, line 17, by striking out the figure "5" and inserting in lieu thereof "6."

On the question,

Will the House agree to the amendment?

It was agreed to.

The title was read.

On the question,

Will the House agree to the title?

Mr. TURNER. Mr. Speaker, I desire to offer the following amendments.

The amendments were read by the Clerk as follows:

Amend title, page 1, line 2 of title, by inserting after the word "any" and before the word "authority" the following: "school district, vocational school district, institution district."

Amend title, page 1, line 3 of title, by inserting after the word "who" and before the part word "here-" the following: "advocate or support a political party or organization of individuals advocating or supporting Communism, Fascism or Naziism, or any "un-American or Subversive Doctrines," or are members of any organization of individuals advocating or supporting Communism, Fascism or Naziism, or any "un-American or Subversive Doctrines," or who."

Amend title, page 1, line 3 of title, by striking out after the word "who" at the end of the said line, part of a word "here-."

Amend title, page 1, line 4 of title, by striking out at the beginning of the said line and before the word "advocate" part of a word "after."

Amend title, page 1, line 4 of title by striking out after the word "advocate" and before the word "participate" the following: "and actively."

Amend title, page 1, line 4 of title, by inserting after the word "advocate" and before the word "participate" the following: "or."

On the question,

Will the House agree to the amendments?

They were not agreed to.

On the question recurring,

Will the House agree to the title?

Messrs. BROWN and McCLANAGHAN. Mr. Speaker, we desire to offer the following amendments.

The amendments were read by the Clerk as follows:

Amend title, page 1, line 2 of title, by striking out the words "political subdivision" and inserting in lieu thereof "county, city borough, incorporated town, township, school district, vocational school district or institution district."

Amend title, page 1, line 3 of title, by striking out the word "receiving" and inserting in lieu thereof "supported in whole or in part out of."

Amend title, page 1, line 4 of title, by striking out the words "and actively" and inserting in lieu thereof "or."

Amend title, page 1, lines 4, 5, 6 and 7 of title, by striking out the words "a movement" in line 4, all of lines 5 and 6, and the words "of the United States" in line 7, and inserting in lieu thereof "un-American or subversive doctrines as herein defined."

On the question,

Will the House agree to the amendments?

They were agreed to.

And said bill having been read at length the second time and agreed to as amended.

Ordered, To be transcribed for a third reading.

SENATE MESSAGE

RESOLUTION CONCURRED IN BY SENATE

The Clerk of the Senate being introduced, informed that the Senate has concurred in the resolution from the House of Representatives as follows, viz:

In the House of Representatives, July 9, 1941.

Resolved (if the Senate concur), that House Bill No. 892, Printer's No. 1049, entitled "An Act authorizing a commission to study recreational facilities available in first class cities imposing powers and duties on said commission,"

be recalled from the Governor for the purpose of amendment.

REPORT FROM COMMITTEE

Mr. McFALL, from the Committee on State Government, reported as committed, House Bill No. 1817, (Senate Bill No. 1044), entitled:

An Act to further amend section eleven and section seventeen of the act approved the twenty-seventh day of June, one thousand nine hundred twenty-three (P. L. 858), entitled "An act establishing a State employes' retirement system, and creating a retirement board for the administration thereof; establishing certain funds from contributions by the Commonwealth and contributing State employes; defining the uses and purposes thereof, and the manner of payments therefrom, and providing for the guaranty by the Commonwealth of certain of said funds; imposing powers and duties upon the heads of departments in which State employes serve; excepting annuities, allowances, returns, benefits and rights from taxation and judicial process; and providing penalties" by permitting a member to borrow from his or her funds under certain provisions and regulating exemptions from execution.

BILL ON FIRST READING

Pursuant to motion heretofore adopted the following bill was read the first time.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1817, (Senate Bill No. 1044), entitled:

An Act to further amend section eleven and section seventeen of the act approved the twenty-seventh day of June, one thousand nine hundred twenty-three (P. L. 858), entitled "An act establishing a State employes' retirement system, and creating a retirement board for the administration thereof; establishing certain funds from contributions by the Commonwealth and contributing State employes; defining the uses and purposes thereof, and the manner of payments therefrom, and providing for the guaranty by the Commonwealth of certain of said funds; imposing powers and duties upon the heads of departments in which State employes serve; excepting annuities, allowances, returns, benefits and rights from taxation and judicial process; and providing penalties" by permitting a member to borrow from his or her funds under certain provisions and regulating exemption from execution.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

BILL RECOMMITTED

Mr. READINGER. Mr. Speaker, I move that House Bill No. 1817, (Senate Bill No. 1044), be recommitted to

the Committee on State Government for the purpose of amendment.

The motion was agreed to.

PERMISSION GRANTED COMMITTEE TO MEET DURING SESSION

Mr. READINGER asked and obtained permission for the Committee on State Government to meet during the session of the House for the purpose of considering Senate Bills Nos. 653, 654 and 1044.

REPORTS FROM COMMITTEES

Mr. READINGER, from the Committee on State Government, re-reported as amended, House Bill No. 1936, (Senate Bill No. 653), entitled:

An Act regulating and improving the civil service of certain departments and agencies of the Commonwealth vesting in the State Civil Service Commission and a Personnel Director certain powers and duties providing for classification of positions, adoptions of compensation schedules and certification of payrolls imposing duties upon certain officers and employes of the Commonwealth, authorizing service to political sub-divisions of the Commonwealth in matters relating to civil service, defining certain crimes and misdemeanors imposing penalties and making an appropriation and repealing certain acts and parts thereof

Mr. READINGER, from the Committee on State Government, re-reported as amended, House Bill No. 1937, (Senate Bill No. 654), entitled:

An Act to amend sections two hundred two and four hundred fifty-two of the act, approved the ninth day of April one thousand nine hundred and twenty-nine (P. L. 177), entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments, boards, commissions and officers thereof, including the boards of trustees of State Normal Schools or Teachers Colleges, abolishing, creating, reorganizing or authorizing the reorganization of certain administrative departments, boards and commissions, defining the powers and duties of the Governor and other executive and administrative officers and of the several administrative departments, boards, commissions and officers fixing the salaries of the Governor, Lieutenant Governor and certain other executive and administrative officers, providing for the appointment of certain administrative officers and of all deputies and other assistants and employes in certain departments, boards and commissions and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments, boards and commissions shall be determined," as amended, in order to establish the State Civil Service Commission as a departmental administrative commission in the Executive Department

Mr. GOODWIN, from the Committee on State Government, re-reported as amended, House Bill No. 1817, (Senate Bill No. 1044), entitled:

An Act to further amend section eleven and section seventeen of the act approved the twenty-seventh day of June one thousand nine hundred twenty-three (P. L. 858), entitled "An act establishing a State employes' retirement system, and creating a retirement board for the administration thereof; establishing certain funds from contributions by the Commonwealth and contributing State employes; defining the uses and purposes thereof, and the manner of payments therefrom, and providing for the guaranty by the Commonwealth of certain of said funds; imposing powers and duties upon the heads of departments in which State employes serve; excepting annuities, allowances, returns, benefits and rights from taxation and judicial process; and providing penalties" by permitting a member to borrow from his or her funds under certain provisions and regulating exemption from execution.

HOUSE BILL No. 413 MADE SPECIAL ORDER

Mr. WOODSIDE. Mr. Speaker, I move that House Bill No. 413, be made a special order of business for tomorrow afternoon at 2:00 o'clock.

The motion was agreed to.

ADJOURNMENT

Mr. SNYDER. Mr. Speaker, I move that this House do now adjourn until Thursday, July 10, 1941 at 1 p. m.

The motion was agreed to, and (at 11:26 p. m.) the House adjourned.

COMMONWEALTH OF PENNSYLVANIA

Legislative Journal.

Session 1941. 135th of the General Assembly.

Vol. 25. HARRISBURG, PA., THURSDAY, JULY 10, 1941. No. 84.

SENATE

THURSDAY, July 10, 1941

The Senate met at 3:00 o'clock, p. m., E. S. T.

The PRESIDENT (Lieutenant-Governor Samuel S. Lewis) in the Chair.

PRAYER

In the absence of the Chaplain prayer was offered by the Senator from Berks, Dr. RUTH.

Our God and Our Father, we come into Thy presence today thanking Thee for the opportunity to serve our fellow men on another day, and we pray that Thou wilt give us wisdom and understanding, that we may render our services in such a way that we can conscientiously say we have done the best that we could. We ask it in Thy Holy Name. Amen.

JOURNAL APPROVED

The PRESIDENT. A quorum of the Senate being present the Clerk will read the Journal of the preceding session.

The Clerk proceeded to read the Journal of the preceding session, when, on motion of Mr. WATKINS and Mr. GELTZ, the further reading was dispensed with, and the Journal was approved.

LEAVE OF ABSENCE

Mr. Cox asked and obtained leave of absence for the Senator from Philadelphia, Mr. SHAPIRO.

NOMINATIONS BY THE GOVERNOR

NOTARIES PUBLIC

The Secretary to the Governor being introduced, presented in writing from His Excellency, the Governor of the Commonwealth, nominations for appointment as Notaries Public.

CONSIDERATION OF NOTARIES PUBLIC

Mr. JAMES. Mr. President, I move that the Senate do now proceed to the consideration of nominations for appointment as Notaries Public, sent to the Senate, July 10, 1941, by His Excellency, the Governor of the Commonwealth.

Mr. EDMONDS. Mr. President, I second the motion.

The motion was agreed to.

The nominations were read as follows:

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, July 10, 1941.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following persons for appointment as Notaries Public, for terms of four years to compute from the date of confirmation:

ALLEGHENY COUNTY

Richard Coy, 518 Frick Bldg., Pittsburgh.
Miss Ireene E. Pastor, 601 Plaza Bldg., Pittsburgh.

CHESTER COUNTY

Mrs. Edith P. Irwin, Downingtown.

CUMBERLAND COUNTY

Mrs. Helen M. Stum, Mt. Holly Springs.

ERIE COUNTY

Miss Elizabeth J. Gough, Erie.

LAWRENCE COUNTY

Harold E. Hults, Elwood City.

PHILADELPHIA COUNTY

Miss Edith Kirsh, 1900 North American Bldg., Broad and Sansom Sts., Phila.
Benjamin Perlstein, 3651 Germantown Ave., Phila.
Herbert S. Williams, Oxford Ave. and Penn St., Phila.

YORK COUNTY

G. M. Kurtz, York.

ALLEGHENY COUNTY

E. W. Castaldi, American Bank Bldg., 600 Grant St., Pittsburgh.
R. H. Jones, 1800 Liverpool Street, Pittsburgh.

ARTHUR H. JAMES.

NOMINATIONS FOR NOTARIES PUBLIC

A motion was made by Mr. JAMES and Mr. EALY,

That the Senate do advise and consent to said nominations.

On the question,

Will the Senate agree to the motion?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—48

Barr,	DiSilvestro,	Lanius,	Stiefel,
Bartlett,	Ealy,	Letzler,	Tallman,
Becker,	Edmonds,	Mallery,	Taylor,
Carr,	Farrell,	McCreesh,	Thomas,
Cavalcante,	Frey,	McGinnis,	Tyler,
Chapman,	Geltz,	McQuiddy,	Wade,
Coleman,	Haluska,	Miller,	Walker,
Cox,	Heyburn,	Mundy,	Watkins,
Crider,	Homsher,	Reed,	Wilson, H. I.,
Crowe,	James,	Ruth,	Wilson, T. B.,
Deitrick,	Jaspan,	Snowden,	Woodward,
Dent,	Kephart,	Stevenson,	Ziesenheim,

NAYS—0

Two-thirds of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Governor be informed accordingly.

He also presented communications in writing from His Excellency, the Governor of the Commonwealth, which were read as follows, and referred to the Committee on Executive Nominations.

NOMINATION AS JUSTICE OF THE PEACE IN BERKS COUNTY

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, July 10, 1941.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Mrs. Marie H. Gordon, 340 East State Street, Hamburg, Berks County, for appointment as Justice of the Peace in and for the Borough of Hamburg, Berks County, until the first Monday in January, 1942, vice George D. Gordon, deceased.

ARTHUR H. JAMES.

NOMINATION AS JUSTICE OF THE PEACE IN NORTHUMBERLAND COUNTY

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, July 10, 1941.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Lester R. Derk, 644 Shamokin Street, Trevorton, Northumberland County, for appointment as Justice of the Peace in and for the Township of Zerbe, Northumberland County, until the first Monday in January, 1942, vice Harry E. Haupt, resigned.

ARTHUR H. JAMES.

COMMUNICATION FROM THE GOVERNOR

He also presented communication in writing from His Excellency, the Governor of the Commonwealth, which was read as follows:

APPROVED AND SIGNED SENATE BILL No. 212
(PRINTER'S No. 228)

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, July 10, 1941.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed Senate Bill No. 212, Printer's No. 228, entitled "An Act with reference to trust receipts and pledges of personal property unaccompanied by possession in the pledgee and to make uniform the law with reference thereto."

ARTHUR H. JAMES.

APPROVED AND SIGNED SENATE BILL No. 1023
(PRINTER'S No. 373)

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, July 10, 1941.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed Senate Bill No. 1023, Printer's No. 373, entitled "An Act to further amend Section 1033 of the act approved the first day of May one thousand nine hundred twenty-nine (P. L. 905) entitled 'An act for the protection of the public safety; regulating the use of highways, and the operation of vehicles, tractors, street cars, trackless trolley omnibuses, bicycles, pedestrians, and the riding of animals upon the highways of this Commonwealth; providing for the titling, including liens, encumbrances, and legal claims; registration of certain vehicles and licensing the operators thereof, upon payment of prescribed fees; prescribing and limiting the powers of local authorities to deal with the subject matter of this act; conferring powers and imposing duties upon the Department of Revenue, the Department of Highways, peace officers, mayors, burgesses, magistrates, aldermen, justices of the peace, the courts and the clerks thereof, owners of vehicles, and garage keepers; providing that records are admissible as evidence; imposing upon owners, counties, cities, boroughs, incorporated towns, townships, within the Commonwealth, liability for damages caused by the negligent operation of their motor vehicles; imposing penalties; imposing certain costs upon counties; providing for the disposition of fines, forfeitures, fees, and miscellaneous receipts; making an appropriation and providing for refunds' extending the provisions of such section for a further period of two years."

ARTHUR H. JAMES.

HOUSE MESSAGES

HOUSE BILLS FOR CONCURRENCE

The Clerk of the House of Representatives being introduced presented for concurrence bills of the House, as follows:

House Bill No. 413, (Senate Bill No. 1335), entitled:

An Act prohibiting the employment by the Commonwealth or any political subdivision thereof, of persons whose philosophy proposes the change of the government of the United States by means not provided for in the Constitution of the United States declaring inoperative any contract or civil service law or regulation providing for tenure in employment; and repealing inconsistent acts.

Which was committed to the Committee on Judiciary General.

House Bill No. 248, (Senate Bill No. 1336), entitled:

An Act authorizing taxpayers in cities of the second class A to inspect the books and records of such cities at any reasonable time.

Which was committed to the Committee on Municipal Government.

House Bill No. 1398, (Senate Bill No. 1337), entitled:

An Act to amend the act, approved the fifth day of May, one thousand nine hundred thirty-three (P. L. 289) entitled "Non-profit Corporation Law", as amended, by changing certain provisions of the act relating to corporate names, by requiring certain certificates of the payment of taxes and other charges to be filed with the Department of State in certain cases, by making certain changes in the scope of the act and by making certain provisions relating to the filing of notices of changes of registered offices.

Which was committed to the Committee on State Government.

House Bill No. 1400, (Senate Bill No. 1338), entitled:

An Act to amend the act, approved the fifth day of May, one thousand nine hundred thirty-three (P. L. 364), entitled "Business Corporation Law", as amended, by changing certain provisions of the act relating to cor-

porate names and requiring certificates of the payment of taxes and other charges to be filed with the Department of State in certain cases.

Which was committed to the Committee on State Government.

House Bill No. 1687, (Senate Bill No. 1339), entitled:

An Act to further amend section four of the act, approved the twenty-eighth day of May, one thousand nine hundred and fifteen (P. L. 596), entitled "An act requiring cities of the second class to establish a pension for employes of said cities, and regulating the administration and the payment of such pensions," by further regulating the allowance of pensions to certain persons heretofore or hereafter dismissed.

Which was committed to the Committee on Municipal Government.

House Bill No. 1833, (Senate Bill No. 1340), entitled:

An Act to amend section five of the act, approved the twenty-ninth day of September, one thousand nine hundred thirty-eight (P. L. 53), entitled "An act relating to institutions of counties, cities, and institution districts for the care, maintenance and treatment of mental patients; providing for the transfer of such institutions to the Commonwealth; providing for the management and operation or closing and abandonment thereof, and the maintenance of mental patients therein, including the collection of maintenance in certain cases; providing for the retransfer of certain property to institution districts under certain circumstances; conferring and imposing upon the Governor, the Department of Welfare, the courts of common pleas and counties, cities and institution districts certain powers and duties; prohibiting cities, counties and institution districts from maintaning and operating institutions, in whole or in part for the care and treatment of mental patients; and repealing inconsistent laws," by further prescribing certain rights of employes and officers of institutions acquired by the Commonwealth.

Which was committed to the Committee on Public Health.

House Bill No. 1963, (Senate Bill No. 1341), entitled:

An Act to add clause (i) to section seven hundred and four of the act approved the third day of June, one thousand nine hundred and thirty-seven (P. L. 1333), entitled "Pennsylvania Election Code," by adding rule for determining residence in case of electors compelled to remove from their place of residence by agencies or bodies having right of eminent domain or acquiring property for carrying out National defense programs.

Which was committed to the Committee on Elections.

AMENDMENT TO HOUSE BILL No. 1543 RECALLED FROM THE GOVERNOR

He also presented for concurrence bill of the House of Representatives, as follows:

House Bill No. 1543, entitled:

An Act providing a method for supplying, perfecting and recording birth records of certain persons whose births have not heretofore been made a public record, or whose record of birth is incomplete or incorrect; making such records competent legal evidence; prescribing fees; and imposing certain duties upon the orphans' court

Said bill having been recalled from the Governor for amendment, the votes had on final passage and third reading were reconsidered in the House and the bill amended, in which amendments the concurrence of the Senate is requested.

The PRESIDENT. The bill as amended will be noted on tomorrow's Calendar.

AMENDMENT TO HOUSE BILL No. 90 RECALLED FROM THE GOVERNOR

He also presented for concurrence bill of the House of Representatives, as follows:

House Bill No. 90, entitled:

An Act providing for the correction of the designation and titles of all organizations of veterans of the Spanish American War in all present legislation affecting veterans by designating such organizations as United Spanish War Veterans Incorporated.

Said bill having been recalled from the Governor for amendment, the votes had on final passage and third reading were reconsidered in the House and the bill amended, in which amendments the concurrence of the Senate is requested.

The PRESIDENT. The bill as amended will be noted on tomorrow's Calendar.

BILLS SIGNED

The PRESIDENT (Lieutenant-Governor Samuel S. Lewis) announced that the Chief Clerk having reported that the following bills had passed both houses of the General Assembly and the same being correct, the titles were publicly read as follows:

Senate Bill No. 352, entitled:

An Act providing for the creation, maintenance and operation of a county employes retirement system in counties of the fourth and fifth class; imposing certain charges on counties, and prescribing penalties.

Senate Bill No. 418, entitled:

An Act requiring the Governor of the Commonwealth to issue a proclaimation setting apart September thirteenth of this year as Commodore John Barry Day.

Senate Bill No. 566, entitled:

An Act to amend clause (b) of section twenty-seven of the act, approved the seventh day of June one thousand nine hundred and seventeen (P. L. 447), entitled "An act relating to the administration and distribution of the estates of decedents and of minors, and of trust estates; including the appointment, bonds, rights, powers, duties, liabilities, accounts, discharge and removal of executors, administrators, guardians, and trustees, herein designated as fiduciaries; the administration and distribution of the estates of presumed decedents; widow's and children's exemptions; debts of decedents, rents of real estate as assets for payment thereof, the lien thereof, sales and mortgages of real estate for the payment thereof, judgments and executions therefor, and the discharge of real estate from the lien thereof; contracts of decedents for the sale or purchase of real estate; legacies, including legacies charged on land; the discharge of residuary estates and of real estate from the lien of legacies and other charges; the appraisement of real estate devised at a valuation; the ascertainment of the curtilage of dwelling houses or other buildings devised; the abatement and survival of actions, and the substitution of executors and administrators therein, and suits against fiduciaries; investments by fiduciaries; the organization of

corporations to carry on the business of decedents; the audit and review of accounts of fiduciaries; refunding bonds; transcripts to the court of common pleas of balances due by fiduciaries; the rights, powers, and liabilities of nonresident and foreign fiduciaries; the appointment, bonds, rights, powers, duties, and liabilities of trustees durante absentia; the recording and registration of decrees, reports and other proceedings, and the fees therefor; appeals in certain cases; and, also, generally dealing with the jurisdiction, powers, and procedure of the orphans' court in all matters relating to fiduciaries concerned with the estates of decedents," by further regulating the discharge of charges on real estate.

Whereupon,

The PRESIDENT (Lieutenant-Governor Samuel S. Lewis) in the presence of the Senate signed the same.

HOUSE MESSAGE

RECALLING HOUSE BILL No. 820, (PRINTER'S No. 1070), FROM THE GOVERNOR

The Clerk of the House of Representatives being introduced, presented an extract from the Journal of the House of Representatives, which was twice read, considered and agreed to:

In the House of Representatives, July 10, 1941.

Resolved (if the Senate concur), That House Bill No. 820, (Printer's No. 1070), entitled:

An Act to amend section one of the act, approved the second day of May, one thousand eight hundred and ninety-nine (P. L. 184), entitled "Mercantile License Tax Law," as amended, exempting from the mercantile license tax so much of the business of manufacturers and mechanics as comprises the vending of goods of their manufacture from their factories and workshops

be recalled from the Governor for the purpose of amendment.

SENATE NON-CONCURS IN RESOLUTION

Mr. EALY. Mr. President, I move that the Senate nonconcur in the Resolution.

Mr. GELTZ. Mr. President, I second the motion.

On the question,

Will the Senate agree to the motion?

Mr. COLEMAN. Mr. President, I desire to interrogate the gentleman from Somerset.

The PRESIDENT. Will the gentleman from Somerset permit himself to be interrogated?

Mr. EALY. I will, Mr. President.

Mr. PRESIDENT. I desire to ask the gentleman from which house did the recall question emanate, the Senate or the House?

Mr. EALY. The resolution has been sent over by the House.

Mr. COLEMAN. Does the gentleman have any information as to whether or not the Department of Justice has asked for the recall for the purpose of amendment?

Mr. EALY. I do not have that information, Mr. President, but if it should be determined that is the case, the Senate could then recede from its present action.

And the question recurring,

Will the Senate agree to the motion?

It was agreed to.

Ordered, That the Clerk inform the House of Representatives accordingly.

HOUSE RESOLUTION No. 95 CALLED UP FROM THE TABLE

Mr. MILLER. Mr. President, I now call up from the table House Resolution No. 95, and ask its immediate adoption.

Mr. GELTZ. Mr. President, I second the motion.

The resolution was read as follows:

REQUESTING GOVERNOR TO SET ASIDE MAY 3RD AS "CORN FLOWER DAY" IN HONOR OF POLISH WAR VETERANS

In the House of Representatives, May 20, 1941.

Whereas, The Polish Army Veterans Association of America, is an organization of veterans composed of the Polish Army who enlisted as volunteers in 1917 and 1918 from the United States for service with the Polish forces in France and in Poland; and

Whereas, By special permission of the State and War Department and by proclamation of President Woodrow Wilson the Polish Military Commission was authorized to recruit from among the Poles in the United States volunteers for the army after this country entered as a participant in the World War on the side of the Allies; and

Whereas, In addition to the 250,000 soldiers of Polish extraction who served in the AEF the Poles contributed some 27,000 volunteers for service with the Polish Army in France who trained at Niagara-on-the-Lake, Ontario, and at Fort Niagara, N. Y.; and

Whereas, Ninety per cent of these men saw service in France in 1918 and later in Poland in 1919 and 1920 and upon termination of hostilities between Poland and Soviet Russia they were returned to the United States under an agreement between this country and Poland; and

Whereas, In May 1921 the Polish Army Veteran Association of America was formed in Cleveland, Ohio, for the sole purpose of aiding the physically disabled and otherwise incapacitated veterans; and

Whereas, The task that lay before the founders and succeeding leaders of the organization was tremendous inasmuch as neither the American nor the Polish governments felt any responsibility for the care of these unfortunates for purely technical reasons; and

Whereas, With each succeeding year the need for aid for these disabled veterans has grown; and

Whereas, This association has found a method of raising funds by adopting the corn flower as its official flower and selling it on the highways in a manner similar to that in which poppies are now sold; be it therefore

Resolved (if the Senate concur), That the Governor be requested to issue a proclamation setting aside May 3rd 1942 and May 3rd of all succeeding years as "Corn Flower Day" so that the corn flower may be sold by the Polish Army Veterans Association of America and the proceeds of such sales applied to the maintenance and upkeep of disabled Polish war veterans.

Mr. EDMONDS. Mr. President, as one of those who witnessed the valor, the courage and the military efficiency of the Polish Autonomous Army, which was a division of twenty-seven thousand men raised in the United States from Poles who had come to America but served with the French Army under the command of General Holleran, I would like to speak in favor of this resolution. They did a notable work in France on the Western Front during the days of the World War, and I am heartily glad they have formed an association to revive their memories of that strenuous period and I think perhaps we should help them with this resolution. I shall vote "aye" with very great pleasure.

On the question,

Will the Senate agree to the Resolution?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—48

Barr,	DiSilvestro,	Lanius,	Stiefel,
Bartlett,	Ealy,	Letzler,	Tallman,
Becker,	Edmonds,	Mallery,	Taylor,
Carr,	Farrell,	McCreesh,	Thomas,
Cavalcante,	Frey,	McGinnis,	Tyler,
Chapman,	Geltz,	McQuiddy,	Wade,
Coleman,	Haluska,	Miller,	Walker,
Cox,	Heyburn,	Mundy,	Watkins,
Crider,	Homsher,	Reed,	Wilson, H. I.,
Crowe,	James,	Ruth,	Wilson, T. B.,
Deitrick,	Jaspan,	Snowden,	Woodward,
Dent,	Kephart,	Stevenson,	Ziesenheim,

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk inform the House of Representatives accordingly.

POINT OF INFORMATION

Mr. DENT. Mr. President, I rise to a point of information.

The PRESIDENT. The gentleman from Westmoreland will state his point of information.

Mr. DENT. As I understand it the resolution that I introduced last night relative to the Schuylkill County rioting was sent to the Committee of State Government. Is that right?

The PRESIDENT. The Chair so understands.

Mr. DENT. Mr. President, I desire to interrogate the chairman of the Committee on State Government, the gentleman from Lehigh, Mr. Tallman.

The PRESIDENT. Will the gentleman from Lehigh permit himself to be interrogated?

Mr. TALLMAN. I will, Mr. President.

Mr. DENT. Will the gentleman from Lehigh tell me whether he has any plans for a meeting of the Committee on State Government today?

Mr. TALLMAN. I do not, Mr. President.

Mr. DENT. Does the gentleman mean he does not know of any plans or he can not tell me?

Mr. TALLMAN. I do not have any plans at the moment, Mr. President, for a meeting of that committee.

Mr. DENT. Mr. President, does the gentleman from Lehigh know that the Governor issued a public statement this morning, in a news release, in which he agrees that a Senatorial investigation should be held relative to the matter in question.

Mr. TALLMAN. Mr. President, I have no such knowledge.

Mr. DENT. I have a copy of the release should the gentleman from Lehigh care to see it.

I think, Mr. President, it is very important that a meeting be held of the Committee on State Government in order that we can comply with the Governor's wish and conduct this investigation up in the anthracite region to save, if we can, more bloodshed and rioting.

Therefore, Mr. President, I make the formal request, as a member of this Senate, to the gentleman from Lehigh, that he ask for a recess to call a meeting of the Committee on State Government to act upon that resolution.

REPORTS FROM COMMITTEES

Mr. STEVENSON, from the Committee on Appropriations, re-reported as committed, Senate Bill No. 261, entitled:

An Act for the extension of Capitol Park in the City of Harrisburg and for the acquisition of real estate in connection therewith and for the demolition of the buildings and structures thereon; and making an appropriation.

Mr. CROWE, from the Committee on Education, reported as committed, Senate Bill No. 1183, (House Bill No. 1662), entitled:

An Act to amend the title and further amend section one of the act, approved the twenty-second day of June, one thousand nine hundred and thirty-one (P. L. 844), entitled "An act authorizing the Commonwealth of Pennsylvania; or any department or division thereof, and counties, cities, boroughs, incorporated towns, townships, school districts and poor districts to make contracts of life, health, and accident policies for the benefit of employes thereof, and contracts for pensions for such employes; and providing for the payment of the cost thereof," authorizing the making of contracts for hospitalization and medical services, and extending the provisions of the act to vocational school districts and institution districts.

He also, from the Committee on Education, reported as amended, Senate Bill No. 1213, (House Bill No. 1766), entitled:

An Act to add clause six to section sixteen of the act approved the eighteenth day of July, one thousand nine hundred seventeen (P. L. 1043), entitled "An act establishing a public school employes' retirement system, and creating a retirement board for the administration thereof; establishing certain funds from contributions by the Commonwealth and contributing employes, defining the uses and purposes thereof and the manner of payments therefrom, and providing for the guaranty by the Commonwealth of certain of said funds; imposing powers and duties upon boards having the employment of public school employes; exempting annuities, allowances, returns, benefits, and rights from taxation and judicial process; and providing penalties," defining the disability retirement rights of members of the School Employes' Retirement Association engaged in active military service.

Mr. MALLERY, from the Committee on Municipal Government, re-reported as committed, Senate Bill No. 499, (House Bill No. 657), entitled:

An Act to amend sections one, two, three and four of the act, approved the twenty-first day of May, one thousand nine hundred thirty-seven (P. L. 787), entitled "An act authorizing the compromise or reduction of tax claims on real property purchased by any county, city, borough, town, school district or poor district at any sale, for the nonpayment of taxes and the reconveyance or private sale of such property," extending the provisions or said act to properties purchased by said political subdivisions at sales for municipal claims and to the payment of such claims from the proceeds of such compromises or sales and changing the time when such compromises may be made.

Mr. ZIESENHEIM, from the Committee on Muncipal Government, reported as committed, Senate Bill No. 1060, (House Bill No. 736), entitled:

An Act to further amend section two thousand five hundred and sixty-three of the act approved the twenty-third day of June one thousand nine hundred and thirty-one (P. L. 932) entitled "An act relating to cities of the third class and amending revising and consolidating the

law relating thereto" changing the penalties and interest imposed for the nonpayment of taxes

Mr. THOMAS B. WILSON, from the Committee on State Government, reported as committed, Senate Bill No. 1334, (House Bill No. 1935), entitled:

An Act to further amend clause six of section one and section three of the act approved the twenty-seventh day of June one thousand nine hundred and twenty-three (P. L. 858) entitled "An act establishing a State employes' retirement system and creating a retirement board for the administration thereof establishing certain funds from contributions by the Commonwealth and contributing State employes defining the uses and purposes thereof and the manner of payments therefrom and providing for the guaranty by the Commonwealth of certain of said funds imposing powers and duties upon the heads of departments in which State employes serve excepting annuities allowances returns benefits and rights from taxation and judicial process and providing penalties" by further defining "State employe" so as to include certain employes of the Board of Fish Commissioners providing that such employes shall have the option of joining the State Employes Retirement Association and permitting their membership in such association to be retroactive upon the making of certain back payments by them and by the Board of Fish Commissioners.

Mr. RUTH, from the Committee on Education, reported as committed, Senate Bill No. 1320, (House Bill No. 1014), entitled:

An Act to further amend clause eight of section one thousand two hundred and ten of the act approved the eighteenth day of May one thousand nine hundred and eleven (P. L. 309) entitled "An act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith" by changing the minimum salary of county superintendents.

He also, from the Committee on Education, reported as committed, Senate Bill No. 877, (House Bill No. 1156), entitled:

An Act to add section one thousand six hundred and seven and one-tenth to article sixteen of the act, appproved the eighteenth day of May one thousand nine hundred and eleven (P. L. 309), entitled "An act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith" requiring teaching in the public and private schools of principles of democratic government and patriotism and imposing certain duties on the Superintendent of Public Instruction.

Mr. McGINNIS, from the Committee on Education, reported as committed, Senate Bill No. 1324, (House Bill No. 1878), entitled:

An Act to further amend the act approved the eighteenth day of May, one thousand nine hundred and eleven (P. L. 309), entitled "An act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered, and prescribing penalties for the violation thereof; providing revenue to establish and maintain the same, and the method of collecting such revenue; and repealing all laws, general, special, or local, or any parts thereof, that are or may be inconsistent therewith" as amended, by providing for the appointment of a deputy school treasurer, a deputy school controller and clerks to the school controller and school treasurer in school districts of the first class by further providing as to the election of school controllers in school districts of the first class and as to vacancies in such office and by providing that certain stationery and books shall be supplied to school treasurers in school districts of the first class.

REPORTS OF COMMITTEE OF CONFERENCES

Mr. HEYBURN, from the Committee on Conference, is requested to make a report on House Bill No. 663, entitled:

An Act authorizing the Commonwealth to negotiate temporary emergency loans to defray the current and other expenses of the State government during the two fiscal years beginning the first day of June, one thousand nine hundred forty-one; evidenced by tax anticipation notes secured by and payable from current revenues, levied, assessed, collectable, and accruing during such two fiscal years; defining the powers and duties of the Governor, the Auditor General, and the State Treasurer in relation thereto; providing for the payment of interest on and the repayment of such loans; and making an appropriation.

The PRESIDENT. The Report will be noted on tomorrow's Calendar.

He also, from the Committee on Conference, is requested to make a report on House Bill No. 234, entitled:

An Act to further amend section one of the act, approved the fifteenth day of July one thousand eight hundred ninety-seven (P. L. 292), entitled "An act to provide revenue by taxation," by increasing the rate of tax for a further limited period of time.

The PRESIDENT. The Report will be noted on tomorrow's Calendar.

He also, from the Committee on Conference, is requested to make a report on House Bill No. 230, entitled:

An Act to reenact and amend the title and the act, approved the twenty-second day of June, one thousand nine hundred thirty-five (P. L. 414), entitled "State Personal Property Tax Act," as previously reenacted and amended, by continuing the State personal property tax and the emergency rate of tax on script bonds, certificates and evidence of indebtedness, assumed or on which interest is paid by corporations, for a further limited period of time.

The PRESIDENT. The Report will be noted on tomorrow's Calendar.

PERMISSION TO ADDRESS SENATE

Mr. EDMONDS. Mr. President, I ask permission to address the Senate.

The PRESIDENT. The gentleman from Montgomery will proceed.

Mr. EDMONDS. Mr. President, the fact that three conference reports have been submitted, and that they have been signed by all six conferees indicates, I am inclined to think, we are approaching the end of the session and inasmuch as these reports deal with financial matters, the first being the Tax Anticipation Note Bill, the second being the Personal Property Tax, and the third being the Bank Shares Tax, it seems to me that it is appropriate at this time to submit some thoughts with reference to the financial condition of the state.

It is well known to the members of the Senate that I served in the General Assembly as a member of the House of Representatives in 1921, 1923, 1925 and the Special Session of 1926. I then re-entered the General Assembly in December, 1938. In the lapse of twelve years there have developed certain practices, relating particularly to the finances of the state, to which I desire to direct attention, in order that the interests of the public may be secured in the settlement of these vital questions.

First: In this period the budget system of the state developed. Originally, the budget was established by the Administrative Code of 1923, as a branch of the Secretary of the Commonwealth. When the Code was revised in 1929, the budget was made a separate department and the procedure with reference to the same has been carefully outlined.

It is to be noted that under Pennsylvania law we have an executive budget, and that this is the general practice of the states of the United States. Quoting from Macdonald's "American State Government" in the 1934 edition, it is there stated as follows:

> "Students of government are generally agreed that the governor should be vested with complete responsibility for the preparation of the budget. The people look to him for leadership, and in the shaping of the state's fiscal policy leadership is especially important. The need for gubernatorial control was not clearly recognized at first, however; seven of the first twelve budget laws placed control in the legislature, or, more commonly, in a board. But shortly afterward came a pronounced swing toward budget systems of the executive type. Most of the states that enacted budget legislation after 1915 accepted the theory of executive responsibility. Today thirty-five states—nearly three-fourths of the whole number—vest budget responsibility in the governor. In twelve states the budget is prepared by a board, whose membership usually includes the governor and the more important state administrative officers, especially the treasurer and the auditor. Members of the legislature are also included in a few instances. The usual reason for placing a board in charge of the budget is that the nineteenth century fear of gubernatorial authority has not yet disappeared. * * * Of course, board administration of the budget system has not produced the results that its adherents claimed for it. Its chief accomplishment has been to force the adoption of an ambiguous and ofttimes confusing fiscal policy instead of a carefully integrated plan. Quite naturally, therefore, the board budget plan is losing in popularity. Not a single state has adopted it since 1921, while ten states have abandoned the board plan since 1921 in favor of the executive budget system. Only one Commonwealth—Arkansas—has a so-called 'legislative' budget; here the budget is prepared by the finance committees of the two houses of the legislature."

The validity of an executive budget was attacked in Commonwealth vs. Liveright, 308 Pa. 35, and as the Supreme Court rendered its decision in favor of the Commonwealth, it may be considered a settled question under the law of the State. In the paperbook of the Commonwealth filed in this case, it was stated as follows.

"We answer:

"1. That it is not a legislative function to estimate what collections will be made by administrative departments under existing revenue and other legislation. That is clearly an executive function and has always been so treated in Pennsylvania.

"Formerly estimates were made by the Auditor General and the State Treasurer—executive officers of the government subordinate to the Governor even though they are elected by the people—whose duty it was to collect the revenues. In 1929 this duty was transferred to the Department of Revenue * * *"

The question then arises as to what, under the law, is the proper function of the General Assembly in this matter. It is quite clear to me that the General Assembly does not have the machinery to set up a budget of its own, and attempts by one branch to make a new budget are obviously illegal. It is proper, however, for the General Assembly to request the Governor to revise his budget figures, if lapse of time or change in economic conditions have made such an action possible, and it is to be expected that proper attention will be given to the suggestions that emanate from the General Assembly. I understand that this year the Governor has now revised the figures with reference to revenue, which were originally prepared in January for submission to the General Assembly and on which doubtless new data can be had.

I regard the budget system as a proper business method for the transaction of the important business of the Commonwealth, and I think that the establishment of this system since 1923 is a great advantage that is supported by the public opinion throughout the State and will be supported in the future.

Second: During this period, there has also developed the system of transferring money from Special Funds to the General Fund, when authorized by the General Assembly, chiefly for purposes of relief. The report of the Pennsylvania Tax Commission in 1927 listed the Special Funds and directed attention to their growth. Since that time, there has been a conscientious movement, sponsored in large measure by Senator Woodward, to merge the Special Funds. This has been particularly objectionable to the hunters and fishermen of the State who maintain the game and fish funds with great good will, because the fund is used exclusively for the purposes of their sport; and it has also met with increased opposition from the motorists, who regard the Special Fund in the Highway Department as an essential to maintain the highway system of the State. The growth in this practice of transfers, since first suggested by Governor Pinchot, is as follows:

1934	.....	$13,843,000
1935	.....	9,200,000
1936	(Special Session)	16,716,211
1939	(Regular Session)	26,750,000
1940	(Special Session)	59,550,000
1941	(Regular Session	10,550,000

It will be noted that transfers have now become a regular feature of our financing and, to my mind, it is a most objectionable feature. The continuous practice of transfers, particularly as against the Motor Fund and the Liquid Fuels Tax, has suggested the necessity for a constitutional amendment to protect this fund, and that amendment has been upon our calendar.

It seems to me, however, to be objectionable because it is accepting a method of emergency financing as a standard method of normal financing and that is not justified. John S. Fisher ran the State without transfers, and even with the burden that relief forces upon us, I look forward with strong hopes to the day when we will be able to run the State again without the necessity of transfers.

Third: Tax Anticipation Notes. While the practice of issuing tax anticipation notes, secured by taxation to be

collected in the biennium, has been approved as legal by the Supreme Court, it seems to me that it has yet to demonstrate that it is proper under sound fiscal practices. Tax anticipation notes started in the Earle Administration, and the various issues authorized are as follows:

October 1, 1935	$ 50,000,000
September 1, 1936	45,000,000
June 1, 1937	60,000,000
June 1, 1938	60,000,000
June 1, 1939	100,000,000
November 1, 1939	30,000,000
December 1, 1940	25,000,000

We have had on the calendar of the General Assembly at this session a bill which authorizes $175,000,000 in tax anticipation notes. Now the necessity for this practice is based upon the fact that relief requires a regular outlay every week, and sometimes the cash position of the Commonwealth does not enable such an outlay to be made. I can understand the necessity of occasional borrowings when you have taxes that are paid at one season of the year and expenditures which must be met at each of twelve months, but it seems to me that the practice of tax anticipation notes as a regular method of financing the State is repugnant to the common sense of the people of our community. In private business, it would be accepted as a sign that bankruptcy was in the offing. We did not have tax anticipation notes before Governor Earle, and it is my strong hope to live long enough to see Pennsylvania financed without this method of borrowing.

Fourth: A fourth practice which has developed is that of extending the program of the State by legislation to take effect at some future date, the idea being apparently to get all the credit for a progressive move at a time when there is neither organization nor finance to justify the move. So far as I know, this practice started in 1937 with authorizations for the supervisors of special education, transportation of pupils and the payment of high school tuition, when due, to neighboring school districts; and then in 1938 when the Commonwealth took over the county mental hospitals and relieved the counties from payments for the maintenance of the indigent insane, all of which were dated to take effect in 1939.

It seems to me to be essential in sound financing that when a new function is assumed, the money should be provided at once for the purpose, and if the money is not provided, the function should not be assumed. I criticize the General Assembly of 1939, of which I was a member, for not repealing these acts at once if we could not find the money with which to perform them. This desire to obtain credit for an extension of the program of the State, without assuming any portion of the burden that is necessary for the extended program, is dangerous and if followed in the future, it will lead to precisely the same conflicts as have lengthened this session to its unusual length.

Fifth: In the Pennsylvania Tax Commission of 1927, there was a recommendation to the effect that inheritance taxes should be regarded as capital taxes, and that the funds derived from the same should be segregated for capital outlay only, as otherwise it would result in an impoverishment of the capital of the State. This wise recommendation passed unheeded, and we now have the interesting result that there is a gradual decline in the receipts from inheritance taxes, except in the years when there may be an extraordinary estate, such as that of John T. Dorrance or Andrew W. Mellon. It would seem clear to me to be better policy to reserve the inheritance taxes for capital outlay alone, thereby insuring that the proceeds would not be used for current expenses. Any practice, such as that of using large receipts from inheritance taxes from a specific estate to raise salaries of employees, which would result in putting an annual charge upon the budget of the State, with no recurring income to meet the same, should be severely criticized.

Sixth: I also direct attention that we finance relief by temporary taxes, although I think everyone would admit that part of relief is on our books to stay. We have eight temporary taxes, enacted in 1937 when the Department of Public Assistance was set up for two years; re-enacted in 1939 for two years; and now six have been re-enacted and two more will probably be re-enacted for this biennium. These emergency taxes relating to eight subjects produced in the last biennium $167,235,000, according to the Governor's budget, in which there was an estimate for the last four months of the biennium, and they are devoted exclusively to the work of assistance. Of this work, old age pensions cost the State in May $1,151,000; the assistance of mothers for dependent children cost in May $1,443,000; pensions to the blind cost in May $407,000, or roughly $3,000,000 for these three subjects in the month of May. This is only the State's portion and does not include the Federal grants which are made to old age pensions and to mothers with dependent children.

Assuming that the permanent items of relief total $3,000,000 a month and that administration may be counted as roughly 10% additional, it would seem clear to me that we should provide the total, or roughly, $40,000,000 per year, from permanent taxes and not from temporary taxes. We should draw a distinction between permanent relief, which will always be with us, such as old age pensions and mothers with dependent childen and pensions for the blind and the general assistance which results from the problem of unemployment. Permanent charges should be met by permanent taxes and not by temporary taxes. I would, therefore, recommend most strongly that we do not continue the practice of financing relief with temporary taxes, but instead set up a permanent tax system to meet with those portions of relief as must be recognized as permanent.

Seventh: One of the reasons why I have supported so enthusiastically the fiscal policies of the James Administration is because I recognize that the Governor has endeavored with honesty and courage to cut down the ordinary expenses of administration wherever possible, and that by his economies, he has brought the State budget into such position that the next Governor should be able to carry out the reforms which I have indicated as desirable, provided he has the cooperation of a united General Assembly.

I present these questions as matters in which we are now profoundly interested, and in which we are bound to take continual interest in the time to come. Nothing is ever settled until it is settled right, and it is my own judgment that the time will come when Pennsylvania will learn again to finance itself without transfers, tax anticipation notes, temporary taxes or illusory Acts of Assembly which assume functions without providing for their payment.

And now for a partisan comment: Many of the practices

which I have criticized developed in the Earle Administration, but have been imitated by the Republican Party. Whenever the Republicans imitate the Democratic short-cuts in financing, they make a tremendous mistake. This, to my mind, is the chief lesson of this session and I hope it is so clear that he who runs may read.

Mr. WOODWARD. Mr. President, I rise in slight opposition to my esteemed colleague, so far as he speaks concerning special funds. I consider a special fund a very unintelligent way of financing this state. When I came here, or shortly after that there were thirty-three special funds and we knocked them down but now they are creeping up again. I do not refer to the custodial funds, which are a necessary evil. You do not have to take my word for it. If you will be kind enough to put some of these rising volumes of literature from our desks in some safe soft spot, and take up the very modest report of the auditor general—you can identify it because it has on the cover a very pretty picture of a money bag—now, we do not expect the auditor general to write too freely—most auditor general reports are usually dull, but I personally advise the Senate to read this one of the late or ex-Auditor General Roberts.

You will find there a description of special funds very much to their detriment, to the effect that we have upon the shelves of the treasury special funds which are earmarked for special uses and can not be touched, no matter how much another department of the State Government may be starving.

The Department of Forests and Waters, Game and Fish, I believe, acquired the latest special fund. The ideal way of financing the state, in my opinion, is to make the Game and Fish Commission, or any other department of the Commonwealth that has a special fund, come to us and show us they have to have the money. Otherwise it is only human for them to be extravagant and to my mind the creation of every special fund is an insult to our integrity and intelligence.

PERMISSION TO ADDRESS SENATE

Mr. HALUSKA. Mr. President, I ask permission to address the Senate.

The PRESIDENT. The gentleman from Cambria will proceed.

Mr. HALUSKA. Mr. President, I listened very carefully to the remarks made by the gentleman from Montgomery. He stated that permanent taxes should be levied for permanent expenditures. That certainly is true; no truer statement was ever made on this floor. The gentleman from Montgomery also stated that we had the aged of our Commonwealth who were receiving old age pensions, blind pensions, widows pensions. They are here to stay. That is true. Only I may go further, Mr. President; I shall state that on January 12th of this year I introduced in this body a bill asking for public assistance or old age pensions, if you wish to call it that, or old age assistance, to persons above the age of sixty. Much has been said about my bill, especially by the Chairman of the Committee of Welfare, Public Assistance and Pensions. He has tried in his humble way to focus light on my proposition by exaggerating the figures and trying to make you believe that it would cost an enormous sum of money to adopt my program. Of course the record shows I have disagreed with him every time he rose to his feet.

Now, Mr. President, much has been said about my program. We all agree that very little publicity has been given to measures introduced in this Senate because of the war abroad. That has been the headline; not what we are doing here. But in spite of the war abroad I might say that I have in my possession upwards of twenty thousand pieces of mail that I have received during this session, from people residing in the four corners of Pennsylvania, writing to me and trying to encourage me in their humble way to do what I might to further the cause of the aged of Pennsylvania.

Now, Mr. President, we are about to adjourn and nothing has been done up until this moment to shed any light or any hope to the aged of our Commonwealth. As I have pointed out, we have neighboring states which have enacted a larger number of liberal laws on their statute books than we have. Pennsylvania should take the lead but, no, we are far in arrears.

I have attempted many times to rise to my feet to place into the record many tales that have been written about my proposal, but I hesitated because I realized the work that must be conducted, and I refrained from taking up too much time. Not only in comments, Mr. President, but many a piece of poetry has been written about my proposal I would like at this time, Mr. President, to read into the record a piece of poetry dated July 6th, in one of the Philadelphia papers. The editor happens to be a man whom I have never met, Frederick D. Garman of Philadelphia. I have been informed he is a public official in that great city. Of course, this cannot be taken too literally, as I have taken it, but I would like to read this piece of poetry into the record as follows:

SIXTY-SIXTY!

I

John Haluska has some sense,
Believing there is recompense
For those who have reached 60 years,
That they should be secure from fears
Of what the future holds for them,
That they again may feel like men;
But if John should meditate,
He'd find that he's in the wrong State.

II

Sixty-Sixty legislation,
Will get here no consideration,
Because those advocating it
Are deemed mentally unfit;
Bills which classify as "nut,"
Often legislatures glut,
But seldom ever are they passed,
Because in pigeon-holes they're gassed.

III

To California John should move,
There such bills are in the groove,
Or to Texas he should go,
Where his bill would have a show;
And if his bill is not enacted,
Attention to him is attracted,
So when he runs for Governor
He'll get a barrel of votes or more.

IV

Pennsylvania is effete,
(That's a line I should delete);
As it considers innovations,
Worse than Anthony's temptations:
But it loves it's ancient stuff,
To prove it once was up to snuff,
But to its men when they grow old,
The State is often very cold.

V

So John Haluska's heart of gold,
Has little chance here to unfold,
And he should travel to some clime,
Where it might blossom like a vine
Of roses on a door lintel,
Where beauty, youth and age all dwell;
John Haluska get a-going,
Time, you know, is fastly flowing.

VI

Reader, most imperious,
Pardon, we're not serious,
But sometimes we regret our youth,
Then we're apt to write the truth;
Some at Haluska may be laughing,
Others John may be a-chaffing,
But anyone who helps the old,
Will reap a harvest fifteen-fold.

Now, Mr. President, I have no intention of kicking, but I want to say in conclusion that I am very much disappointed by the action taken by the Committee on Welfare, Public Assistance and Pensions that no consideration has been given that most important bill, affecting so many people of this Commonwealth, men whom you all know, above the age of sixty, never again to have the opportunity of going back to private industry, many men who are out in the cold, men who are looking to this government for some aid, some means of living, and we sit idly by and take no action, we scoff at the idea. Maybe my idea is wrong, maybe my proposal might have been wrong, but have you offered anything else? Have you told me I was wrong? You have taken no pains to even say, "give us amendments, offer amendments." You have not given me the opportunity to offer amendments, you have made up your minds that nothing shall be done for the aged; they must paddle their own canoes and that is the end of them. Do not forget it is bound to haunt you. It will come back to each and every one of you and that day is not far off.

Therefore, Mr. President, once more much as I regret taking action to discharge a committee, knowing full well in advance what the results might be, still it is a matter of record, it will give the people of Pennsylvania an opportunity to know who are their friends and who are their enemies, and by this vote, I am sure, they shall be judged when once again they come up seeking public office.

MOTION TO DISCHARGE COMMITTEE ON WELFARE, PUBLIC ASSISTANCE AND PENSIONS FROM FURTHER CONSIDERATION OF SENATE BILL No. 12

Mr. HALUSKA. So, Mr. President, I move that the Committee on Welfare, Public Assistance and Pensions, which now is holding Senate Bill No. 12, be discharged from further consideration of the same.

Mr. BARR. I second the motion, Mr. President.

Mr. COX. Mr. President, in rising to second the motion of the gentleman from Cambria for the discharge of this committee, I do not care to have my action construed as an affirmative vote for this particular bill. Although I might disagree with the gentleman in his method of solving this most important problem, aid for the aged in the form of pensions, I do agree with his philosophy.

During the depression, Mr. President, ten long years of despair to the aged and infirmed, we learned if our national economy was to exist, that during years when industry was functioning plans had to be made for the time when there was unemployment, and I think every member of this Senate is in perfect accord with me in the thought that in the future, ultimately, there will be an old age pension system. What shape that system will take I do not know, whether it will be a national system, whether it will be a state system, but I believe this problem is one of the most important that we face, and I believe through the instrumentality of this bill that problem could have been raised here.

We have in this body many men whose brilliancy, particularly in relation to financing, I admire very greatly, and I feel if that bill had been reported to the floor of this Senate, where the members of the Senate would have had an opportunity to discuss it and to compare ideas, that, ultimately, perhaps, not in this session but in some other session, we would have a solution of this problem, and for that reason I second the motion of the gentleman from Cambria.

On the question,

Will the Senate agree to the motion?

(Following the calling of the roll the following occurred.)

Mr. HALUSKA. Mr. President, may I ask how the gentleman from Allegheny, Mr. Walker, voted?

Mr. WALKER. Mr. President, I voted "no."

Mr. HALUSKA. Mr. President, I desire to know how the gentleman from Warren, Dr. Chapman, voted.

The PRESIDENT. The gentleman from Warren is recorded as voting in the negative.

Mr. HALUSKA. Mr. President, I ask for a verification of the roll.

The PRESIDENT. The roll will be so verified.

The Clerk called the names of those voting in the affirmative, as follows:

Barr,	Dent,	Jaspan,	Reed,
Cavalcante,	DiSilvestro,	Lanius,	Ruth,
Coleman,	Frey,	McCreesh,	Stiefel,
Cox,	Haluska,	McGinnis,	

The PRESIDENT. Are there any corrections? The Chair hears none.

The Clerk called the names of those voting in the negative as follows:

Bartlett,	Edmonds,	Mallery,	Wade,
Becker,	Farrell,	Miller,	Walker,
Carr,	Geltz,	Snowden,	Watkins,
Chapman,	Heyburn,	Stevenson,	Wilson, H. I.,
Crider,	Homsher,	Tallman,	Wilson, T. B.,
Crowe,	James,	Taylor,	Woodward,
Deitrick,	Kephart,	Thomas,	Ziesenheim,
Ealy,	Letzler,		

The President. Are there any corrections?

POINT OF ORDER

Mr. HALUSKA. Mr. President, I rise to a point of order.

The PRESIDENT. The gentleman from Cambria will state his point of order.

Mr. HALUSKA. Mr. President, the gentleman from Allegheny, Mr. Walker, was not present when the roll was called, was he?

The PRESIDENT. The Chair saw with his own eyes that the gentleman from Allegheny, Mr. Walker, was in the room and voted.

Mr. HALUSKA. After the roll was called, Mr. President?

The PRESIDENT. No, before.

Mr. HALUSKA. Before it was verified?

The PRESIDENT. For the information of the gentleman from Cambria, until the result of the vote is announced, any Senator may vote if he is in the room.

The yeas and nays were required by Mr. HALUSKA, and were as follows, viz:

YEAS—15

Barr,	Dent,	Jaspan,	Reed,
Cavalcante,	DiSilvestro,	Lanius,	Ruth,
Coleman,	Frey,	McCreesh,	Stiefel,
Cox,	Haluska,	McGinnis,	

NAYS—30

Bartlett,	Edmonds,	Mallery,	Wade,
Becker,	Farrell,	Miller,	Walker,
Carr,	Geltz,	Snowden,	Watkins,
Chapman,	Heyburn,	Stevenson,	Wilson, H. I.,
Crider,	Homsher,	Tallman,	Wilson, T. B.,
Crowe,	James,	Taylor,	Woodward,
Deitrick,	Kephart,	Thomas,	Ziesenheim,
Ealy,	Letzler,		

So the question was determined in the negative.

PERMISSION TO ADDRESS SENATE

Mr. JASPAN. Mr. President, I ask permission to address the Senate.

The PRESIDENT. The gentleman from Philadelphia will proceed.

Mr. JASPAN. Mr. President, I am about to make a motion, with full knowledge and consent of our Minority Floor Leader, who, for reasons best known to himself, has pulled off the disappearance act. I want to bring out one thing, this was done with his knowledge and at his request. I, however, will share the responsibility, because I am free, white and twenty-one and know what I am doing.

Mr. President, in all seriousness, by my motion to discharge the Public Utilities Commission from further consideration of House Bill No. 1482 I propose to give the members of the Senate an opportunity to go on record as to whether or not they are true friends of the farmers of this Commonwealth, as they so frequently protest they are, or whether they are the pliable tools of the discredited power companies who would continue in their clutches the unserved farmers still crying for the light and power which thousands of their neighbors are enjoying.

The issues are very simple—the remedy I suggest may be drastic. I may be offending the dignity of the Senate and be said to be casting reflections upon the majority of the Committee who, on Tuesday after a shamefully inadequate hearing, voted to postpone indefinitely further consideration of the bill.

Senators will say—in fact, have said—"I favor the bill, but I won't vote for Jaspan's motion to discharge. He will hurt the cause of rural electrification. He is the worst member of the Senate to make the motion. It should be made by a member of the Majority—a member who comes from a rural area, and not by a member of the Minority and from Philadelphia." I quite agree, but when every effort made by friends of rural electrification, by telephone calls, personal appeals, and by every other means to get the Honorable Chairman of the Committee to call his Committee together for a reconsideration of the bill, had failed and they were told the bill was dead, there remained only the course I am pursuing.

What is House Bill No. 1482? Why do I seek to place every member of this body on record with respect to it? Why do I inquire whether A. B. Millar, Secretary of the Electric Institute of Pennsylvania, is to be believed when, in appearing before the Committee, he was given ample time to declare the bill a bad bill, or whether the young attorney from the Adams County Project, who was given five minutes only in which to tell the Committee the farmers of the state wanted the bill was telling the truth.

The Public Utility Commission thinks the bill a clarifying bill which would be helpful in administering the law, but it was given no opportunity to appear. The representative of the REA, who was prepared to discuss the merits of the bill waited three hours on the floor of the Senate to be called and only a half-hearted effort was made to summon him. No real hearing on the bill was held.

Oh, members of the Senate, the bill is all right. Only the farmers seeking light and power want it. There is nothing wrong with this bill. Mr. Millar does not want it—Mr. Owlett does not want it—the power companies do not want it. That's the answer.

Let me give you a little history of REA legislation in this State. In 1937 the Legislature passed a streamlined modern Public Utility Law over the bitter opposition of the power companies and their ever-present lobby. At the same time, we passed an Electric Cooperative Corporation Act to provide for electric cooperatives to incorporate so that they might borrow funds from REA to build their lines. In the Public Utility Law we specifically exempted electric cooperatives from Public Utility Committee jurisdiction and further to show that it was the Public Policy of this state to promote and encourage rural electrification, we wrote into the law Section 418, giving electric cooperatives the right to preempt territory by filing with the Commission a map of the territory to be served and a verified statement showing that a majority of the prospect customers in the area are included in the project, after which no public utility could construct or install any plant or system or make extensions until after six months from the time of the filing of the map and statement. The section further protects the electric cooperative for a further period of twelve months if a loan from the Federal REA is obtained. The law is plain and simple, but not too easy to administer.

The power companies have objected, they have quibbled, they have delayed—they have done everything possible to defeat the plain intent of the Legislature. In addition to their dilatory tactics, they have continued their spite-line building activities to break up actual or potential cooperatives.

In 1939 they attempted to have this Legislature pass a bill emasculating the law, but when exposed, their puny efforts failed.

It was to remedy this situation—to meet the objections of the companies and the recommendation of the Commission that House Bill No. 1482 was drafted and submitted. It passed the House on June 10 by a vote of 124 to 16. Mr. Millar, Mr. Owlett, and the companies were

either asleep or their efforts to defeat it were futile. They have had better luck here.

House Bill No. 1482 amends Section 418 of the Public Utility Law by clarifying its provisions and strengthening them. It provides that an electric cooperative may file a map with the Commission indicating the area or areas it proposes to serve and prohibits a public utility for three months from interfering in any way.

It further provides for the filing of a statement with the Commission, indicating that a majority of the unserved farmers in the area have agreed to take service. After the map and statement have been filed and notice given to the company concerned, the company is prohibited from interfering for six months.

Then, if a loan from the REA is obtained, the cooperative is protected for a period of twelve months. Notice, to the company of all of these things is clearly spelled out.

The bill is a good bill. It protects the farmers—it makes the administration of the law much simpler—it tells the companies exactly what they may not do—it does not hurt them. It prevents spite-line activities.

Now, Mr. President and Senators, there are the plain, simple facts. If you vote "Aye" on my motion to discharge the Committee, the bill will be brought to the floor of this body for consideration on its merits, for full explanation and debate. Professed friends of rural electrification are given this last opportunity at this session to show what that friendship means. If you vote "Nay" on this motion you unwittingly heed the wishes of the Millars and the power companies, and the farmers of this state will know it.

Mr. President, today there are 192,053 farms in Pennsylvania. As a result of rural electrification as adopted and as instituted in 1937, today we have 105,000 farms using electricity, or approximately fifty-four per cent. Today there are thirteen borrowers in Pennsylvania, cooperatives that borrow from the government, with total loans of $9,597,200, to build 8,917 miles of lines to serve 31,748 members. Applications are now pending from Pennsylvania to build 2,500 miles to serve 7,500 additional farms.

Mr. President, it seems strange that the utilities should object to co-operatives, knowing full well that they did not and have not served farmers in virgin territory, yet when the farmers' organizations requested the aid of the government, the utilities, shouted from the housetops that they were being interfered with, they are being tampered with, where there was no service by the utilities, but now that these co-operatives are in existence the utilities are objecting to the co-operatives serving the farmers to provide needed electricity not only in their homes but on their farms as well.

Let me emphasize, Mr. President, where there is central station service the rural co-operatives can not organize; the government will not loan them money where they are competing with utilities. Therefore, when they organize they are organizing in virgin territory, not where there is any competition and therefore there is not any need for shouting because there is not any amount of competition in any sense.

Now then, Mr. President, once a co-operative attempts to render service to consumers in virgin territory, immediately the utilities send out their high pressure men to influence those prospective consumers by offering them very attractive rates, although they have no central station service and have not been serving them previously. Why are not the utilities honest with the farmers?

Mr. President, I now present the following motion.

MOTION TO DISCHARGE COMMITTEE ON PUBLIC UTILITIES ON SENATE BILL No. 1181, (HOUSE BILL No. 1482)

Mr. JASPAN offered the following resolution which was twice read.

In the Senate, July 10, 1941.

I move that the Committee on Public Utilities be discharged from further consideration of Senate Bill No. 1181, (House Bill No. 1482), and that the same be returned to the floor of the Senate for first reading and consideration by the members of this body.

On the question,

Will the Senate agree to the motion?

Mr. MALLERY. Mr. President, I rise not to oppose this motion but to make one correction. The gentleman from Philadelphia stated that but five minutes were given to the gentleman who appeared in favor of the bill. I did not time the gentleman who appeared in favor of the bill, Attorney Teeter from Adams County, I believe, but on the other hand I did give him all the time the gentleman required. I distinctly recollect that when he concluded I asked him whether he had anything more to say in support of this bill.

Mr. JASPAN. Mr. President, in answer to my friend from Blair, Senator Mallery, I think my recollection is that he only spoke about five minutes; he did not have any more time to speak. We were engaged in discussing many matters. The fact is, Mr. President, that Mr. Millar was told about it and Mr. Teeter, representing the Adams County Cooperative, learned about it somehow, but there are other cooperatives throughout the state who knew nothing about it.

There was a government man sent here by the REA from Washington and he stayed fully three hours and then we sent a messenger for him and the messenger returned and said he did not see him, and that he had had him paged. The fact is that he was not paged, but Mr. Allan Moore, attorney for the REA sat in this room for a number of hours. I had called him the day before, saying "we were going to have a meeting; I did not know whether it would be a public hearing or not. However, I want you there. He came here and he was not heard.

And the question recurring,

Will the Senate agree to the motion?

Mr. JASPAN. Roll call, Mr. President.

(During the calling of the roll the following occurred:)

Mr. MALLERY. I desire to be recorded as "present," Mr. President.

The PRESIDENT. The gentleman from Blair will be so recorded.

Mr. JASPAN. Mr. President, I ask for a verification of the roll.

The PRESIDENT. The roll will be so verified.

The Clerk called the names of those voting in the affirmative as follows:

Barr,	Dent.	Jaspan,	McQuiddy,
Cavalcante,	DiSilvestro,	Lanius,	Reed,
Coleman,	Frey,	McCreesh,	Ruth,
Cox,	Haluska,	McGinnis,	Stiefel,

The PRESIDENT. Are there any corrections? The Chair hears none.

The Clerk called the names of those voting in the negative as follows:

Bartlett,	Ealy,	Kephart,	Wade,
Becker,	Edmonds,	Letzler,	Walker,
Carr,	Farrell,	Miller,	Watkins,
Chapman,	Geltz,	Snowden,	Wilson, H. I.,
Crider,	Heyburn,	Stevenson,	Wilson, T. B.,
Crowe,	Homsher,	Taylor,	Woodward,
Deitrick,	James,	Thomas,	Ziesenheim,

The PRESIDENT. Are there any corrections? The Chair hears none.

The roll will stand as verified.

Yeas—16; Nays—28; Present—1.

The yeas and nays were required by Mr. JASPAN, and were as follows, viz:

YEAS—16

Barr,	Dent.	Jaspan,	McQuiddy,
Cavalcante,	DiSilvestro,	Lanius,	Reed,
Coleman,	Frey,	McCreesh,	Ruth,
Cox,	Haluska,	McGinnis,	Stiefel,

NAYS—28

Bartlett,	Ealy,	Kephart,	Wade,
Becker,	Edmonds,	Letzler,	Walker,
Carr,	Farrell,	Miller,	Watkins,
Chapman,	Geltz,	Snowden,	Wilson, H. I.,
Crider,	Heyburn,	Stevenson,	Wilson, T. B.,
Crowe,	Homsher,	Taylor,	Woodward,
Deitrick,	James,	Thomas,	Ziesenheim,

PRESENT—1

Mallery,

So the question was determined in the negative.

PERMISSION TO ADDRESS SENATE

Mr. DENT. Mr. President, I ask permission to address the Senate.

The PRESIDENT. The gentleman from Westmoreland will proceed.

Mr. DENT. Mr. President, I do not intend to make speeches on the four motions I intend to present. However, I do propose to say a few words about the first one.

Mr. President and members of the Senate, ever since I have been old enough to vote I have been a member of the Democratic Party. Fundamentally, the Democratic Party appealed to me, because I believe in the things that it stood for. The Democratic Party at all times in major elections has clearly stated its platform to the people. Ever since I have been in Harrisburg, we have tried to live up to our platform pledges.

In making motions to discharge committee from further consideration of bills that I present here today, I am doing so in order that the members of the Democratic Party may be registered as to their votes on party platform pledges of the Democratic Party. Also, in doing so, I give to the members of the Republican Party an opportunity to stand up and be counted as to where they stand on certain important legislation.

Mr. President, in making this particular motion to discharge the Committee on Labor and Industry from further consideration of House Bill No. 136, which is a duplicate of my bill in the same committee, I do so with all due respect to the Chairman. This matter is too important to me to let any question of personal affront make up my mind as to whether or not I should make this motion. This is not such a small matter. This bill deals with the injunction law. I have fully acquainted the Chairman of that committee of my intentions. The committee met, Mr. President, and there were not sufficient votes on that committee to allow that bill to be presented to this Senate for a vote. I therefore resort to the only method known to me of having the bill brought out on the floor where I can be recorded.

Yesterday the statement was made that it was a time old tradition that the Senate never votes to discharge committees, but I have been informed that in 1911, I believe, on a motion of Senator Weingartner, the committee holding the full crew bill was discharged of its responsibility and the bill was presented to the floor; so there is another age old tradition knocked into a cocked hat.

In dealing with the matter of injunctions relative to labor disputes, I reflect that there are two great documents that stand out in the eyes of men as achievements worthy of historical note, and in the eyes of historians they are documents that have uplifted the causes of all the peoples who live in lands governed by these doctrines. I refer to Magna Charta and the Bill of Rights in the Constitution of the United States.

Labor in its search for equality and fair play has endeavored to incorporate the spirit of those historical documents into the every day life of working men and women in this great soverign state. The vehicle chosen for this all important mission was the anti-injunction act of 1937. With pardonable pride I accept the responsibility for the introduction of that act. In 1935, it was my privilege to introduce and steer through the House the anti-injunction amendments. These amendments passed the House with a very handsome vote, I might say, with about two-thirds of the sitting Republicans at that time voting with me. The bill was sent over to the Senate, which was then controlled by the Republican Party, and there it died in committee.

In 1937, after the judgment of the voters had elected in this state a Democratic House and Senate, and a Democratic Governor sat in the Chief Executive's office, I again introduced and had passed this same anti-injunction bill. Governor Earle, to his ever lasting credit, signed the 1937 act.

In 1939, after a hectic campaign, in which many issues were raised that were irrelevant to the campaign and the issues that should have been before the people, the Republicans gained control of both branches of the General Assembly and the office of the Chief Executive. One of the first acts to feel the axe of the anti-labor administration was the labor Bill of Rights, the anti-injunction law. The blame for this deed can properly be placed at the door of the Republican high command in Pennsylvania, for low and behold, men who had voted for the 1937 act were either forced or coerced into voting for the amendments in 1939 that made labor's Bill of Rights the employers' bill of wrongs

I now will try to give you a short resume of what this bill does. This bill serves the purpose of keeping the power of injunction from being wielded during industrial dis-

putes, to destroy the rights of free speech and peaceable assembly guaranteed by the Constitution. Pennsylvania enacted this kind of law in 1937. It did not make legal what was illegal before, it did not remove a particle of responsibility on the part of anyone engaged in any industrial dispute, whether employer or employe, to be law abiding. What the law did, and what House Bill No. 136 would do, is to see that both sides have the same chance in court to show whether or not an injunction should be issued. Too often before 1937 an employer rushed into court, and out of hysteria and malice, without the other side being properly represented, secured an order restraining employes from organizing, striking, picketing or collective bargaining. Injunction spelled injustice; hasty injunctions aggravated disputes, bred hatred and stirred up warfare. In those days of bitter struggle, imprisonment by false arrest, violence and bloodshed dripped from injunctions, and we do not want any more of those dark days.

Destroying the injunction evil in 1937 changed the industrial picture. Orderly conduct came into being, relations between employer and employe were not fought out with heat, riot or hate, but were settled calmly around a negotiations table. This is how all who want fair play and reason in industrial differences would have it, instead of resorting to injunctions. A labor Bill of Rights would prevent violence. No one can say any harm was done either to the law-abiding employer or the law-abiding employe by the anti-injunction law of 1937.

Without any good reason, but merely to make a bonfire of the 1937 law, and because some legislators are against anything new, no matter how good, the 1939 session put the power of injunction back to where it was in the dark days of industrial warfare. Why not go forward to a better method, when experience shows it to be vastly better; let us remove the amendments which destroyed the fine purpose of the 1937 injunction act. House Bill No. 136 would do this. It passed the House by a vote of 132 to 66 on March 25th; since then it has been in the Senate Committee of Labor and Industry. House Bill No. 136 gives the same opportunity to representatives on both sides, in open court, examination to show why a restraining order, temporary or permanent injunction should be issued; whether the advantage happens to lean towards the employer or towards the employe, each has an equal chance under the law, and no one can expect more than that, and no one can be satisfied with less.

Mr. President, that is why I ask that the Committee holding that bill be discharged from its responsibilities, in order that those of us who feel deeply about this particular question and kindred questions may have an opportunity to stand up and be counted as to where we stand on important issues.

Mr. President, I now present to the Chair the the first of four resolutions.

MOTION TO DISCHARGE COMMITTEE FROM FURTHER CONSIDERATION OF SENATE BILL No. 407, (HOUSE BILL No. 136).

Mr. DENT offered the following resolution which was twice read:

I move that the Committee on Labor and Industry be discharged from further consideration of Senate Bill No. 407, (House Bill No. 136), and that the same be returned to the floor of the Senate for first reading and consideration by the members of this body.

Mr. DENT. I make immediate adoption of the resolution, Mr. President.

Mr. HALUSKA. I second the motion.

On the question,

Will the Senate agree to the motion?

Mr. THOMAS B. WILSON. Mr. President, as Chairman of the Committee on Labor and Industry, may I say just a word?

THE PRESIDENT. The gentleman from McKean will proceed.

Mr. THOMAS B. WILSON. Mr. President, the Committee on Labor and Industry gave this matter very serious consideration. On our committee are two members of the Senate, the gentleman from Westmoreland, Senator Dent, and the gentleman from Lawrence, Senator McQuiddy, who with common sense, personal decency and capability presented this legislation, urged it and worked for it. I am sure both of these gentlemen will say that the Committee on Labor and Industry gave them every opportunity and said they could have all the time they wanted, but when we came to pass upon whether we should send this bill out on the Calendar, the country was ablaze with strikes, a great many of them in plants that were engaged in national defense work, and there was not on the committee at that time sufficient men who felt that under the circumstances and at this time they would vote to send this bill out on the Calendar, and therefore, after having the matter presented and considered and giving it, I am sure both the gentlemen will say, every opportunity they desired, the committee kept the bill in their possession and still has it.

Mr. HALUSKA. Mr. President, I desire to interrogate the gentleman from McKean, Mr. Thomas B. Wilson.

THE PRESIDENT. Will the gentleman from McKean permit himself to be interrogated?

Mr. THOMAS B. WILSON. I will, Mr. President.

Mr. HALUSKA. Mr. President, will the gentleman from McKean tell me, if he can, when the first meeting was held by the Committee on Labor and Industry, in this session?

Mr. THOMAS B. WILSON. I do not know that I can tell you, but I am sure that the two gentlemen who have been so active and who so capably represent labor on all matters so close to their hearts, will agree with me when I say that as soon as they asked to have these matters heard, they were informed that a committee meeting would be held whenever they wanted it, and as many meetings as they wanted; they could have one today if they wanted it.

Mr. HALUSKA. Mr. President, can the gentleman from McKean tell me how many meetings were held by his most important committee throughout the session.

Mr. THOMAS B. WILSON. Without looking at the record, I can not tell the gentleman; I do not recall. The gentleman from Cambria did not ask me to hold a meeting nor did any other member of the Senate ever ask me to hold a meeting who did not get a response. The gentleman from Cambria can have a meeting whenever he wants it.

Mr. HALUSKA. Mr. President, according to my infor-

mation, the first meeting was held just recently, and possibly only two meetings were held throughout the entire session. It is not my place to ask for a meeting; it is the duty of the chairman to notify the members of the Senate whenever such a meeting shall be held.

Mr. THOMAS B. WILSON. If the gentleman from Cambria had desired that a meeting be held, and if he had interest in the matter, and wanted to work for it, he would have followed the example of the gentlemen who are interested in labor problems and worked to try to get this legislation out.

And the question recurring,

Will the Senate agree to the motion?

The yeas and nays were required by Mr. DENT and were as follows, viz:

YEAS—16

Barr,	Dent,	Jaspan,	McQuiddy,
Cavalcante,	DiSilvestro,	Lanius,	Reed,
Coleman,	Frey,	McCreesh,	Ruth,
Cox,	Haluska,	McGinnis,	Stiefel,

NAYS—30

Bartlett,	Edmonds,	Mallery,	Wade,
Becker,	Farrell,	Miller,	Walker,
Carr,	Geltz,	Snowden,	Watkins,
Chapman,	Heyburn,	Stevenson,	Wilson, H. I.,
Crider,	Homsher,	Tallman,	Wilson, T. B.,
Crowe,	James,	Taylor,	Woodward,
Deitrick,	Kephart,	Thomas,	Ziesenheim,
Ealy,	Letzler,		

So the question was determined in the negative.

MOTION TO DISCHARGE COMMITTEE FROM FURTHER CONSIDERATION OF SENATE BILL No. 368, (HOUSE BILL No. 98)

Mr. DENT offered the following resolution which was twice read,

In the Senate, July 10, 1941.

I move that the Committee on Labor and Industry be discharged from further consideration of Senate Bill No. 368, (House Bill No. 98), known as the Women's Working Hour bill, and that the same be returned to the floor of the Senate for first reading and consideration by the members of this body. This bill would reestablish the same working hours as were in vogue and on the statute books of Pennsylvania for forty-two years.

I move immediate adoption of the resolution.

Mr. McGINNIS. I second the motion.

On the question,

Will the Senate agree to the motion?

The yeas and nays were required by Mr. DENT and were as follows, viz:

YEAS—16

Barr,	Dent,	Jaspan,	McQuiddy,
Cavalcante,	DiSilvestro,	Lanius,	Reed,
Coleman,	Frey,	McCreesh,	Ruth,
Cox,	Haluska,	McGinnis,	Stiefel,

NAYS—30

Bartlett,	Edmonds,	Mallery,	Wade,
Becker,	Farrell,	Miller,	Walker,
Carr,	Geltz,	Snowden,	Watkins,
Chapman	Heyburn,	Stevenson,	Wilson, H. I.,
Crider,	Homsher,	Tallman,	Wilson, T. B.,
Crowe,	James,	Taylor,	Woodward,
Deitrick,	Kephart,	Thomas,	Ziesenheim,
Ealy,	Letzler,		

So the question was determined in the negative.

MOTION TO DISCHARGE COMMITTEE FROM FURTHER CONSIDERATION OF SENATE BILL No. 1299, (HOUSE BILL No. 1002)

Mr. DENT offered the following resolution which was twice read,

In the Senate, July 10, 1941.

I move that the Committee on Workmen's Compensation be discharged from further consideration of Senate Bill No. 1299, (House Bill No. 1002), and that the same be returned to the floor of the Senate for first reading and consideration by the members of this body. I could speak for hours on this bill but I will not.

Mr. COLEMAN. Mr. President, I second the motion.

On the question,

Will the Senate agree to the motion?

The yeas and nays were required by Mr. DENT and were as follows, viz:

YEAS—16

Barr,	Dent,	Jaspan,	McQuiddy,
Cavalcante,	DiSilvestro,	Lanius,	Reed,
Coleman,	Frey,	McCreesh,	Ruth,
Cox,	Haluska,	McGinnis,	Stiefel,

NAYS—31

Bartlett,	Edmonds,	Mallery,	Wade,
Becker,	Farrell,	Miller,	Walker,
Carr,	Geltz,	Snowden,	Watkins,
Chapman,	Heyburn,	Stevenson,	Wilson, H. I.,
Crider,	Homsher,	Tallman,	Wilson, T. B.,
Crowe,	James,	Taylor,	Woodward,
Deitrick,	Kephart,	Thomas,	Ziesenheim,
Ealy,	Letzler,	Tyler,	

So the question was determined in the negative.

MOTION TO DISCHARGE COMMITTEE FROM FURTHER CONSIDERATION OF SENATE BILL No. 1298, (HOUSE BILL No. 990)

Mr. DENT offered the following resolution which was twice read, considered and agreed to:

In the Senate, July 10, 1941.

I move that the Committee on Workmen's Compensation be discharged from further consideration of Senate Bill No. 1298, (House Bill No. 990), and that the same be returned to the floor of the Senate for first reading and consideration by the members of this body This was the bill that amended the occupational disease compensation law.

Mr. McGINNIS. Mr. President, I second the motion.

On the question,

Will the Senate agree to the motion?

The yeas and nays were required by Mr. DENT and were as follows, viz:

YEAS—16

Barr,	Dent,	Jaspan,	McQuiddy,
Cavalcante,	DiSilvestro,	Lanius,	Reed,
Coleman,	Frey,	McCreesh,	Ruth,
Cox,	Haluska,	McGinnis,	Stiefel,

NAYS—31

Bartlett,	Edmonds,	Mallery,	Wade,
Becker,	Farrell,	Miller,	Walker,
Carr,	Geltz,	Snowden,	Watkins,
Chapman,	Heyburn,	Stevenson,	Wilson, H. I.,
Crider,	Homsher,	Tallman,	Wilson, T. B.,
Crowe,	James,	Taylor,	Woodward,

Deitrick,	Kephart,	Thomas,	Ziesenheim,
Ealy,	Letzler,	Tyler,	

So the question was determined in the negative.

HOUSE BILL No. 551 CALLED UP FROM THE TABLE

Mr. EALY. Mr. President, I now call up from the table House Bill No. 551, (Senate Bill No. 416), entitled:

A Supplement to the act, approved the twenty-seventh day of June, one thousand nine hundred thirty-nine (Appropriation Acts, page 60), entitled "An act to provide for the ordinary expenses of the Executive, Legislative, and Judicial Departments of the Commonwealth, interest on the public debt, and the support of the Public schools for two years beginning June first, one thousand nine hundred and thirty-nine; and for the payment of bills incurred and remaining unpaid at the close of the fiscal year ending May thirty-first, one thousand nine hundred and thirty-nine," providing for a deficiency in the appropriation to the Department of Property and Supplies for the fiscal biennium ending May thirty-first, one thousand nine hundred forty-one; providing for payment out of revenues of the fiscal biennial period beginning June first, one thousand nine hundred forty-one; and preventing lapsing.

Mr. MILLER. Mr. President, I second the motion.

The motion was agreed to.

SENATE INSISTS ON ITS AMENDMENT NON-CONCURRED IN BY THE HOUSE TO HOUSE BILL No. 551

Mr. EALY. Mr. President, I move that the Senate insist on its amendments non-concurred in by the House of Representatives to House Bill No. 551.

Mr. MILLER. Mr. President, I second the motion.

The motion was agreed to.

Ordered, That the Clerk inform the House of Representatives accordingly.

PERMISSION TO ADDRESS SENATE

Mr. WOODWARD. Mr. President, I desire permission to address the Senate.

The PRESIDENT. The gentleman from Philadelphia may proceed.

Mr. WOODWARD. I was very much interested in the statement of the Senator from Westmoreland when he was trying to make a "dent" in an old tradition, namely, that Senator Weingartner had a bill for a full crew and the committee was discharged from its further consideration, so I went to the Senate Library and secured the Legislative Journal of 1911, and I have looked up Senator Weingartner's record and I find no such record of Senator Weingartner on the full crew bill.

The evidence is not complete, but so far as it goes, it shows the Senator from Westmoreland may be mistaken.

PERMISSION TO ADDRESS SENATE

Mr. McGINNIS. Mr. President, I ask permission to address the Senate.

The PRESIDENT. The gentleman from Allegheny will proceed.

Mr. McGINNIS. Mr. President, on May 21st, the gentleman from Allegheny, Senator Walker, and myself sponsored a bill, No. 997, providing for a reduction of the membership of the Turnpike Commission from five members to three, and raising the salaries of the two paid members from five to ten thousand dollars a year.

I know that most of us are very proud of the present turnpike construction. I read in a national magazine the other day that if we were to travel from Pittsburgh to Harrisburg in the old days, we would have had 965 crossings, twenty stop lights, twelve railroad crossings and ten thousand feet of vertical climbs. Now, that is all eliminated. You all recall, when the present Turnpike Commission was authorized, a lot of us thought it was a joke, but the chairman, Walter A. Jones, through his untiring efforts and ability, was able to go to Washington and through some private capitalists raised seventy million dollars to construct this highway.

For over a year Mr. Jones and Mr. Evans have been the only two paid members on this Commission and they have done a grand job. Two members have died and the membership has not been filled.

It would require seventy million dollars to extend the Turnpike to Philadelphia and about forty million dollars to extend it to the western boundary of Pennsylvania. The Chairman, Walter A. Jones, on a salary of five thousand dollars a year, gave two or three years to this work and did a great job but I am fearful that we will not be able to retain the services of Mr. Jones and Mr. Evans on salaries of five thousand dollars a year.

This bill is in the Committee on Highways and has been there since May 21st. I am not going to ask for the discharge of that committee, but I merely want the record to show that Senator Walker and myself believe we went as far as we could to retain the services of Mr. Jones and Mr. Evans, so that we could feel sure those two extensions would be constructed.

QUESTION OF PERSONAL PRIVILEGE

Mr. WALKER. Mr. President, I rise to a question of personal privilege.

The PRESIDENT. The gentleman from Allegheny will proceed.

Mr. WALKER. Mr. President, on the floor of this Senate several weeks ago I made a statement in which I assured the members of the Senate that corrective measures with regard to municipal authorities would be taken. Some time before I made my statement I listened to a very carefully prepared speech written and read by the distinguished gentleman from Philadelphia, Senator Shapiro, in which he just tore the hide off the Republican Party for what had taken place in Delaware County; everything dark, and implied that looked evil or smelled bad about that Delaware County situation was laid on the door step of the Republican Party.

We were considerably disturbed by what took place down there and we were considerably disturbed by the accusations, both veiled and implied and direct, that have been directed against our own party, and, Mr. President, a couple of days later I took the floor of this Senate—I did not attempt to answer the accusations that had been made by the gentleman from Philadelphia, Mr. Shapiro, because after all they were mostly fabrications manufactured out of whole cloth—but I attempted to point out to the members of this Senate just how this municipal authority situation had arisen, the good it had performed for the people of Pennsylvania, and the evil that might arise because of this thing that had been created by the Legislature.

We started in, Mr. President, and you will well recall that there were extreme bills introduced in the Senate, from both the Republican and Democratic sides attempting to plug up regulatory holes that had become obvious and evident as a result of our experience with this municipal authorities act.

The Committee on Public Utilities, headed by the gentleman from Blair, Senator Mallery, was very diligent in its efforts and that committee met frequently and very carefully considered all of those bills; a large number of public hearings were held at which men who had actual experience in handling these public utilities came before the committee and carefully discussed the situation. On several occasions members who had introduced bills—and I plead guilty to this also—influenced by information they had obtained as a result of those public hearings, changed their opinions or conclusions with regard to municipal authorities and their regulation, and as a result additional bills were introduced and on those new bills new hearings were held and finally, out of all this conglomeration of information there became crystalized certain definite conclusions as to what course we should follow in regulating these municipal authorities.

Our objective, Mr. President, was not to throttle the good that would come out of municipal authorities but rather, like a careful indulgent parent, to come to the defense of this child the Legislature had created so that it would walk in a path that would be good for the most people in the Commonwealth. Mr. President, as a result of all our careful deliberations Senate Bill No. 783 passed this Senate and went over to the House.

Now, Mr. President, I want to repeat, so that the purpose of my sincere pledge to the members of the Senate is not lost, all of the bitter opposition to what has happened in Delaware County arose on the left side of the aisle, all of the accusations as to political possibilities of what had happened arose on the left hand side of the aisle and, Mr. President, those on the left of the aisle, the Democratic Party, cooperated with us in those hearings, they cooperated with us in the gathering of this information and the crystalization of this public opinion and the attempt to interpret that crystalization into legislation.

Mr. President, Senate Bill No. 783 went over to the House, controlled by the Democratic Party, and I am informed this afternoon, Mr. President, that Senate Bill No. 783, after a stormy ride in committee, appeared on the Calendar, shone for a few hours, and has disappeared into a sub-committee from whence it shall never return.

I want to say, Mr. President, that I think this is a serious situation. I do not want to accuse either the Democratic Party or the Republican Party of playing politics with such a grave situation, but I want to say for my own party that we have done our duty with regard to regulation of municipal authorities, and the responsibility for anything that happens from here on, in a repetition of what took place in Delaware County, can be laid at the door of the opposition, the Democratic Party.

I want to say to you members of the Republican Party that no matter what kind of insinuations and insults and accusations we have listened to, made by the gentleman from Philadelphia, Mr. Shapiro, we have been vindicated by the bill we passed here in an honest and sincere attempt to see that there would be no repetition of what had happened down there, and all our attempts and all our long ardous hours and our labors and our sincere application to put good into this bill have gone for naught because those political playing people in the House, indirect opposition to what was said by the gentleman from Philadelphia—oh how he cried over our manipulation in Delaware County—because they took that bill and they pickled it.

I want to say to the members of the Democratic Party that you have the responsibility for what takes place from now on, in the regulation of municipal authorities, and I want to say to you sincerely I would not want to be in your position and have all of those authorities and all of the things that might happen, as a result of manipulation by clever politicians and manipulations by people who do things such as were done down in Delaware County, laid on your door step.

Senate Bill No. 783 was a good bill. There was not a man on the Democratic side of the Senate that could point out a defect or make a sincere constructive criticism of Senate Bill No. 783. There is not a man on the Democratic side of the Senate who will challenge the statement when I say to you the Committee on Public Utilities worked long and hard, and invited recommendations and received recommendations from the other side of the House. That bill, Senate Bill No. 783 was not a partisan measure, it was an honest sincere expression of opinion not only from the Republican side of the Senate but from the Democratic side of the Senate, and on your shoulders rests the responsibility for what happens to municipal authorities. Do not stand here and let the gentleman from Philadelphia ever again speak of the machinations of the Republican Party, permitting the things that went on in Delaware County, because the Republican Party tried to stop it and those of you who cast the first stone now hide when you have an opportunity to remedy the damage that was done in Delaware county.

So, Mr. President, I do not want to say "a plague on both your Houses," because that is not a fact, and I do not want to criticize the House of Representatives, the lower body in this Legislature, because perhaps that is not ethical, but I do want to say, Mr. President, a plague on the House that destroys a good legislation for political purposes.

Mr. COLEMAN. Mr. President and members of the Senate, I do not know anybody in the Senate of Pennsylvania who has been more sincerely interested in the Senate bill introduced by the gentleman from Montgomery, Senator Edmunds' and the gentleman from Allegheny Senator Walker, than myself. I know that both of those gentlemen will corroborate the statement I am going to make, that I did everything I possibly could to bring to the attention of my colleagues on this side of the Senate, as well as my Republican friends, the essentiality of the passage of legislation of this character.

I think, however, that the gentleman from Allegheny speaks just a trifle prematurely, because we are still on a legislative day and there still remain enough legislative days to breathe legislative life into that particular bill, and while I understand the Committee on Public Utilities had a meeting a few hours ago and there was action to place the bill in a sub-committee—which I am very frank to confess has the effect, the obvious purpose of killing the bill—I understand that the committee has reconsidered their action and that a meeting will be held tonight, and that the bill will be reported out favorably by the Committee on Public Utilities.

While there is many a slip twixt the cup and the lip, legislatively speaking, I am hopeful that this bill will be re-enacted into law. I do not think anybody in this Senate is faced with the situation that we are in the County of Lackawanna and the County of Luzerne, where an attempt is now being made by a financial institution to sell the water company to the County Commissioners of both of those counties for a sum somewhere in the neighborhood of forty-five million dollars. Immediately following the exposure of the Chester water deal this particular proposition had its inception, and those of us in that area share the grave apprehension of the gentleman from Allegheny and the gentleman from Montgomery that those authorities ought to have some agency in the Commonwealth which would have some knowledge of the value of property and which would have a proper instrumenality to check these authorities and preclude the possibility of another Chester water deal.

When the bill passed the Senate yesterday afternoon I made it my business to go not only to the Chairman of the Committee but to individual members of the House Committee on Public Utilities, and tried to impress upon them the absolute necessity for action on the part of the Public Utility Committee to report out what I regard as one of the most important bills in this session of the Legislature.

I am hoping that the information given to me by the Chairman of the Committee on Public Utilities less than a half an hour ago is true, and I have no reason to believe it is not, that before this Legislature adjourns sine die, and passes into history, that the bill introduced, the very fine bill introduced by the gentleman from Allegheny and also the gentleman from Montgomery, will be enacted into law, so that the people in my community and the county I represent, and the people in Luzerne County, might not have thrust upon them, that they will not wake up some morning and find some irresponsible people have thrust upon them a water company costing forty-five million dollars.

REPORT FROM COMMITTEE ON EXECUTIVE NOMINATIONS

Mr. JAMES. Mr. President, I ask unanimous consent to make report from committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. JAMES, from the Committee on Executive Nominations, reported with a favorable recommendation the following nominations, made by His Excellency, the Governor of the Commonwealth:

MEMBERS OF THE DELAWARE RIVER JOINT COMMISSION

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, January 13, 1941.

J. WILLISON SMITH, Philadelphia, from May 17, 1940, for the term of five years, and until his successor shall have been appointed and qualified.

WILLIAM H. FOLWELL, Merion, from May 17, 1940, for the term of five years, and until his successor shall have been appointed and qualified.

ARTHUR H. JAMES.

JUSTICES OF THE PEACE

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, February 19, 1941.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate James W. Stoffer of Houston, Washington County, for appointment as Justice of the Peace in and for the Township of Chartiers, Washington County, until the first Monday in January, 1942, vice Frank Renko, deceased.

ARTHUR H. JAMES.

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, July 10, 1941.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Mrs. Marie H. Gordon, 340 East State Street, Hamburg, Berks County, for appointment as Justice of the Peace in and for the Borough of Hamburg, Berks County, until the first Monday in January, 1942, vice George D. Gordon, deceased.

ARTHUR H. JAMES.

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, July 9, 1941.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Holmes T. Servis, 475 Stockham Avenue Morrisville, Bucks County for appointment as Justice of the Peace in and for the Borough of Morrisville, Bucks County, until the first Monday in January, 1942, vice William H. Kunsman, deceased.

ARTHUR H. JAMES.

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, July 10, 1941.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Lester R. Derk, 644 Shamokin Street, Trevorton, Northumberland County, for appointment as Justice of the Peace in and for the Township of Zerbe, Northumberland County, until the first Monday of January, 1942, vice Harry E. Haupt, resigned.

ARTHUR H. JAMES.

MOTION TO SUSPEND RULE 38

By unanimous consent,

A motion was made by Mr. JAMES and Mr. EALY,

That Rule 38, which requires nominations made by the Governor, to lie on the table one day be dispensed with, and the Senate do now resolve itself into Executive Session, for the purpose of acting upon all the nominations reported at today's session.

Which was agreed to.

Whereupon,

A motion was made by Mr. JAMES and Mr. EALY,

That the Senate do advise and consent to the nominations reported.

On the question,

Will the Senate agree to the motion?

Mr. COLEMAN. Mr. President, it is not my under-

standing that the Democratic Caucus approved the members of the Delaware River Bridge Commission. I had no advance knowledge that the nominations were to be brought out. Will the gentleman from Bucks suspend until I go into a huddle?

Mr. JAMES. I shall be very glad to do so, Mr. President. I might also say, to inform the Senator, that the Senators from the various districts from which these various justices of the peace come are entirely satisfied with the nominations I have just reported.

I have been informed by Mr. Shapiro today, as to the Delaware River Commission, there had been a Caucus meeting and that the Caucus had approved them and he authorized me to present them today, and for that reason I have reported them.

Mr. JASPAN. Mr. President, in answer to the gentleman from Bucks, Senator James, may I say that at this particular Caucus Senator Shaprio was the only member present.

Mr. JAMES. Mr. President, if there is any objection, I will move that the nominations be laid on the table. I am not responsible for the conduct of the Democratic Caucus; I must depend upon Mr. Shapiro, and when he gives me his word of honor, of course I take it. If there is objection I shall move that these particular nominations to which there is objection be laid on the table, temporarily.

Mr. COLEMAN. Mr. President, I should like the gentleman to permit me to make this explanation. I understood the gentleman from Bucks to say, these nominations were agreeable to the Senators from the particular districts in which the nominees resided, and I was merely going to call his attention to this abandoning of the customary policy of confirmation. Prior to today the chairman of the Committee on Executive Nominations conferred with the Minority Leader and got from him permission to bring the nominations out on the floor, with the understanding that the Democrats would vote for them, and if the gentleman will yield, I would like to suggest, until such time as the Minority Leader returns tomorrow, that he delay action on them.

Mr. President, so there is no misunderstanding, I am not opposing the nominations of the members of the Delaware River Bridge Commission, but I think we ought to have some general agreement on this subject. I ask the gentleman if he will not withhold submission of these names today and bring them up tomorrow, so we can get together and have some definite understanding.

Mr. JAMES. I will be glad to do so, Mr. President. To make my position entirely clear, Mr. President, I might say I am relying upon the word of Mr. Shapiro, who has assured me that the members of this commission were entirely acceptable to him and were approved by the Democratic caucus.

I was also informed by him with reference to all of the other nominations just reported, with the exception of one from my own county, and I am sure he would not care anything about that, and I am sure the gentleman from Lackawanna, Senator Coleman, would not care anything about that.

I have been relying upon the word of a leader of the Democratic Party, but if the Democrats do not stand back of what he says, I am entirely willing that these nominations shall be laid upon the table, and that they settle their own fight between themselves.

MOTION THAT NOMINATIONS BE LAID ON THE TABLE

Mr. JAMES. I so move, Mr. President, that the nominations just reported be laid on the table.

On the question,

Will the Senate agree to the motion?

Mr. CAVALCANTE. Mr. President, the gentleman from Bucks, Mr. James, may be correct, but there is another caucus, Fayette and Washington Counties, that has not been consulted yet.

Mr. JAMES. Mr. President, Washington has been consulted. Senator Reed said so.

The PRESIDENT. Does the Chair understand that the Senator from Lackawanna, Mr. Coleman, objects only to consideration of the nominations to the Delaware River Bridge Commission or also the justices of the peace?

Mr. JAMES. I have moved, Mr. President, that the nominations be laid on the table temporarily.

The PRESIDENT. Before that can be done it will be necessary to withdraw the motion to suspend Rule 38.

MOTION TO SUSPEND RULE 38 WITHDRAWN

Mr. JAMES. Mr. President, I withdraw my motion to suspend Rules 38.

On the question,

Will the Senate agree to the motion?

Mr. DiSILVESTRO. I object, Mr. President. I feel that we are doubting the integrity of the Senator from Bucks. Since the nominations have been presented, let us put them to a vote.

Mr. CAVALCANTE. I second that suggestion, Mr. President.

Mr. McCREESH. I ask for a roll call, Mr. President.

The PRESIDENT. The matter is in the hands of the Chairman of the Committee on Executive Nominations. If he insists on his motion, it will be necessary that a vote be taken.

Mr. JAMES. If the gentleman from Lackawanna, Senator Coleman, desires that these nominations be laid on the table, I will be very glad to accommodate him and have them laid on the table.

Mr. COLEMAN. Mr. President, I merely wanted to call to the attention of the Chairman of the Committee on Executive Nominations that there was some misunderstanding in a previous Executive Session, in which the nominations to the Allegheny Board of Registration Commissioners were brought out during the absence of the Minority Floor Leader, and he had the impression that the Democratic members were in accord with the appointments of the registration commissioners in Allegheny County. I understand there is some division of opinion and I thought maybe we might be running into another misunderstanding.

So that my position is not misunderstood, I am not opposed to the appointments to the Delaware River Bridge Commission in Philadelphia, but I thought, so that all of us could be in agreement, if that is the feeling on this side of the Senate, that consideration ought to be delayed until tomorrow and we can then all vote for them, if there is no objection from the Democratic side.

Mr. JAMES. Mr. President, I am quite willing to accede to the request of the gentleman from Lackawanna. It is really very embarrassing to me, however, as chairman of the Committee on Executive Nominations; I do not know whom I can rely upon or whose word I can take When you have selected a certain individual as your leader, certainly I have the right to presume he is telling me the truth and has the authority to tell me so; he told me no later than this morning at breakfast at the hotel that the Democratic Caucus had approved these nominations to the Delaware River Bridge Commission.

NOMINATIONS LAID ON TABLE

Mr. JAMES. Under the circumstances, I am entirely willing, however, that the nominations be laid upon the table, and I so move.

Mr. GELTZ. I second the motion, Mr. President.

On the question,

Will the Senate agree to the motion?

It was agreed to.

BILLS SIGNED

The PRESIDENT (Lieutenant-Governor Samuel S. Lewis) announced that the Chief Clerk having reported that the following bills had passed both houses of the General Assembly and the same being correct, the titles were publicly read as follows:

House Bill No. 94, entitled:

An Act to amend section fifteen hundred and nine of the act, approved the eighteenth day of May, one thousand nine hundred and eleven (P. L. 309), entitled "Public School Code," by providing that the board of directors of any school district may appropriate funds to pay for medical examinations for tuberculosis for pupils, teachers, janitors, or other employes.

House Bill No. 1013, entitled:

An Act to repeal section five of the act, approved the fourth day of May, one thousand nine hundred and five (P. L. 385), entitled "An act creating the Water Supply Commission of Pennsylvania; defining its duties; fixing the scope of its authority and powers and making an appropriation for the payment of the salaries and expenses connected therewith," prohibiting the issuance of letters patent to water companies until approved by the Water Supply Commission.

House Bill No. 1643, entitled:

An Act to amend the act, approved the ninth day of April, one thousand nine hundred and twenty-nine, (P. L. 343), entitled "Fiscal Code" by providing for the manner of payment of escheator's fees, informant's commissions, and other lawful charges due from moneys escheated to the Commonwealth and escheatable moneys paid to the Commonwealth without escheat, designating the funds to which such moneys shall be credited, and making an appropriation.

House Bill No. 1648, entitled:

An Act to amend the act, approved the first day of May, one thousand nine hundred and twenty-nine (P. L. 1005), entitled "Tractor Code," as variously amended, by changing registration years, fractions of registration years, operator's license years; extending the time for exemption from fees for transfer of registration to conform with changed registration year; reducing operator's license fee; and giving the secretary power to determine whether certain motor vehicles are of tractor type.

Whereupon,

The PRESIDENT, (Lieutenant-Governor Samuel S. Lewis), in the presence of the Senate signed the same.

PERMISSION TO ADDRESS SENATE

Mr. WOODWARD. Mr. President, I ask permission to address the Senate.

The PRESIDENT. The gentleman from Philadelphia may proceed.

Mr. WOODWARD. Mr. President, as dean of the Senate, I feel it has become my duty to administer a mild rebuke to the Senator from Lackawanna, Mr. Coleman. I admit Mr. Coleman is a very useful and a very active Senator. Someone has said perhaps he is a busybody, but that term is one of reproach and I refuse to use it. I am annoyed sometimes by the Senator from Lackawanna, because he is so busy and so often gives pointers to the Presiding Officer as to how to conduct the General Assembly, as far as the Senate is concerned, and I take exception to his zeal and fidelity in regard to the municipal authority act.

He told us that no one has taken so much interest in that act as he. The Chairman of the Committee on Public Utilities extended an invitation to all Senators interested to attend an evening meeting of that committee to learn all about the municipal authorities bill. The Senator from Lackawanna is not a member of that committee, but he was invited to attend and he was not there. I sat in as an observer, it was a very hot evening, and we sat there for about two and one-half hours.

I simply wish to deflate the Senator from Lackawanna a little; when he is so intensely interested in a bill he might have accepted the invitation of the chairman to learn the details of this bill in which he is so greatly interested.

I am annoyed also, when we vote, that the Senator from Lackawanna is so insistent on knowing how Senator A, B or C on this side voted, and I feel that a little less activity on the part of the Senator from Lackawanna would be very becoming.

PERMISSION TO ADDRESS SENATE

Mr. REED. Mr. Presdent, I ask permission to address the Senate.

The PRESIDENT. The gentleman from Washington may proceed.

Mr. REED. Mr. President, when the gentleman from Allegheny, Mr. Walker, was making his dissertation on his municipal authority bill, the latter part of his remarks were directed in my direction with some violence and some heat.

I wish to tell the gentleman from Allegheny that he does not need to get overly concerned about having one bill bottled up over in the House, that went over there along about July 1st. I understand I belong to the Democratic Party, and I have had, two or three non-controversial bills over there for some time and they are all in committee, so I do not want the gentleman from Allegheny to think that I have anything to do with his bill being bottled up over there. Furthermore, I belong to that small minority in this Senate that believes if you want to open the door to a lot of fraud, then broaden the base of these public authority acts and perhaps, you will

get, with the opening of the door, a repetition of some of the things through which we have had sad experiences in Pennsylvania in the last year or so.

PERMISSION TO ADDRESS SENATE

Mr. McGINNIS. Mr. President, I ask permission to address the Senate.

The PRESIDENT. The gentleman from Allegheny may proceed.

Mr. McGINNIS. Mr. President, I too appreciate the zeal of Senator Edmonds and Senator Walker, and also Senator Coleman, on behalf of Senate Bill No. 783. However, I have a grave suspicion that bill is backed by every powerful uitility in Pennsylvania. It has been the policy in this state to keep the hands of the Public Utility Commission off our municipalities, and that has been the policy ever since the beginning of the Public Utility Commission, and I think it is splendid thing; I do not believe that the Public Utility Commission ought to be given any more powers. I think it has more than it can do now.

I feel that these municipal authorities are merely children of the municipalities, and therefore I feel that the Public Utility Commission should keep its hands off not only municipalities but also municipal authorities because I feel if they approve every sale of every utility to a municipal authority they can stop a sale, if a utility wants it done, they can stop the sale and they can stop the functioning of every municipality in Pennsylvania. Therefore, Mr. President, I voted against the bill and will vote against it again if it comes on this floor.

REPORTS FROM COMMITTEES

Mr. CAVALCANTE. Mr. President, I ask unanimous consent to make report from committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. CAVALCANTE, from the Committee on Judiciary General, reported as committed, Senate Bill No. 815, (House Bill No. 1221), entitled:

An Act to add section 654.1 to the act approved the twenty-fourth day of June one thousand nine hundred thirty-nine (P. L. 872) entitled "An act to consolidate amend and revise the penal laws of the Commonwealth" by making it a crime to discriminate in the selection or appointment of persons for employment in the civil service of the Commonwealth or of any political subdivision thereof because of the race creed or color of any person

Mr. STIEFEL. Mr. President, I ask unanimous consent to make report from committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. STIEFEL, from the Committee on Public Health, reported as committed, Senate Bill No. 1329, (House Bill No. 1831), entitled:

An Act to further amend section twenty-one of the act approved the seventh day of June one thousand nine hundred fifteen (P. L. 900) entitled "An act to provide for the immediate registration of all births and deaths throughout the Commonwealth of Pennsylvania by means of certificates of births and deaths and burial or removal permits requiring prompt returns to the Central Bureau of Vital Statistics as required to be established by the State Department of Health and in order to secure prompt and faithful registration of births marriages deaths and diseases of practitioners of medicine and surgery of midwives nurses and undertakers and of all persons whose occupation is deemed to be of importance in obtaining complete registration of births deaths marriages and diseases throughout the State as provided in section ten of an act entitled 'An act creating the Department of Health and defining its powers and duties' approved the twenty-seventh day of April nineteen hundred and five and providing penalties for violations of this act" by directing the Department of Health to maintain branch offices in counties of the second class for the filing of death certificates authorizing such offices to issue certified copies of death certificates and make searches of their files imposing additional duties upon local registrars in such counties and prescribing fees.

Mr. BECKER. Mr. President, I ask unanimous consent to make report from committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. BECKER, from the Committee on Judiciary General, reported as committed, Senate Bill No. 816, (House Bill No. 1223), entitled:

An Act to add section 654.2 to the act approved the twenty-fourth day of June one thousand nine hundred and thirty-nine (P. L. 872) entitled "An act to consolidate amend and revise the penal laws of the Commonwealth" making it a crime for any officer of any labor union to discriminate because of race color or creed between applicants for membership in such union or between assignments for employment of union members because of their race color or creed

Mr. CRIDER. Mr. President, I ask unanimous consent to make report from committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. CRIDER, from the Committee on State Government, reported as committed, Senate Bill No. 1337, (House Bill No. 1398), entitled:

An Act to amend the act approved the fifth day of May one thousand nine hundred thirty-three (P. L. 289) entitled "An act relating to non-profit corporations defining and providing for the organization merger consolidation and dissolution of such corporations conferring certain rights powers duties and immunities upon them and their officers and members prescribing the conditions on which such corporations may exercise their powers providing for the inclusion of certain existing corporations of the first class within the provisions of this act prescribing the terms and conditions upon which foreign nonprofit corporations may be admitted or may continue to do business within the Commonwealth conferring powers and imposing duties on the courts of common pleas prothonotaries of such courts recorders of deeds and certain State departments commissions and officers authorizing certain local public officers and State departments to collect fees for services required to be rendered by this act imposing penalties and repealing certain acts and parts of acts relating to corporations" as amended by changing certain provisions of the act relating to corporate names by requiring certain certificates of the payment of taxes and other charges to be filed with the Department of State in certain cases by making certain changes in the scope of the act and by making certain provisions relating to the filing of notices of changes of registered offices.

He also, from the Committee on State Government, reported as committed, Senate Bill No. 1338, (House Bill No. 1400), entitled:

An Act to amend the act approved the fifth day of May one thousand nine hundred thirty-three (P. L. 364) entitled "An act relating to business corporations defining and providing for the organization merger consolidation reorganization winding up and dissolution of such corporations conferring certain rights powers duties and immunities upon

them and their officers and shareholders prescribing the conditions on which such corporations may exercise their powers providing for the inclusion of certain existing corporations of the second class within the provisions of this act prescribing the terms and conditions upon which foreign business corporations may be admitted or may continue to do business within the Commonwealth conferring powers and imposing duties on the courts of common pleas and certain State departments commissions and officers authorizing certain State departments boards commissions or officers to collect fees for services required to be rendered by this act imposing penalties and repealing certain acts and parts of acts relating to corporations" as amended by changing certain provisions of the act relating to corporate names and requiring certificates of the payment of taxes and other charges to be filed with the Department of State in certain cases.

Mr. WATKINS. Mr. President, I ask unanimous consent to make report from committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. WATKINS, from the Committee on Judiciary General, reported as committed, Senate Bill No. 1328, (House Bill No. 629), entitled:

An Act to amend section one of and to add section three and one-tenth to the act approved the twentieth day of June one thousand nine hundred and one (P. L. 582) entitled "An act to provide for the registration of labels trade-marks trade-names stamps designs devices shop-marks terms brands designations descriptions or forms of advertisement and protect and secure the rights property and interest therein of the persons copartnerships or corporations adopting and filing the same and providing penalties for the violations of the act" further regulating the registration of labels trademarks trade-names devices shop-marks designations and forms of advertisement and providing for the cancellation of such registrations in certain cases.

He also from the Committee on Judiciary General, reported as committed, Senate Bill No. 821, (House Bill No. 1402), entitled:

An Act to add section six hundred fifty-five and one-tenth to article six of the act approved the twenty-fourth day of June one thousand nine hundred and thirty-nine (P. L. 872) entitled "An act to consolidate amend and revise the penal laws of the Commonwealth" relating to discrimination against persons employed or seeking employment on contracts effecting the national preparedness program because of the race color or religion of such persons

He also from the Committee on Judiciary General, reported as amended, Senate Bill No. 1335, (House Bill No. 413), entitled:

An Act prohibiting the employment by the Commonwealth or any county city borough incorporated town township school district vocational school district or institution district thereof or by any authority or any institution supported in whole or in part out of public funds of persons who hereafter advocate or participate in un-American or subversive doctrines as herein defined providing for dismissals under existing laws and permitting appeals to courts of common pleas and appellate courts in all such cases.

Mr. THOMAS. Mr. President, I ask unanimous consent to make report from committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. THOMAS from the Committee on Municipal Government reported as committed, Senate Bill No. 1336, (House Bill No. 248), entitled:

An Act authorizing taxpayers in cities of the second class A to inspect the books and records of such cities at any reasonable time and prescribing a procedure for enforcing such right of inspection.

He also from the Committee on Municipal Government reported as committed, Senate Bill No. 412, (House Bill No. 656), entitled:

An Act to amend the third paragraph of article seven of the act, approved the seventh day of March, one thousand nine hundred and one (P. L. 20), entitled "An act for the government of cities of the second class," permitting the city treasurer to collect delinquent taxes under the act approved the thirtieth day of March one thousand nine hundred and three (P. L. 106).

RECESS

Mr. GELTZ. Mr. President, I move that the Senate do now take a recess until 9:00 o'clock, p. m. E. S. T.

Mr. MILLER. Mr. President, I second the motion.

The motion was agreed to.

AFTER RECESS

The PRESIDENT. The time of recess having elapsed the Senate will be in order.

PERMISSION TO ADDRESS SENATE

Mr. COLEMAN. Mr. President, before we go into the Calendar, I desire to interrogate the gentleman from Cumberland, Senator Wade.

The PRESIDENT. Will the Senator from Cumberland permit himself to be interrogated?

Mr. WADE. I will, Mr. President.

Mr. COLEMAN. Mr. President, I desire to ask the gentleman from Cumberland whether or not he is the chairman of the committee on conference which has under consideration the congressional reapportionment bill.

Mr. WADE. Mr. President, as I understand it, there is no chairman of any conference committee.

Mr. COLEMAN. Mr. President, I do not so understand Somebody or other from either branch of the assembly is designated as chairman. I desire to ask the gentleman from Cumberland whether or not he has been acting as spokesman for the conferees on the congressional reapportionment bill.

Mr. WADE. No. Mr. President, the members of our committee are all fortunate in being able to speak for themselves.

Mr. COLEMAN. Mr. President, I desire to ask the gentleman the exact status of the bill, and whether or not as stated by newspaper reports, the conference committee is absolutely deadlocked.

Mr. WADE. Unfortunately, Mr. President, our conference committee does not have control over the newspapers, much as we would like to have, and I am not certain whether, as a member of that conference committee, I am permitted to make an open statement regarding the present status of the legislation being considered.

BILL ON CONCURRENCE IN HOUSE AMENDMENTS RECALLED FROM THE GOVERNOR

Agreeably to order,

The Senate resumed the consideration of Senate Bill No. 703, (House Bill No. 803), entitled:

An Act to amend section six hundred and forty-three of the act approved the twenty-fourth day of June one thousand nine hundred and thirty-nine (P. L. 872) entitled "An act to consolidate amend and revise the penal laws of the Commonwealth" by prohibiting certain persons from permitting or employing minors under eighteen years of age to sing dance act or exhibit in dance houses or in any place where wines or spirituous or malt liquors are sold or given away or any place connected therewith and prohibiting certain persons from permitting or employing minors under eighteen years of age to sing dance act or exhibit in any dance hall or dance house prohibiting the misrepresentation of age by the aforesaid minors and providing penalties for the violation of the provisions of this act.

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Will the Senate concur in the same?

Mr. GELTZ. Mr. President, I move that the Senate non-concur in the amendments placed in this bill by the the House.

Mr. MILLER. I second the motion, Mr. President.

On the question,

Will the Senate agree to the motion?

The yeas and nays were taken agreeably to the provisions of the Constitution and were as follows:

YEAS—48

Barr,	DiSilvestro,	Lanius,	Stiefel,
Bartlett,	Ealy,	Letzler,	Tallman,
Becker,	Edmonds,	Mallery,	Taylor,
Carr,	Farrell,	McCreesh,	Thomas,
Cavalcante,	Frey,	McGinnis,	Tyler,
Chapman,	Geltz,	McQuiddy,	Wade,
Coleman,	Haluska,	Miller,	Walker,
Cox,	Heyburn,	Mundy,	Watkins,
Crider,	Homsher,	Reed,	Wilson, H. I.,
Crowe,	James,	Ruth,	Wilson, T. B.,
Deitrick,	Jaspan,	Snowden,	Woodward,
Dent,	Kephart,	Stevenson,	Ziesenheim,

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk inform the House of Representatives accordingly.

MOTION THAT SENATE CONSIDER CALENDAR

Mr. GELTZ. Mr. President, I move that the Senate continue to consider bills on the Calendar, and bills reported from the House, until the Calendar has been completed.

Mr. THOMAS B. WILSON. I second the motion.

It was agreed to.

BILL ON CONCURRENCE IN HOUSE AMENDMENTS RECALLED FROM THE GOVERNOR

Agreeably to order,

The Senate resumed the consideration of Senate Bill No. 1146, (House Bill No. 1323), entitled:

An Act authorizing the Department of Property and Supplies with the consent of the Department of Military Affairs and the approval of the Governor to sell and convey the property of the Pennsylvania State Arsenal at Harrisburg to the City of Harrisburg in exchange for the conveyance by said city of Wildwood Park to the Commonwealth, providing for the transfer of said park to the Department of Forests and Waters and the use thereof by the department as a State park and by other departments, boards and commissions for their respective purposes and providing that such exchange of property shall not be affected unless and until a suitable additional building is made available for use by the Department of Military Affairs as an arsenal or as an administrative building

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Will the Senate concur in the same?

The yeas and nays were taken agreeably to the provisions of the Constitution and were as follows:

YEAS—48

Barr,	DiSilvestro,	Lanius,	Stiefel,
Bartlett,	Ealy,	Letzler,	Tallman,
Becker,	Edmonds,	Mallery,	Taylor,
Carr,	Farrell,	McCreesh,	Thomas,
Cavalcante,	Frey,	McGinnis,	Tyler,
Chapman,	Geltz,	McQuiddy,	Wade,
Coleman,	Haluska,	Miller,	Walker,
Cox,	Heyburn,	Mundy,	Watkins,
Crider,	Homsher,	Reed,	Wilson, H. I.,
Crowe,	James,	Ruth,	Wilson, T. B.,
Deitrick,	Jaspan,	Snowden,	Woodward,
Dent,	Kephart,	Stevenson,	Ziesenheim,

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk inform the House of Representatives accordingly.

BILL ON CONCURRENCE IN HOUSE AMENDMENTS RECALLED FROM THE GOVERNOR

Agreeably to order,

The Senate resumed the consideration of Senate Bill Bill No. 1164, (House Bill No. 1676), entitled:

An Act to further amend the act approved the second day of May one thousand nine hundred and twenty-nine (P. L. 1518) entitled as amended "An act regulating the construction equipment maintenance operation and inspection of elevators granting certain authority to and imposing certain duties upon the Department of Labor and Industry providing fees for inspection of elevators certificates of operation and approval of plans providing penalties for violations of this act and repealing all acts or parts of acts inconsistent with this act" by defining and making further provision relative to the use of "man lift" elevators.

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Will the Senate concur in the same?

The yeas and nays were taken agreeably to the provisions of the Constitution and were as follows:

YEAS—48

Barr,	DiSilvestro,	Lanius,	Stiefel,
Bartlett,	Ealy,	Letzler,	Tallman,
Becker,	Edmonds,	Mallery,	Taylor,
Carr,	Farrell,	McCreesh,	Thomas,
Cavalcante,	Frey,	McGinnis,	Tyler,
Chapman,	Geltz,	McQuiddy,	Wade,
Coleman,	Haluska,	Miller,	Walker,
Cox,	Heyburn,	Mundy,	Watkins,
Crider,	Homsher,	Reed,	Wilson, H. I.,
Crowe,	James,	Ruth,	Wilson, T. B.,
Deitrick,	Jaspan,	Snowden,	Woodward,
Dent,	Kephart,	Stevenson,	Ziesenheim,

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk inform the House of Representatives accordingly.

BILL ON CONCURRENCE IN HOUSE AMENDMENTS

Agreeably to order,

The Senate resumed the consideration of Senate Bill No. 254, entitled:

An Act authorizing municipalities to file liens against real estate beyond the municipal limits for certain municipal rates validating liens heretofore filed and providing for the procedure thereon.

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Will the Senate concur in the same?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—48

Barr,	DiSilvestro,	Lanius,	Stiefel,
Bartlett,	Ealy,	Letzler,	Tallman,
Becker,	Edmonds,	Mallery,	Taylor,
Carr,	Farrell,	McCreesh,	Thomas,
Cavalcante,	Frey,	McGinnis,	Tyler,
Chapman,	Geltz,	McQuiddy,	Wade,
Coleman,	Haluska,	Miller,	Walker,
Cox,	Heyburn,	Mundy,	Watkins,
Crider,	Homsher,	Reed,	Wilson, H. I.,
Crowe,	James,	Ruth,	Wilson, T. B.,
Deitrick,	Jaspan,	Snowden,	Woodward,
Dent,	Kephart,	Stevenson,	Ziesenheim,

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk inform the House of Representatives accordingly.

BILL ON CONCURRENCE IN HOUSE AMENDMENTS

Agreeably to order,

The Senate resumed the consideration of Senate Bill No. 269, entitled:

An Act providing for the redemption of real property purchased by political subdivisions at tax sales upon the payment of the amount charged against the same and costs by installment payments and prescribing the procedure therefor.

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Will the Senate concur in the same?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—48

Barr,	DiSilvestro,	Lanius,	Stiefel,
Bartlett,	Ealy,	Letzler,	Tallman,
Becker,	Edmonds,	Mallery,	Taylor,
Carr,	Farrell,	McCreesh,	Thomas,
Cavalcante,	Frey,	McGinnis,	Tyler,
Chapman,	Geltz,	McQuiddy,	Wade,
Coleman,	Haluska,	Miller,	Walker,
Cox,	Heyburn,	Mundy,	Watkins,
Crider,	Homsher,	Reed,	Wilson, H. I.,
Crowe,	James,	Ruth,	Wilson, T. B.,
Deitrick,	Jaspan,	Snowden,	Woodward,
Dent,	Kephart,	Stevenson,	Ziesenheim,

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk inform the House of Representatives accordingly.

BILL ON CONCURENCE IN HOUSE AMENDMENTS

Agreeably to order,

The Senate resumed the consideration of Senate Bill No. 823, entitled:

An Act to amend the act approved the fifteenth day of May one thousand nine hundred and thirty-three (P. L. 624), entitled "An act relating to the business of banking and to the exercise of fiduciary powers by corporations providing for the organization of corporations with fiduciary powers and of banking corporations with or without fiduciary powers including the conversion of National banks into State banks and for the licensing of private bankers defining the rights powers duties liabilities and immunities of such corporations of existent corporations authorized to engage in a banking business with or without fiduciary powers of private bankers and of the officers directors trustees shareholders attorneys and other employes of all such corporations or private bankers or of affiliated corporations associations or persons restricting the exercise of banking powers by any other corporation association or person and of fiduciary powers by any other corporation confering powers and imposing duties upon the courts prothonotaries recorders of deeds and certain State departments commissions and officers imposing penalties and repealing certain acts and parts of acts," as amended further providing for the eligibility of directors or trustees of incorporated institutions and further providing for the powers liabilities and immunities and limitations upon the powers and liabilities of corporations or persons authorized to engage in a banking or fiduciary business or both and of affiliates of such corporations or persons and of officers directors trustees and employes of such corporations and persons

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Will the Senate concur in the same?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—46

Barr,	DiSilvestro,	Letzler,	Tallman,
Bartlett,	Edmonds,	Mallery,	Taylor,
Becker,	Farrell,	McCreesh,	Thomas,
Carr,	Frey,	McGinnis,	Tyler,
Cavalcante,	Geltz,	McQuiddy,	Wade,
Chapman,	Haluska,	Miller,	Walker,
Coleman,	Heyburn,	Mundy,	Watkins,
Cox,	Homsher,	Ruth,	Wilson, H. I.,
Crider,	James,	Snowden,	Wilson, T. B.,
Crowe,	Jaspan,	Stevenson,	Woodward,
Deitrick,	Kephart,	Stiefel,	Ziesenheim.
Dent,	Lanius,		

NAYS—2

Ealy,	Reed,

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk inform the House of Representatives accordingly.

BILL ON CONCURRENCE IN HOUSE AMENDMENTS

Agreeably to order,

The Senate resumed the consideration of Senate Bill No. 908, entitled:

An Act to amend section seventeen of the act, approved the seventh day of June, one thousand nine hundred and seventeen (P. L. 415), entitled "An act relating to the qualification, jurisdiction, powers, and duties of registers of wills, and regulating proceedings before said registers, and the costs thereof, the effects of their acts, and appeals, therefrom," further regulating proceedings before the register of wills and in the orphans' court.

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Will the Senate concur in the same?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—48

Barr,	DiSilvestro,	Lanius,	Stiefel,
Bartlett,	Ealy,	Letzler,	Tallman,
Becker,	Edmonds,	Mallery,	Taylor,
Carr,	Farrell,	McCreesh,	Thomas,
Cavalcante,	Frey,	McGinnis,	Tyler,
Chapman,	Geltz,	McQuiddy,	Wade,
Coleman,	Haluska,	Miller,	Walker,
Cox,	Heyburn,	Mundy,	Watkins,
Crider,	Homsher,	Reed,	Wilson, H. I.,
Crowe,	James,	Ruth,	Wilson, T. B.,
Deitrick,	Jaspan,	Snowden,	Woodward,
Dent,	Kephart,	Stevenson,	Ziesenheim,

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk inform the House of Representatives accordingly.

BILL ON CONCURRENCE IN HOUSE AMENDMENTS

Agreeably to order,

The Senate resumed the consideration of Senate Bill No. 1102, entitled:

An Act to further amend the act, approved the eleventh day of March, one thousand nine hundred and nine (P. L. 13), entitled "An act for the protection of the public health, by prohibiting the sale, offering for sale, exposing for sale, or having in possession with intent to sell, of eggs unfit for food, as therein defined, and prohibiting the use of such eggs in the preparation of food products; providing penalties for the violation thereof, and providing for the enforcement thereof," by providing for the licensing by the Department of Agriculture of persons copartnerships associations and corporations engaged in the business of breaking eggs and separating the contents thereof for any purpose; regulating the opening of eggs unfit for food; and providing for the denaturing of such eggs, authorizing the Department of Agriculture to take samples of eggs for the purpose of analysis; further regulating the right to sell or otherwise deal with eggs subjected to incubation; providing that certain violations of the act shall be punishable in summary proceedings; prescribing penalties, and repealing certain legislation.

And the amendments made thereto having been printed as required by the Constitution.

On the question,

Will the Senate concur in the same?

REQUEST THAT SENATE BILL No. 1102 GO OVER IN ORDER

Mr. GELTZ. Mr. President, I request that Senate Bill No. 1102 go over in its order. I understand that there is some thought relative to further amending the bill.

Mr. JASPAN. I object, Mr. President, For the information of the Majority Floor Leader, the amendment has been explained to the gentleman from Philadelphia, Senator Kephart, the King of the Amenders, and he is satisfied that the bill is in good shape.

Is that correct, Senator Kephart?

Mr. KEPHART. Yes, Mr. President.

REQUEST WITHDRAWN

Mr. GELTZ. Mr. President, I withdraw my request that Senate Bill No. 1102 go over in it order. I am advised that the department says the bill is all right as it now is.

And the question recurring,

Will the Senate concur in the same?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—48

Barr,	DiSilvestro,	Lanius,	Stiefel,
Bartlett,	Ealy,	Letzler,	Tallman,
Becker,	Edmonds,	Mallery,	Taylor,
Carr,	Farrell,	McCreesh,	Thomas,
Cavalcante,	Frey,	McGinnis,	Tyler,
Chapman,	Geltz,	McQuiddy,	Wade,
Coleman,	Haluska,	Miller,	Walker,
Cox,	Heyburn,	Mundy,	Watkins,
Crider,	Homsher,	Reed,	Wilson, H. I.,
Crowe,	James,	Ruth,	Wilson, T. B.,
Deitrick,	Jaspan,	Snowden,	Woodward,
Dent,	Kephart,	Stevenson,	Ziesenheim,

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk inform the House of Representatives accordingly.

BILL ON FINAL PASSAGE RECALLED FROM GOVERNOR

Agreeably to order,

The Senate resumed the third reading and consideration of Senate Bill No. 599, entitled:

An Act to amend section three of the act approved the twenty-third day of March one thousand eight hundred and sixty-five (P. L. 607), entitled "An act for the better management of the Allegheny county prison" by requiring all contracts involving an expenditure of one hundred dollars to be in writing and prohibiting the making of any contract involving the expenditure of over five hundred dollars unless made with the lowest and best bidder after due advertising and requiring all purchases to be made through the purchasing department of the county.

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—48

Barr,	DiSilvestro,	Lanius,	Stiefel,
Bartlett,	Ealy,	Letzler,	Tallman,
Becker,	Edmonds,	Mallery,	Taylor,
Carr,	Farrell,	McCreesh,	Thomas,

Cavalcante,	Frey,	McGinnis,	Tyler,
Chapman,	Geltz,	McQuiddy,	Wade,
Coleman,	Haluska,	Miller,	Walker,
Cox,	Heyburn,	Mundy,	Watkins,
Crider,	Homsher,	Reed,	Wilson, H. I.,
Crowe,	James,	Ruth,	Wilson, T. B.,
Deitrick,	Jaspan,	Snowden,	Woodward,
Dent,	Kephart,	Stevenson,	Ziesenheim,

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present the said bill to the House of Representatives for concurrence.

BILLS ON FINAL PASSAGE

Agreeably to order,

The Senate resumed the third reading and consideration of Senate Bill No. 500, (House Bill No. 708), entitled:

An Act enabling city county poor institution district ward school borough and township tax collectors their executors and administrators if they are deceased or either surety or sureties to collect taxes for the payment of which they have become personally liable without having collected the same by the expiration of the authority of their respective warrants or by the expiration of their terms of office extending the time for the collection of the same for a period of two years from the passage of this act and validating collections and proceedings for collections made or commenced without previous authority.

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—48

Barr,	DiSilvestro,	Lanius,	Stiefel,
Bartlett,	Ealy,	Letzler,	Tallman,
Becker,	Edmonds,	Mallery,	Taylor,
Carr,	Farrell,	McCreesh,	Thomas,
Cavalcante,	Frey,	McGinnis,	Tyler,
Chapman,	Geltz,	McQuiddy,	Wade,
Coleman,	Haluska,	Miller,	Walker,
Cox,	Heyburn,	Mundy,	Watkins,
Crider,	Homsher,	Reed,	Wilson, H. I.,
Crowe,	James,	Ruth,	Wilson, T. B.,
Deitrick,	Jaspan,	Snowden,	Woodward,
Dent	Kephart,	Stevenson,	Ziesenheim,

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same with amendment in which the concurrence of the House is requested.

Agreeably to order,

The Senate resumed the third reading and consideration of Senate Bill No. 1310, (House Bill No. 602), entitled:

An Act to amend sections eight hundred one and nine hundred seventy-six of the act, approved the third day of June, one thousand nine hundred thirty-seven (P. L. 1333), entitled "An act concerning elections, including general, municipal, special and primary elections, the nomination of candidates, primary and election expenses and election contests; creating and defining membership of county boards of elections; imposing duties upon the Secretary of the Commonwealth, courts, county boards of elections, county commissioners; imposing penalties for violation of the act, and codifying, revising and consolidating the laws relating thereto; and repealing certain acts and parts of acts relating to elections," by further defining parties and political bodies; providing procedure for rejection of nomination petitions, papers or certificates in certain cases; imposing duties on the Governor and the Attorney General and imposing additional duties on county boards of elections, the Secretary of the Commonwealth and the courts.

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—48

Barr,	DiSilvestro,	Lanius,	Stiefel,
Bartlett,	Ealy,	Letzler,	Tallman,
Becker,	Edmonds,	Mallery,	Taylor,
Carr,	Farrell,	McCreesh,	Thomas,
Cavalcante,	Frey,	McGinnis,	Tyler,
Chapman,	Geltz,	McQuiddy,	Wade,
Coleman,	Haluska,	Miller,	Walker,
Cox,	Heyburn,	Mundy,	Watkins,
Crider,	Homsher,	Reed,	Wilson, H. I.,
Crowe,	James,	Ruth,	Wilson, T. B.,
Deitrick,	Jaspan,	Snowden,	Woodward,
Dent,	Kephart,	Stevenson,	Ziesenheim,

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same with amendment in which the concurrence of the House is requested.

BILL OVER IN ORDER

Mr. GELTZ. Mr. President, I ask unanimous consent that Senate Bill No. 468, (House Bill No. 70), on third reading, entitled:

An Act to amend section seven hundred three of the act approved the twenty-fourth day of June one thousand nine hundred and thirty-one (P. L. 1206) entitled "An act concerning townships of the first class amending revising consolidating and changing the law relating thereto" by providing for the compensation paid to township commissioners.

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none

REQUEST THAT BILLS GO OVER IN ORDER

Mr. GELTZ. Mr. President, I request that Senate Bills 510 and 512 go over in order.

The PRESIDENT. Is there objection?

Mr. STIEFEL. Mr. President, the gentleman from Allegheny, Mr. Geltz, has requested that Senate Bills Nos. 510 and 512 go over in order. I believe it will be

detrimental to the citizenship of Pennsylvania of these bills will not be passed during this session. The bills attempt to do for State Building and Loan Associations the same thing which the federal government has done for federal building and loan associations. As a result of the advantages which the federal building and loan associations are enjoying due to insurance, the business of the State Building and Loan Associations is being tangibly reduced. For that reason Senate Bills Nos. 510 and 512 are of paramount importance to the people of Pennsylvania, because they give a new lease of life to the local building and loan associations, and for that reason, Mr. President, I believe that postponement of these bills will be to the disadvantage of many building and loan associations throughout the Commonwealth of Pennsylvania.

That is the reason, Mr. President, I object to postponement of action on these bills.

BILL OVER IN ORDER

Mr. GELTZ. Mr. President, I ask unanimous consent that Senate Bill No. 510, on third reading, entitled:

An Act to amend sections 504 A, 607 and 608 A of the act, approved the fifteenth day of May, one thousand nine hundred and thirty-three (P. L. 565), entitled "An act relating to the powers and duties of the Department of Banking and the Secretary of Banking in exercising supervision over, and taking possession of and conducting or liquidating the business and property of, corporations, associations, and persons receiving deposits or otherwise transacting a banking business, corporations acting as fiduciaries, and building and loan associations; providing for the payment of the expenses of the Department of Banking by supervised corporations, associations, or persons, and appropriating the Banking Department Fund; authorizing the Department of Banking, under certain circumstances, to examine corporations, associations or persons affiliated, or having business transactions with supervised corporations, associations, or persons; authorizing appeals to the Supreme Court, and prescribing and limiting the powers and duties of certain other courts and their prothonotaries, register of wills, recorders of deeds, and certain State departments, commissions, and officers; authorizing certain local public officers and State departments to collect fees for services rendered under this act; providing penalties; and repealing certain acts and parts of acts," by providing for the taking of possession of the business and property of building and loan associations and savings and loan associations the shares of which are insured in the State Building and Loan Insurance Fund

go over in its order.

The PRESIDENT. Is there objection?

Mr. GELTZ. I would like to state in that connection, Mr. President, if I may, that I am advised that the Senator from Lebanon, Mr. Becker, had an understanding with the Senator from Philadelphia, Mr. Shapiro, who is absent tonight, that this bill and also Bill No. 512, would not be considered in his absence.

Mr. McGINNIS. Mr. President, I desire to interrogate the gentleman from Allegheny, Mr. Geltz.

The PRESIDENT. Will the gentleman from Allegheny permit himself to be interrogated?

Mr. GELTZ. I will, Mr. President.

Mr. McGINNIS. Mr. President, do the remarks of the Senator from Allegheny, Mr. Geltz, regarding Senate Bill No. 510 apply also to Senate Bill No. 512.

Mr. GELTZ. For the information of our colleague from Allegheny, after action on this motion I intend to move that Senate Bill No. 512 go over in its order also, because of the same understanding.

And the question recurring,

Will the Senate agree to the motion?

It was agreed to.

Mr. STIEFEL. Mr. President, I wish to be recorded as voting "no."

The PRESIDENT. The vote of the gentleman from Philadelphia will be so recorded.

BILL OVER IN ORDER

Mr. GELTZ. Mr. President, I ask unanimous consent that Senate Bill No. 512, on third reading, entitled:

An Act providing for the creation and for the administration by a State Building and Loan Insurance Board created in this act, of a state fund for the insurance of shares in building and loan associations and savings and loan associations; and prescribing penalties.

go over in its order because of that same understanding.

The PRESIDENT. Is there objection?

Mr. McGINNIS. Mr. President, as I understand it, that means that these bills will die. I do not think we ought to let two bills of this character die simply because the leader on this side is not here, no matter what his understanding was with anybody on the other side. These bills are of great importance to home owners and building and loan associations of Pennsylvania, and I do not think because our leader happens to be away that ought to be a reason for killing these bills.

Mr. BECKER. Mr. President, I can only say to the Senator from Allegheny, Mr. McGinnis, that these bills were considered on a number of occasions by the Banking Committee; they were reported out several days ago, and at that time the Senator from Philadelphia, Mr. Shapiro, requested of me that the bills should not be acted upon on third reading in his absence. I had no way of knowing that he would not be on the floor of the Senate tonight. I feel ethically and honorably and unalterably bound to that arrangement with him. I can only under the circumstances so state my arrangement; but I submit myself to the wishes of the Senate in the matter.

Mr. DiSILVESTRO. Mr. President, I desire to interrogate the gentleman from Philadelphia, Mr. Farrell.

The PRESIDENT. Will the gentleman from Philadelphia permit himself to be interrogated?

Mr. FARRELL. I will, Mr. President.

Mr. DiSILVESTRO. Mr. President, I would like to know from my colleague from Philadelphia, when he introduced these bills, what was the purpose of the introduction of these bills on his part.

Mr. FARRELL. Mr. President, will the Senator repeat his question?

Mr. DiSILVESTRO. When the gentleman from Philadelphia introduced these bills what was his purpose in introducing them? Why did the Senator introduce these bills?

Mr. FARRELL. Mr. President, I regard these bills as very good bills. I met with quite a lot of opposition for a while, there was opposition from the Banking Department, but since that time the Banking Department has withdrawn its opposition. Then I met with opposition to

these bills in the Republican Caucus. I am sorry to see these bills die but I can not help it.

However, Mr. President, as far as I am concerned if this body would like to act on these bills in the absence of Senator Shapiro, which I do not think altogether fair when my colleague from Lebanon, Senator Becker, has made the statement these bills would not be called up in the absence of Senator Shapiro, but if this body see fit to do otherwise I will be only too glad to see them brought up and I will vote for them.

Mr. DiSILVESTRO. I do not think it fair, Mr. President, that any such agreement should be entered into, at such a late hour between two parties on a matter as important as this is. I would like to cast my vote on these bills, if the Majority Floor Leader will give me the opportunity.

The PRESIDENT. In other words, the gentleman from Philadelphia desires an opportunity to vote on these bills.

Mr. DiSILVESTRO. Yes, Mr. President.

Mr. GELTZ. Do I understand that a vote has not yet been taken on the motion that Senate Bill No. 512 go over in its order.

The PRESIDENT. That is correct.

Mr. GELTZ. Then, Mr. President, I ask permission to withdraw the motion that the bill go over in its order.

The PRESIDENT. The gentleman from Allegheny has a right to withdraw the motion.

MOTION WITHDRAWN

Mr. GELTZ. Mr. President, I withdraw the motion that Senate Bill No. 512 go over in its order.

Mr. MILLER. I withdraw my seconding of the motion, Mr. President.

It was agreed to.

And the question recurring,

Will the Senate agree to the bill on third reading?

PARLIAMENTARY INQUIRY

Mr. McGINNIS. I rise on a parlimentary inquiry, Mr. President.

The PRESIDENT. The gentleman from Allegheny will proceed.

Mr. McGINNIS. Mr. President, may I inquire now what is the status as to Senate Bill No. 510.

Mr. GELTZ. I would suggest, Mr. President, that we finish one thing at a time. When this action has been completed we will then consider Senate Bill No. 510.

Mr. HALUSKA. Mr. President, I am interested in these bills. It seems wonders will never cease. This afternoon we were told that confirmation of nominations would be held up because Senator Shapiro was not here. Now, once again it seems we are to be denied the right to vote for a certain bill just because a certain member is not here. I protest against such action and I want to go on record by stating that Senator Shapiro is not voting for me or speaking for me. I vote and speak for myself and I do not want to have anyone tell me I can not vote on certain bills because a leader happens not to be here. I think that is silly. He is not my leader; I vote for myself. If you have different arguments put them forth, but do not say we can not vote for a certain bill because one man has informed the majority party he desires these bills killed.

Mr. GELTZ. Mr. President, it seems rather strange in this body that on one day the Republican Senators are very much criticized for being brutal, hardhearted and severe, and then the day following they are criticized for being too lenient and kindhearted and decent.

Now, Mr. President, I do not think it is right for any Senator on the left of the Senate to criticize any Republican Senator for trying to be decent and for trying to accommodate one of their own, particularly when that one of their own party is their own duly elected floor leader. We did not put him in as Minority Floor Leader. The Senators on the other side choose him as their Minority Floor Leader and as their representative for us to deal with.

Now, Mr. President, if there is some misunderstanding about it, and if we are not supposed to take his representations, we are perfectly willing to abide by the wishes of the Democratic Senators. For that reason, since they are renouncing his request and refusing his request, and not us, I am perfectly willing to have this motion withdrawn and ask that a vote be taken on Senate Bill No. 512 at this time.

Mr. DENT. Mr. President, the Majority Floor Leader is very able, we all know, but he can not seem to resist the temptation, every time he gets the chance, to make a speech. I want to say to the Majority Floor Leader, if he is dealing with Mr. Shapiro as our Floor Leader, that is one thing, but when a deal is of the same nature that has made on these bills, where two bills are being killed because of some deal that has been made, we Democratic members do not want to have any part of it and we are calling it to your attention, that if you do persist in being so kind to Mr. Shapiro in the last week of the session, then your kindness results in the death of two measures which one of your own members introduced and one of your own members said is a very good bill.

I will say if you are going to insist on being nice I am going to move that these bills be dropped from the Calendar. Let us face the facts in the matter.

Mr. REED. Mr. President I think there is a great deal to the remarks of the gentleman from Allegheny, Mr. Geltz, with reference to all business affecting this side of the chamber going through Mr. Shapiro as Floor Leader. That is a very bad doctrine, and that doctrine, if you follow it to its logical conclusions, will bar any independent thought and action in this body. I have wondered now for some days why certain members on this side did not get any consideration with respect to certain appointments. I can understand now, from the statement the Republican Floor Leader just made, the reason for that. I think that policy, if it prevails, will suppress all types of independent action on this side of the chamber, and if you carry that further, in time it will tend to suppress all independent thought and action in this body, and I do not believe the people of this great Commonwealth want that kind of policy initiated in this body.

Mr. BECKER. Mr. President, I desire to interrogate the gentleman from Westmoreland, Senator Dent.

The PRESIDENT Will the gentleman from Westmoreland permit himself to be interrogated?

Mr. DENT. I will, Mr. President.

Mr. BECKER. I should like to ask the gentleman from Westmoreland whether, when he used the word "deal", he did not use that inadvertently?—did he mean arrangement? I assure him here was no deal; there was a request

on the part of the Minority Floor Leader, Senator Shapiro, to which I merely acquiesced.

Mr. DENT. Mr. President, in answer the gentleman from Lebanon, I want to say I only repeated what your Floor Leader said; he said a deal was made and we were renouncing it. You can read the record if you want.

Mr. WATKINS. Mr. President, I just have a suggestion to make; that the independents who sit over there on the left with the Democrats might help the situation by electing a floor leader.

POINT OF ORDER

Mr. FREY. Mr. President, I rise to a point of order.

The PRESIDENT. The gentleman from Allegheny will state his point of order.

Mr. FREY. Mr. President, some time ago a motion was made that we consider the Calendar. We are not speaking on a bill at the present time.

The PRESIDENT. The question is as to consideration of Senate Bill No. 512.

Mr. REED. Mr. President, I wish to state to the gentleman from Schuylkill, if he is referring to me, that I do not need any floor leader. I do not know how they operate in that great county of Schuylkill but I do know how they operate out in Greene and Washington Counties; people out there want a representative that will represent them, independent of any floor leader. and that is what I am trying to do in this body, and if through weakness I fail I will stand the punishment that my people want to give me.

Mr. FARRELL. Mr. President, I would just like to say this, I regard these bills as very good bills. Anybody could vote for them and hold his read up. I might say to you they are sponsored by the Real Estate Board of Philadelphia and they are state-wide, and I might say to you that the gentleman from Lebanon, Senator Becker, has a letter, which he does not happen to have with him, from the banking commissioner and he pronounces them good bills. You can not get a bad bill by the banking commissioner.

I would ask my fellow members of the Senate to support this bill.

Mr. CAVALCANTE. Mr. President, I just want to add a little kindly criticism concerning the President Pro Tempore of the Senate, who has been excellent this session, but he has consistently made his deals—I say that kindly—with a floor leader that has never represented me nor the gentleman from Washington, and also a few others here in the matter of appointments to conference committees. I had the most disturbing experience of sitting here yesterday and listening to the supposedly Minority Floor Leader saying that he was not going to stand for the appointment of any member to a conference committee that was not in accord with him or who was constantly stabbing him in the back. I resent that.

Mr. EALY. Mr. President, I have tried to be very fair in the appointment of conference committees. I understand over in the House there is an arrangement that the floor leader on the Republican side, the Minority Floor Leader, suggested for the Republican members the name of the minority conferee. We have to have some plan here in this Senate. It is impossible to talk to everyone and get all the Democratic members together to arrange for the Democratic member of a conference committee. I have had some complaints from members on the other side about the fact that Senator Shapiro did not consult them or give them the proper recognition. I have pleaded with Democratic members on the other side to adopt a resolution among themselves as to just how this should be handled.

On numerous occasions I have told them I wanted some plan that I could follow and they have said, "Oh, Senator Shapiro dominates it." What am I to do for the Democratic members on the other side as to representation on conference committees? Am I to utterly ignore the one they elect as the Minority Floor Leader? You have to have someone on the Democratic side to sit in these conferences and to determine policy, and I hope you men over there will get together and pass some resolution saying that I am to utterly ignore Senator Shapiro in these matters and to appoint the person who in my judgment would be best fitted. Otherwise we will have a very considerable amount of confusion here. If I am to take the entire responsibility for it I am perfectly willing to do that.

Mr. GELTZ. Mr. President, I believe in having a picture presented as fairly as possible, and I want to say in defense of the actions and the conduct of the President Pro Tempore of this Senate during this session that I too think he has been absolutely fair in the way he has conducted his appointments.

I want to say also at this time, Mr. President, that some six weeks or two months ago, I believe, was the first time I talked to individual Democratic Senators in reference to appointments that were being made by the President Pro Tempore and that long ago, Mr. President, I suggested to them there was not anything else the President Pro Tempore could do, under the arrangements which we made at the beginning of this session, unless they themselves, as a Democratic group. took further action and informed Senator Ealy as to what were their wishes. Now, Mr. President, the only criticism that should be made in this connection is criticism of themselves; if there is any criticism to be made it is criticism of themselves for not having taken some action which would rectify what seems to be a very unsatisfactory situation and condition in reference to the Democratic Senators.

Mr. McGINNIS. Mr. President, I want to say for every member on this side of the House we have not a single word of criticism of Senator Ealy. He has been extremely fair and I am sure no member on this side of the House has a word of criticism for what he has done.

Mr. MUNDY. Mr. President, I would like to say when the Democratic Caucus met, at its preliminary meeting, there was a tentative agreement that the Minority Floor Leader should select the members of conference committees. Now, Mr. President, there have been complaints made to me personally on numerous occasions about the selection of members of these conference committees. Certainly I agree with the Senator from Allegheny, Senator McGinnis, that no member of the minority could in any way censure the President Pro Tempore for following the action outlined by the Democratic Caucus itself, and, for the first time during the session, I agree with the Majority Floor Leader, Mr. Geltz, in saying that he is right, in saying that this is a matter that should have been taken care of within the Democratic Caucus and not aired here on the Senate floor, taking up the Senate's time; if there had been any courageous action within the body, I think

this thing could have been corrected within our own ranks.

The PRESIDENT. The Chair wishes to call the attention of the Senate to the fact that there was a motion adopted that we consider the Calendar and not the question of how conferees should be selected.

Mr. GELTZ. Mr. President, I have just been advised that Senator Shapiro expects to be back for the session this evening. If that is so, then I would ask, Mr. President, that both of these bills, Senate Bills Nos. 510 and 512 go over in order temporarily, until such time as he arrives.

The PRESIDENT. In order that the record might be clear, the Chair wishes to state that Senate Bill No. 510 has already gone over in order. The question now is on the disposition of Senate Bill No. 512. The Chair merely makes that statement to keep the record clear.

Mr. McGINNIS. Mr. President, I am objecting to that motion, should Senator Shapiro not appear here at this evening's session. I have no objection to it going over temporarily, but I will object to it going over for another day.

Mr. GELTZ. Mr. President, I did not intend to ask that these bills go over for another day. If the gentleman from Philadelphia, Senator Shapiro, does not appear by the time we have completed the Calendar, then I will ask that we have Senate Bill Nos. 510 and 512 acted upon.

And the question recurring,

Will the Senate agree that Senate Bill 512 go over in order?

It was agreed to.

BILLS ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 605, (House Bill No. 426), as follows:

An Act making an appropriation to the Pennsylvania Historical Commission to cover the expenses of restoring and maintaining the Daniel Boone Homestead

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The sum of thirty-five thousand dollars ($35,000) or so much thereof as may be necessary is hereby appropriated out of the General Fund to the Pennsylvania Historical Commission for the two fiscal years beginning June first one thousand nine hundred and forty-one for the payment of salaries wages or other compensation of such superintendent guards wardens and workmen as may be necessary for the care preservation and maintenance of the Daniel Boone Homestead for the necessary cost of freight stationery postage fertilizers seeds and other supplies for plowing and mowing for the purchase of trees and shrubs and for the planting of the same for the restoration of the Daniel Boone Homestead barn and outbuildings for the installation of a water system sewage system and electric lighting for the construction of a picnic ground including a shelter and toilet facilities for the building of a dam for the construction of a week-end camp for the construction of a caretaker's house garage and storage barn for the construction and improvement of roads and parking areas within the property for the furnishing of the buildings on the property for the purchase of articles of historic interest to the public and for other incidental and contingent expenses

Section 2 This act shall become effective immediately upon final enactment

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—48

Barr,	DiSilvestro,	Lanius,	Stiefel,
Bartlett,	Ealy,	Letzler,	Tallman,
Becker,	Edmonds,	Mallery,	Taylor,
Carr,	Farrell,	McCreesh,	Thomas,
Cavalcante,	Frey,	McGinnis,	Tyler,
Chapman,	Geltz,	McQuiddy,	Wade,
Coleman,	Haluska,	Miller,	Walker,
Cox,	Heyburn,	Mundy,	Watkins,
Crider,	Homsher,	Reed,	Wilson, H. I.,
Crowe,	James,	Ruth,	Wilson, T. B.,
Deitrick,	Jaspan,	Snowden,	Woodward,
Dent,	Kephart,	Stevenson,	Ziesenheim,

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 607, (House Bill No. 437), as follows:

An Act authorizing the Department of Property and Supplies to acquire by purchase gift lease or condemnation on behalf of the Commonwealth of Pennsylvania ten acres of land adjacent to the Daniel Boone Homestead or so much thereof as may be necessary to properly honor the pioneer Daniel Boone on the spot where he was born providing for the control management supervision improvement preservation and maintenance thereof authorizing the Pennsylvania Historical Commission to make and enforce rules and regulations for the preservation and visitation thereof and making an appropriation

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 For the purpose of further perpetuating and preserving the Daniel Boone Homestead in Exeter Township Berks County Pennsylvania where Daniel Boone the Pioneer was born and upon which the Commonwealth has already made extensive improvements and is in the process of restoring the original Homestead and out buildings the tract of ground containing the original cabin of George Boone Grandfather of Daniel Boone one of the original settlers of Berks County the Department of Property and Supplies with the advice of the Pennsylvania Historical Commission is hereby authorized to acquire by purchase gift lease or condemnation the tract of ground adjoining the present Daniel Boone property of the Commonwealth of Pennsylvania especially the land comprising approximately ten acres thereof which formerly formed part of the original farm belonging to Daniel's father Squire Boone

Section 2 In the event of condemnation the Department of Property and Supplies shall follow the procedure prescribed by law for the condemnation of lands by said department

Section 3 After the property shall have been acquired by the Commonwealth the Pennsylvania Historical Commission shall have full control management and supervision thereof and shall have power to adopt and carry into effect plans for its restoration improvement and maintenance using therefor any funds at the disposal of the said commission not otherwise specifically appropriated or allotted

Section 4 The real estate so acquired shall be improved preserved and maintained as an historical and recreational spot for the people of the Commonwealth

Section 5 All powers now exercised or heretofore con-

ferred by law upon the Pennsylvania Historical Commission may be exercised by the commission for the purpose of this act and the commission shall have power to make and enforce rules and regulations for the preservation maintenance and protection of the property and the visitation thereof by the public

Section 6 The sum of two thousand five hundred dollars ($2500) or so much thereof as may be necessary is hereby specifically appropriated out of the General Fund to the Department of Property and Supplies to pay for the lands acquired under the provisions of this act and any costs and expenses in connection therewith

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—48

Barr,	DiSilvestro,	Lanius,	Stiefel,
Bartlett,	Ealy,	Letzler,	Tallman,
Becker,	Edmonds,	Mallery,	Taylor,
Carr,	Farrell,	McCreesh,	Thomas,
Cavalcante,	Frey,	McGinnis,	Tyler,
Chapman,	Geltz,	McQuiddy,	Wade,
Coleman,	Haluska,	Miller,	Walker,
Cox,	Heyburn,	Mundy,	Watkins,
Crider,	Homsher,	Reed,	Wilson, H. I.,
Crowe,	James,	Ruth,	Wilson, T. B.,
Deitrick,	Jaspan,	Snowden,	Woodward,
Dent,	Kephart,	Stevenson,	Ziesenheim,

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same with amendments in which the concurrence of the House is requested.

BILL OVER IN ORDER

Mr. GELTZ. Mr. President, I ask unanimous consent that Senate Bill No. 634, (House Bill No. 974), on third reading, entitled:

An Act to amend article twelve section one thousand two hundred six of the act approved the ninth day of April one thousand nine hundred and twenty-nine (P. L. 177), entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments boards commissions and officers thereof including the boards of trustees of State Normal Schools or Teachers Colleges abolishing creating reorganizing or authorizing the reorganization of certain administrative departments boards and commissions defining the powers and duties of the Governor and other executive and administrative officers and of the several administrative departments boards commissions and officers fixing the salaries of the Governor Lieutenant-Governor and certain other executive and administrative officers providing for the appointment of certain administrative officers and of all deputies and other assistants and employes in certain departments boards and commissions and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments boards and commissions shall be determined" by providing for the issuance of a certificate of approval for weights and measures of county city and borough sealers.

go over in its order.

The PRESIDENT. Is there objection?

Mr. COX. Mr. President, I desire to interrogate the gentleman from Allegheny, Senator Geltz.

The PRESIDENT. Will the gentleman from Allegheny permit himself to be interrogated.

Mr. GELTZ. I will, Mr. President.

Mr. COX. I would like to inquire of the gentleman from Allegheny whether it is his intention at a later date to bring this bill up for final enactment.

Mr. GELTZ. That, Mr. President, I expect will be done.

And the question recurring.

Will the Senate agree to the motion?

It was agreed to.

BILLS ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 707, (House Bill No. 1023), as follows:

An Act prohibiting employers from directly or indirectly offering for sale selling procuring for sale having in possession or under control for sale to employes or others any merchandise not produced by employers not handled in the regular course of employer's business or not connected or related to his or its business providing exceptions thereto declaring such prohibited sales to be unfair competition and repealing prior inconsistent legislation

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Reason and Purpose (a) The Legislature hereby finds that the existence in the Commonwealth of Pennsylvania of the practice whereby employers sell or procure for sale to employes or other persons any merchandise not of the employer's own production not handled in the regular course of the employer's business or not connected with or related to his or its trade or business is detrimental to the convenience and general well-being of the public engaged in retail business in that such practice (1) interferes with and diverts the proper and normal flow of trade and commerce from persons engaged in retail business and (2) constitutes an unfair method of competition by such employers against others engaged in commerce as retail merchants

(b) It is hereby declared to be the policy of this act through the exercise by the legislature of its police powers to correct and to eliminate the conditions referred to above declaring certain sales to constitute unfair competition and prohibiting same

Section 2 No person partnership corporation or association engaged in any business or trade in this Commonwealth shall by any method or procedure directly or indirectly by itself or through a subsidiary agency sell or procure for sale or have in its possession or under its control for sale to its employes or to any other person any article material product or merchandise of whatever nature not of his or its own production not handled in his or its regular course of trade or business or not connected with or related to his or its trade or business Provided That this section shall not apply to the sale or distribution of (1) meals candy beverages cigarettes cigars tobacco (2) tools and material used or worn by employes in such trade or business or appliances and products which are used and worn by employes and are or may be beneficial to the safety health and working conditions of such employes (3) equipment or machinery which has previously been used by such person partenership corporation or association in the conduct of his or its business or (4) goods of use in the furtherance of his or its trade or business or connected therewith or related thereto And provided further that the provisions

of this act shall not apply to co-operative associations organized under the laws of this Commonwealth And provided further That nothing herein contained shall be construed to prohibit or prevent any person firm or corporation engaged in any industry other than a retail business or trade from owning and operating either directly by itself or through any agency or subsidiary a bona fide store or stores for the sale of goods at retail to his or its employees and others under the provisions of this section.

The doing of any of the acts as prohibited above shall constitute unfair competition to any retail store operator or owner dealing in the same kind type nature or class of merchandise as that so sold as aforesaid within the same city or county in which such above prohibited sale occurs

Section 3 Remedy Wilfully and knowingly selling or procuring for sale or having in possession or under control for sale directly or indirectly by any person partnership or corporation or subsidiary agency to his or its employes any article material product or merchandise of whatever nature not of his or its own production not handled in his or its regular course of trade or business or not connected with or related to his or its trade or business is unfair competition and is actionable at the suit of any person damaged thereby Such action shall be in equity by injunction only and no damages shall be assessed

Section 4 Constitutionality If any clause sentence paragraph or part of this act or the application thereof to any person or circumstances shall for any reason be adjudged by a court of competent jurisdiction to be invalid such judgment shall not affect impair or invalidate the remainder of this act and the application of such provision to other persons or circumstances but such decision shall be confined in its operation to the cause sentence paragraph or part thereof directly involved in the controversy in which such judgment shall have been rendered and to the person or circumstances involved It is hereby declared to be the legislative intent that this act would have been adopted had such invalid provisions not been included herein

Section 5 Repealing Clauses All acts and parts of acts inconsistent with the provisions of this act are hereby repealed

Section 6 Effective Date This act shall become effective immediately upon final enactment

And said bill having been read at length the third time,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Will the Senate agree to the bill?

Mr. KEPHART. Mr. President, I have presented quite a few amendments to this bill. I do not think any amendments that I could have presented would have made this bill constitutional. I do think, however, that several of the amendments presented help it in that respect. The amendment that was cut out last night, at the suggestion of Senator Shapiro, I think makes the bill more unconstitutional than it was. I am only making these remarks to prevent anybody from impinging on my motives in introducing these amendments, and I think they all tend to help the bill.

However, I wish to state to the Senate that I do not think any amendments could ever make this bill constitutional and I am voting against it for the reason that I do not think this Legislature should place on the Governor's desk a bill that is unconstitutional, and place him in the position of having to veto it on that ground, nor do I think this General Assembly should pass a bill which the courts will have to declare unconstitutional.

Mr. President, this bill does nothing more than favor one group of businessmen in this Commonwealth at the expense of another and at the expense of the consumers. We have not yet gotten so far in this country's constitutional law that such laws are constitutional.

Mr. EDMONDS. Mr. President, I believe this is a good bill in the public interest; nor do I have the fears of the gentleman from Philadelphia, Mr. Kephart, with reference to its constitutionality.

What this bill means is that as there is an improvement in business methods, standards and so on, occasionally those improvements get expressed in legislation, and that is a good thing, because it helps the standard to be enforced throughout the state.

Now, Mr. President, some years ago—I do not know whether there is anyone here who could remember as I can remember, when my mother, sixty years ago, told me that John Wannamaker, a merchant in Philadelphia, was the first man to start the practice of one price only for a piece of goods and that price was the same on Monday, Tuesday, Wednesday, Thursday and Friday, and in addition to that, if a customer was not satisfied with the goods, he could take them back again and get his money. That became fundamental in American business life, and yet there was a time when John Wannamaker was the pioneer, not only the pioneer, but a rather risky pioneer in that line of business.

We have developed today in this country these business conditions by which a certain group of people take advantage of their influence or their social position to make use of the purchasing agents of big corporations to buy things for themselves at a large discount that the average man can not take advantage of. Now, it seems to me, the average man is justified in complaining about that. He has got to pay, and when he pays he has got to pay a price sufficient to keep that business going, and yet somebody else, by taking advantage of a discount through influence, is able to get the same thing at a very much less price. I think the practice itself is bad. I think it would be a fine thing for the Legislature of Pennsylvania to say to businessmen generally, we do not like this practice of discounts, there should be one price for the goods, the poor man should stand on the same basis as the rich, and the rich on the same basis as the poor. That, I understand, is the purpose of this act.

An act of this kind has been passed in Wisconsin, and I have also received information that in Illinois and Michigan this year similar acts have been passed. It seems to me there is a general improvement throughout the country in the interest of honest dealings, which means a higher standard has been established for business and that higher standard may well be expressed in legislation. I see nothing wrong about it and therefore I shall vote for the bill.

And the question recurring,

Will the Senate agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—38

Barr,	Edmonds,	Mallery,	Stiefel,
Bartlett,	Farrell,	McCreesh,	Tallman,
Becker,	Frey,	McQuiddy,	Taylor,
Carr,	Geltz,	Miller,	Thomas,
Cavalcante,	Haluska,	Mundy,	Wade,
Chapman,	Heyburn,	Reed,	Walker,
Coleman,	Homsher,	Ruth,	Watkins,
Cox,	Jaspan,	Snowden,	Wilson, T. B.,
Crowe,	Lanius,	Stevenson,	Ziesenheim,
DiSilvestro,	Letzler,		

NAYS—7

Crider,	Ealy,	Kephart,	Wilson, H. I.,
Deitrick,	James,	McGinnis,	

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same with amendments in which the concurrence of the House is requested.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 774, (House Bill No. 1282), as follows:

An Act providing that taxes on unseated lands shall be collected and returned in the same manner and at the same time as taxes on seated lands

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Hereafter all taxes on unseated lands within the Commonwealth of Pennsylvania shall be collected and returned in the same manner and at the same time as now provided by the laws of this Commonwealth for the collection and return of taxes on seated lands

Section 2 Nothing contained in this act shall affect the validity of any lien for taxes on unseated lands

Section 3 All acts and parts of acts inconsistent with the provisions of this act are hereby repealed

Section 4 The provisions of this act shall become effective for taxes on unseated lands for the year one thousand nine hundred forty-two

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—30

Barr,	DiSilvestro,	Letzler,	Ruth,
Becker,	Edmonds,	Mallery,	Snowden,
Cavalcante,	Farrell,	McCreesh,	Stevenson,
Chapman,	Frey,	McGinnis,	Stiefel,
Coleman,	Haluska,	McQuiddy,	Tallman,
Cox,	Homsher,	Mundy,	Taylor,
Crowe,	Jaspan,	Reed,	Thomas,
Dent,	Lanius,		

NAYS—16

Bartlett,	Ealy,	Kephart,	Watkins,
Carr,	Geltz,	Miller,	Wilson, H. I.,
Crider,	Heyburn,	Wade,	Wilson, T. B.,
Deitrick,	James,	Walker,	Ziesenheim,

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 906, as follows:

An Act prescribing the powers and duties of the Department of Forests and Waters in respect to the Brandywine Battlefield and making an appropriation

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The Department of Forests and Waters shall mark the area and boundaries of the Brandywine Battlefield and acquire by gift or purchase in the name of the Commonwealth important and historic lands and particularly buildings which existed at the time of said battle in order that the same may be preserved for the benefit and enjoyment of the people and be incorporated into the Brandywine Battlefield Park when the same is developed into a State park

The department shall secure options on lands lying within the area of said battlefield and shall make report to the General Assembly of the amount of appropriation required to acquire all of the lands within the area of said battlefield and for the development of the same in order that it may be preserved as a park of major historical importance

Section 2 The sum of five thousand dollars ($5,000) is hereby specifically appropriated to the Department of Forests and Waters for the payment of the expense incurred in the performance of its duties for costs and expenses incurred in surveying and marking the area of the Brandywine Battlefield and for the payment of the purchase price of any property acquired for the Commonwealth and title searches in connection therewith

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—48

Barr,	DiSilvestro,	Lanius,	Stiefel,
Bartlett,	Ealy,	Letzler,	Tallman,
Becker,	Edmonds,	Mallery,	Taylor,
Carr,	Farrell,	McCreesh,	Thomas,
Cavalcante,	Frey,	McGinnis,	Tyler,
Chapman,	Geltz,	McQuiddy,	Wade,
Coleman,	Haluska,	Miller,	Watkins,
Cox,	Heyburn,	Mundy,	Walker,
Crider,	Homsher,	Reed,	Wilson, H. I.,
Crowe,	James,	Ruth,	Wilson, T. B.,
Deitrick,	Jaspan,	Snowden,	Woodward,
Dent,	Kephart,	Stevenson,	Ziesenheim,

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

BILL ON THIRD READING

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 937, (House Bill No. 11), entitled:

An Act to create a uniform and exclusive system for the administration of parole in this Commonwealth establishing the "Pennsylvania Board of Parole" conferring and defining its jurisdiction duties powers and functions including the supervision of persons placed upon probation

in certain designated cases providing for the method of appointment of its members regulating the appointment removal and discharge of its officers clerks and employes dividing the Commonwealth into administrative districts for purposes of parole fixing the salaries of members of the board and of certain other officers and employes thereof making violations of certain provisions of this act misdemeanors providing penalties therefor and for other cognate purposes and making an appropriation.

And said bill having been read at length the third time,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Will the Senate agree to the bill?

Mr. MALLERY. Mr. President, I ask unanimous consent to amend section 9, page 5, line 19 by striking out at the end of the line the following: "[and hold office during the]"; Amend section 9, page 5, line 20 by striking out at the beginning of the line the following: "[pleasure of];" Amend section 12, page 7, line 18 by striking out at the beginning of the line the following: "[and its General Director of Parole];" Amend section 13, page 8, line 1 by striking out after the word "that" and before the word "of" the following: "[of the General Director of Parole and];" Amend section 15, page 10, line 2 by striking out after "tary" and before the word "shall" the following: "[and General Director of Parole];" Amend section 17, page 12, line 7 by inserting after the word "provided" and before the words "Provided however" the following: "It is further provided that the Board shall have exclusive power to supervise any person hereafter placed on probation by any judge of a court having criminal jurisdiction when the court may by special order direct supervision by the Board in which case the probation case shall be known as a special case and the authority of the Board with regard thereto shall be the same as herein provided with regard to parole cases within one of the classifications above set forth;" Amend section 17, page 12, line 9 by inserting after the word "a" and before the word "period" the word: "maximum;" Amend section 17, page 12, line 9 by striking out at the end of the line the word: "[one];" Amend section 17, page 12, line 10 by striking out at the beginning of the line the word: "[year];" and inserting in lieu thereof the words: "two years;" Amend section 17, page 12, line 12 by inserting after the word "a" and before the word "period" the word: "maximum;" Amend section 17, page 12, line 12 by striking out at the end of the line the following: "[one year];" and inserting in lieu thereof the following: "two years;" Amend section 17, page 12, line 13 by striking out after the word "of" and before the word "herein" the following: "[one year];" and inserting in lieu thereof the following: "two years;" Amend section 21, page 15, line 16 by inserting after the word "may" and before the word "be" the word: "not;" Amend section 21, page 15, line 16 by striking out after the word "in" and before the word "discreation" the word: "[its];" and inserting in lieu thereof the following: "the Board's;" Amend section 21, page 15, line 17 by inserting after the word "time" and before the word "after" the following: "before but only;" Amend section 21, page 15, line 17 by striking out at the end of the line the following: "[sentence is imposed regardless of any];" and inserting in lieu thereof the following: "the expiration of the;" Amend section 21, page 15, line 19 by inserting after the word "sentence" and before the word "Said" the following: "or by the Pardon Board in a sentence which has been reduced by commutation;" Amend section 22, page 17, line 9 by inserting after the word "inspection" and before the word "Applications" the following: "in no case shall a parole be granted or an application for parole be dismissed unless one member of the Board shall have seen and heard him in person in regard thereto within one year prior to the granting or dismissal thereof;" Amend section 31, page 20, line 4 by striking out at the end of the line the word: "[sentenced];" Amend section 31, page 20, by striking out line 5; Amend section 31, page 20, line 6 by striking out at the beginning of the line the word: "[Huntingdon];" and inserting in lieu thereof the words: "committed to;" Amend section 31, page 20 by striking out lines 13 to 16 inclusive; Amend page 20 by inserting between lines 23 and 24 the following new sections:

Section 33 In compliance with the Federal Interstate Compact Laws the Parole Board is authorized to supervise persons paroled by other states and now residing in Pennsylvania where such other states agree to perform similar services for the Pennsylvania Board of Parole

Section 34 The Pennsylvania Board of Parole shall be charged with the duty of making investigations and recommendations to the Pardon Board in cases coming before it and upon its request

Amend section 33, page 20, line 24 by striking out after the word "Section" and before the word "The" the following: "[33];" and inserting in lieu thereof the following: "35;" Amend section 34, page 21, line 17 by striking out after the word "Section" and before the word "It" the following: "[34];" and inserting in lieu thereof the following: "36."

The PRESIDENT. Is there objection? The Chair hears none.

The amendments were agreed to.

On the question,

Will the Senate agree to the bill on third reading, as amended?

It was agreed to.

Ordered, That said bill as amended be printed for the use of the Senate.

BILLS ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 966, (House Bill No. 955), as follows:

An Act to amend section ninety-five of the act approved the second day of May one thousand nine hundred and twenty-five (P. L. 448), entitled "An act relating to fish and amending revising consolidating and changing the law relating to fish in the inland waters and the boundary lakes and boundary rivers of the Commonwealth" further regulating use of gill-nets in boundary lakes

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section ninety-five of the act approved the second day of May one thousand nine hundred and twenty-five (P. L. 448), entitled "An act relating to fish and amending revising consolidating and changing the law relating to fish in the inland waters and the boundary lakes and boundary rivers of the Commonwealth" is hereby amended to read as follows

Section 95 Nets Not to be Used in Certain Places No net except a gill or net fastened to and supported by poles driven in the ground and known as a pound-net shall be

set fastened drawn or used within sixteen miles from the entrance to any bay nor within one-half mile from any stream measured in a direct line

No gill-net or pound-net shall be set fastened drawn or used within two miles of the entrance of any bay

No net of any character shall be set fastened drawn or used within three-fourth of a mile from shore measured in a direct line and no gill-net shall be set fastened drawn or used within one and one-half miles from shore measured in a direct line

A person violating any provision of this section shall on conviction as provided in chapter fourteen of this act be subject to a penalty of one hundred dollars or imprisonment in the county jail for a period of three months

Section 2 The provisions of this act shall become effective ten days after final enactment.

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—48

Barr,	DiSilvestro,	Lanius,	Stiefel,
Bartlett,	Ealy,	Letzler,	Tallman,
Becker,	Edmonds,	Mallery,	Taylor,
Carr,	Farrell,	McCreesh,	Thomas,
Cavalcante,	Frey,	McGinnis,	Tyler,
Chapman,	Geltz,	McQuiddy,	Wade,
Coleman,	Haluska,	Miller,	Walker,
Cox,	Heyburn,	Mundy,	Watkins,
Crider,	Homsher,	Reed,	Wilson, H. I.,
Crowe,	James,	Ruth,	Wilson, T. B.,
Deitrick,	Jaspan,	Snowden,	Woodward,
Dent,	Kephart,	Stevenson,	Ziesenheim,

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same with amendments in which the concurrence of the House is requested.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 986, (House Bill No. 1399), as follows:

An Act to amend the act approved the fifteenth day of May one thousand nine hundred thirty-three (P. L. 624) entitled "An act relating to the business of banking and to the exercise of fiduciary powers by corporations providing for the organization of corporations with fiduciary powers and of banking corporations with or without fiduciary powers including the conversion of National banks into State banks and for the licensing of private bankers defining the rights powers duties liabilities and immunities of such corporations of existent corporations authorized to engage in a banking business with or without fiduciary powers of private bankers and of the officers directors trustees shareholders attorneys and other employes of all such corporations or private bankers or of affiliated corporations associations or persons restricting the exercise of banking powers by any other corporation association or person and of fiduciary powers by any other corporation conferring powers and imposing duties upon the courts prothonotaries recorders of deeds and certain State departments commissions and officers imposing penalties and repealing certain acts and parts of acts" as amended by requiring certificates of the payment of taxes and other charges to be filed with the Department of State in certain cases

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section eight hundred seven of the act approved the fifteenth day of May one thousand nine hundred thirty-three (P. L. 624) entitled "An act relating to the business of banking and to the exercise of fiduciary powers by corporations providing for the organization of corporations with fiduciary powers and of banking corporations with or without fiduciary powers including the conversion of National banks into State banks and for the licensing of private bankers defining the rights powers duties liabilities and immunities of such corporations of existent corporations authorized to engage in a banking business with or without fiduciary powers of private bankers and of the officers directors trustees shareholders attorneys and other employes of all such corporations or private bankers or of affiliated corporations associations or persons restricting the exercise of banking powers by any other corporation association or person and of fiduciary powers by any other corporation conferring powers and imposing duties upon the courts prothonotaries recorders of deeds and certain State departments commissions and officers imposing penalties and repealing certain acts and parts of acts" is hereby amended to read as follows

Section 807 Filing of Articles of Amendment Payment of Fees Approval by Department of State A The articles of amendment [and] the proof of publication of the advertisement required by this act and a certificate or certificates from the proper department or departments evidencing payment by the corporation of all taxes bonus and charges as required by law except fees for examinations by the Department of Banking herein provided shall be delivered to the Department of State

B The Department of State shall examine such articles of amendment [and] such proof of publication and such certificate or certificates to determine whether they contain all the information and are in the form required by this act After all the bonus fees taxes and other charges have been paid as required by law except for the costs of any examination made by the Department of Banking pursuant to the provisions of this act to determine whether to approve the amendment or any other charges made by the Department of Banking the Department of State shall if the articles of amendment [and] the proof of publication and the certificate or certificates as herein required evidencing payment of all taxes bonus and charges contain the information and are in the form required by this act forthwith but not prior to the day specified in the advertisement of the articles of amendment required by this act endorse its approval thereon and shall forthwith transmit them to the Department of Banking

C If the Department of State shall disapprove the articles of amendment pursuant to the provisions of this act it shall forthwith give notice thereof to the incorporated institution stating in detail its reasons for doing so and stating how such incorporated institution can remedy the nonconformance with the provisions of this act Upon remedying the defect such incorporated instiution may in the same manner file the same or amended articles whichever the particular case may require

Section 2 Section one thousand four hundred five of said act is hereby amended to read as follows

Section 1405 Filing of Articles of Merger or Consolidation Payment of Fees Approval by Department of State A The articles of merger or articles of consolidation as the case may be [and] the proof of publication of the advertisement required by this act and a certificate or certificates from the proper department or departments evidencing payment by the corporation of all taxes bonus and charges as required by law shall be delivered to the Department of State

B In addition to any bonus fees taxes and charges provided by law in the case of any corporation an in-

corporated institution shall pay to the Department of State such reasonable fees as shall be established by rule and regulation by the Department of Banking for the investigation made by the Department of Banking pursuant to the provisions of this act to determine whether the articles of merger or articles of consolidation as the case may be should be approved Such fee for the investigation by the Department of Banking shall be paid to the Department of State at the time of the filing with it of the articles of merger or articles of consolidation and shall be paid by the Department of State through the Department of Revenue into the Banking Department Fund

C The Department of State shall examine such articles of merger or articles of consolidation [and] such proof of publication and such certificate or certificates herein required to be delivered therewith to determine whether they contain all the information and are in the form required by this act and also whether the name of the surviving or new incorporated institution as the case may be conforms with the requirements of law for the name of such an incorporated institution or if the name is not the same as either or any of the merging or consolidating institutions whether it is the same as one already adopted or reserved by another corporation or person or is so similar thereto that it is likely to mislead the public

After all the bonus fees taxes and other charges have been paid as required by law if the articles of merger or articles of consolidation [and] the proof of publication and the certificate or certificates herein required to be delivered therewith contain the information and are in the form required by this act the Department of State shall forthwith but not prior to the day specified in the advertisement of the articles of merger or consolidation required by this act endorse its approval upon the articles of merger or articles of consolidation and shall forthwith transmit them to the Department of Banking

D If the Department of State shall disapprove the articles of merger or the articles of consolidation pursuant to this act it shall forthwith give notice thereof to the incorporated institution stating in detail its reasons for doing so and stating how such institution can remedy the nonconformance with the provisions of this act Upon remedying the defect such incorporated institution may in the same manner file the same or amended articles whichever the particular case may require

Section 3 Section one thousand four hundred sixteen of the said act as amended by the act approved the twenty-first day of June one thousand nine hundred thirty-five (P. L. 369) is hereby further amended to read as follows

Section 1416 Filing of Articles of Conversion of National Bank into Bank or Bank and Trust Company Payment of Fees Approval by Department of State A The articles of conversion of the national banking association into a bank or a bank and trust company [and] the proof of publication of the advertisement required by this act and a certificate or certficates from the proper department or departments evidencing payment by the corporation of all bonus taxes and charges as required by law shall be delivered to the Department of State

B In addition to any bonus fees taxes and charges provided by law in the case of any corporation the national banking association shall pay to the Department of State such reasonable fees as shall be established by rule or regulation by the Department of Banking for the investigation made by the Department of Banking pursuant to the provisions of this act to determine whether the articles of conversion should be approved Such fee for the investigation by the Department of State at the time of the filing with it of the articles of conversion and shall be paid by the Department of State through the Department of Revenue to the Banking Department Fund

C The Department of State shall examine such articles of conversion [and] such proof of publication and such certificate or certificates herein required to be delivered therewith to determine whether they contain all the information and are in the form required by this act and also whether the name of the proposed bank or bank and trust company as the case may be conforms with the requirements of law for the name of such an incorporated institution or whether it is the same as one aready adopted or reserved by another corporation or person or is so similar thereto that it is likely to mislead the public

After all the bonus fees taxes and other charges have been paid as required by law if the articles of conversion the certificate or certificates herein required to be delivered therewith and the proof of publication contain the information and are in the form required by this act the Department of State shall forthwith but not prior to the day specified in the advertisement of the articles of conversion required by this act endorse its approval upon the articles of conversion and shall forthwith transmit them to the Department of Banking

D If the Department of State shall disapprove the articles of conversion pursuant to this act it shall forthwith give notice thereof to the national banking association stating in detail its reasons for doing so and stating how such national banking association can remedy the nonconformance with the provisions of this act Upon remedying the defect such national banking association may in the same manner file the same or amended articles whichever the particular case may require

Section 4 This act shall become effective immediately upon final enactment

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—48

Barr,	DiSilvestro,	Lanius,	Stiefel,
Bartlett,	Ealy,	Letzler,	Tallman,
Becker,	Edmonds,	Mallery,	Taylor,
Carr,	Farrell,	McCreesh,	Thomas,
Cavalcante,	Frey,	McGinnis,	Tyler,
Chapman,	Geltz,	McQuiddy,	Wade,
Coleman,	Haluska,	Miller,	Walker,
Cox,	Heyburn,	Mundy,	Watkins,
Crider,	Homsher,	Reed,	Wilson, H. I.,
Crowe,	James,	Ruth,	Wilson, T. B.,
Deitrick,	Jaspan,	Snowden,	Woodward,
Dent,	Kephart,	Stevenson,	Ziesenheim,

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 1012, (House Bill No. 1418), as follows:

An Act making an appropriation to the Department of Welfare for the maintenance of certain homes

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The sum of four hundred seventy-seven thousand six hundred and five dollars ($477,605) or as much thereof as may be necessary is hereby appropriated to the Department of Welfare for the two fiscal years beginning June first one thousand nine hundred forty-one to be by it paid to the homes hereinafter designated in the amounts hereinafter specified for the purpose of the maintenance of such homes in the manner prescribed by law

Aged Colored Women's Home Williamsport.....$ 825

Allegheny Temporary Home for Children	3,400
Almira Home Association New Castle	5,000
Children's Home of Bradford	1,800
Beaver County Children's Home New Brighton	5,400
Benevolent Association's Home for Children Pottsville	900
Berean Manual Training School	20,000
Boy's Haven Allentown	1,000
Boys' Industrial Home Oakdale	9,300
Chester Day Nursery and Children's Boarding Home	1,500
Children's Aid Society of Franklin County	2,000
Children's Aid Society of Pennsylvania Philadelphia	58,000
Children's Aid Society of Western Pennsylvania Pittsburgh	28,000
Children's Home of Easton	5,900
Children's Home of York	3,750
Children's Home of South Bethlehem	3,200
Children's Industrial Home Harrisburg	9,800
Christian Home of Johnstown	2,800
Colored Children's Bureau	3,000
Colored Women's Relief Association of Western Pennsylvania	1,700
Curtis Home for Girls	4,000
Erie Home for Friendless changed to Sarah A. Reed Home	9,000
Erie Infant's Home and Hospital	2,000
Florence Crittenton Home Erie	1,000
Florence Crittenton Home Philadelphia	2,000
Florence Crittenton Home Williamsport	700
Friend's Home for Children Philadelphia	2,500
George Jr Republic Association Grove City	6,000
Home for Aged Philadelphia	3,200
Home for Aged Couples Philadelphia	1,400
Home for Aged Infirm Women Easton	3,900
Home for Aged and Infirm Colored Women Pittsburg	3,200
Home for Colored Children Pittsburgh	1,800
Home for Friendless Children Lancaster	5,400
Home for Friendless Children Reading	1,500
Home for Friendless Williamsport	7,500
Home for Friendless Women Scranton	6,100
Home of Industry for Discharged Prisoners Philadelphia	2,600
Home for Veterans of G A R and Wives Philadelphia	14,500
Home for Widows and Single Women Lebanon	2,500
Home for Widows and Single Women Reading	2,800
Industrial Home for Crippled Children Pittsburgh	15,000
Ladies G A R Home Hawkins Station	20,200
Margaret Henry Children's Home New Castle	600
McKeesport Day Nursery	500
Meadville Children's Aid Society and Home for Aged	3,200
Nazarene Home for Aged Philadelphia	3,500
Northern Home for Friendless Children Philadelphia	14,000
Northern Tier Home Harrison Valley	3,000
Pennsylvania Memorial Home at Brookville	9,800
Pennsylvania Association for Blind Harrisburg	30,000
Pennsylvania Home Teaching Society and Free Circulated Library for Blind Philadelphia	16,000
Pennsylvania Society to Protect Children from Cruelty Philadelphia	3,000
Pennsylvania Working Home for the Blind Philadelphia	46,000
Philadelphia Committee for Prevention of Blindness	1,680
Philadelphia Home for Infants	2,500
Pittsburgh Home for Babies	9,000
Pittsburgh and Allegheny Home for Friendless	10,000
Seamen's Church Institute Philadelphia	7,500
Tabor Home for Children Doylestown	5,000
United Charities Home for Children Hazleton	2,000
Union Home for Old Ladies Philadelphia	3,500
Western Temporary Home Philadelphia	2,100
Westmoreland County Children's Aid Society	6,000
Workingmen's Home for Aged Warrington	1,200
York County's Blind Center	1,250
York Society to Protect Children and Aged Persons	8,500
Zoar Home for Mothers Babies and Convalescents Allison Park Allegheny County	1,700

Section 2 Notwithstanding the provisions of section one of this act no part of the appropriation made to the Department of Welfare thereunder shall be paid to any home therein named if such home is a denominational or sectarian institution corporation or association

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—48

Barr,	DiSilvestro,	Lanius,	Stiefel,
Bartlett,	Ealy,	Letzler,	Tallman,
Becker,	Edmonds,	Mallery,	Taylor,
Carr,	Farrell,	McCreesh,	Thomas,
Cavalcante,	Frey,	McGinnis,	Tyler,
Chapman,	Geltz,	McQuiddy,	Wade,
Coleman,	Haluska,	Miller,	Walker,
Cox,	Heyburn,	Mundy,	Watkins,
Crider,	Homsher,	Reed,	Wilson, H. I.,
Crowe,	James,	Ruth,	Wilson, T. B.,
Deitrick,	Jaspan,	Snowden,	Woodward,
Dent,	Kephart,	Stevenson,	Ziesenheim,

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same with amendments in which the concurrence of the House is requested.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 1013, (House Bill No. 1419), entitled:

An Act making an appropriation to the Department of Welfare for the maintenance of certain hospitals.

And said bill having been read at length the third time,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Will the Senate agree to the bill?

Mr. CHAPMAN. Mr. President, this is the state aided hospital bill. We have spent months studying this bill, and we have just completed the study this evening. I have consulted, I think, every member of the Senate and I think they are satisfied at the present time; I have made arrangements with the Appropriation Committee of the House, and if this bill is passed as we have amended it, everyone will be satisfied. I hope no amendments will be offered, so that a Conference Committee will not be necessary.

I ask unanimous consent to Amend Section 1, page 1, line 1, be striking out after the word "of" the following: "eight million eight hundred twenty-one thousand three hundred dollars ($8,821,300)"; Amend Section 1, page 2,

line 9, by striking out at the end of the line, "$60,000," and inserting in lieu thereof the following: "$70,200"; Amend Section 1, page 2, line 17, by striking out at the end of the line "$20,000" and inserting in lieu thereof the following: "$22,000"; Amend Secion 1, page 2, line 19, by striking out at the end of the line, "4,500" and inserting in lieu thereof the following: "5,500"; Amend Section 1, page 3, line 2, by striking out at the end of the line, "25,000" and inserting in lieu thereof the following: "33,000"; Amend Section 1, page 3, line 9, by striking out at the end of the line, "26,000" and inserting in lieu thereof the folowing: "28,000"; Amend Section 1, page 3, line 11, by striking out at the end of the line, "90,000" and inserting in lieu thereof the following: "94,900"; Amend Section 1, page 3, line 12, by striking out at the end of the line, "28,000" and inserting in lieu thereof the following: "31,000"; Amend Section 1, page 3, line 17, by striking out at the end of the line, "34,000" and inserting in lieu thereof the following: "42,000"; Amend Section 1, page 3, line 24, by striking out at the end of the line, "105,000" and inserting in lieu thereof the following: "112,000"; Amend Section 1, page 4, line 14, by striking out at the end of the line, "52,000," and inserting in lieu thereof the following: "58,000"; Amend Section 1, page 4, line 18, by striking out at the end of the line, "51,700" and inserting in lieu thereof the following: "53,800"; Amend Section 1, page 5, line 5, by striking out at the end of the line, "42,000" and inserting in lieu thereof the following: "44,600"; Amend Section 1, page 5, line 6, by striking out at the end of the line, "44,000" and inserting in lieu thereof the following: "42,250"; Amend Section 1, page 5, line 12, by striking out at the end of the line "42,050" and inserting in lieu thereof the following: "45,000"; Amend Section 1, page 5, line 22, by striking out at the end of the line "32,000" and inserting in lieu thereof the following: "33,750"; Amend Section 1, page 6, line 2, by striking out at end of the line "30,000" and inserting in lieu thereof the following: "34,000"; Amend Section 1, page 6, line 3, by striking out at the end of the line "20,000" and inserting in lieu thereof the following: "21,000"; Amend Section 1, page 6, line 5, by striking out at the end of the line "73,000" and inserting in lieu thereof the following: "76,000"; Amend Section 1, page 6, line 11, by striking out at the end of the line "33,000" and inserting in lieu thereof the following: "45,000"; Amend Section 1, page 6, line 28, by striking out at the end of the line "82,600" and inserting in lieu thereof the following: "86,500"; Amend Section 1, page 7, line 3, by striking out at the end of the line "108,000" and inserting in lieu thereof the following: "113,200"; Amend Section 1, page 7, line 9, by striking out at the end of the line "155,000" and inserting in lieu thereof the following: "161,000"; Amend Section 1, page 7, line 10, by striking out at the end of the line "46,000" and inserting in lieu thereof the following: "48,200"; Amend Section 1, page 7, line 12, by striking out at the end of the line "98,000" and inserting in lieu thereof the following: "100,000"; Amend Section 1, page 7, line 19, by striking out at the end of the line "68,000" and inserting in lieu thereof the following: "73,000"; Amend Section 1, page 7, line 21, by striking out at the end of the line "11,000" and inserting in lieu thereof the following: "15,000"; Amend Section 1, page 7, line 27, by striking out at the end of the line "94,000" and inserting in lieu thereof the following: "97,000"; Amend Section 1, page 7, line 28, by striking out at the end of the line "67,000" and inserting in lieu thereof the following: "72,000"; Amend Section 1, page 8, line 17, by striking out at the beginning of the line the word "Women's" and inserting in lieu thereof the following: "Woman's."

The PRESIDENT. Is there objection? The Chair hears none.

The amendments were agreed to.

On the question,

Will the Senate agree to the bill on third reading, as amended?

It was agreed to.

Ordered, That said bill as amended be printed for the use of the Senate.

BILL OVER IN ORDER

Mr. GELTZ. Mr. President, I ask unanimous consent that Senate Bill No. 1043, (House Bill No. 571), on third reading, entitled:

An Act making an appropriation to the Department of Public Assistance, for the purpose of carrying out the Public Assistance Law for the two fiscal years beginning June first, one thousand nine hundred forty-one and for the payment of assistance and expenses accrued or incurred prior to, and remaining unpaid on, May thirty-first, one thousand nine hundred and forty-one and providing for certain allocations from such appropriation by the Department of Public Assistance and also by the Governor, the Auditor General, and the State Treasurer or the majority thereof.

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILL ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 1053, as follows:

An Act to amend section one of the act approved the eighth day of May one thousand eight hundred and ninety-five (P. L. 44) entitled "An act providing for the release and discharge of encumbrances or charges on land in all cases in which the period of twenty-one years has elapsed after the principal of the encumbrance or charge has become due and payable and no payment has been made within such period of twenty-one years on account of such encumbrance or charge by the owner or owners of the land sought to be released and discharged and no sufficient release is of record in the county and regulating proceedings for such release and discharge" heretofore repealed in so far as it related to the orphans court relieving courts of common pleas of the necessity of passing on the truth of the allegations of petitions for release and discharge of such encumbrances or charges

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section one of the act approved the eighth day of May one thousand eight hundred and ninety-five (P. L. 44) entitled "An act providing for the release and discharge of encumbrances or charges on land in all cases in which the period of twenty-one years has elapsed after the principal of the encumbrance or charge has become due and payable and no payment has been made within such period of twenty-one years on account of such encumbrance or charge by the owner or owners of the land

sought to be released and discharged and no sufficient release is of record in the county and regulating proceedings for such release and discharge" which was repealed by the act approved the seventh day of June one thousand nine hundred and seventeen (P. L. 447) in so far as it related to the orphans' court is hereby amended to read as follows

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That in all cases in which under any proceeding in any court of record of this Commonwealth except orphans' courts or under any deed [last will and testament] mortgage [dower] recognizance judgment decree or other obligation or instrument any money has been or may hereafter be charged upon land payable presently or at a future time (excepting charges created by orphans' courts) and the period of twenty-one years has elapsed or shall have elapsed after the principal of such encumbrance or charge has become or shall have become due and payable and no payment has been or shall have been made within said period of twenty-one years on account of such encumbrance or charge by the owner or owners of the land sought to be released and discharged and no sufficient release acquittance or acknowledgment of payment of such encumbrance or charge is of record in the county in which the land is situated it shall be lawful [for the orphans' court of the county in which such land is situated in cases in which the encumbrance or charge is under a decree of an orphans' court or by last will and testament dower or recognizance charged by said court and] for the common pleas court of the county in which such land is situated [in all other cases] upon petition of the owner or owners of the land or any part thereof subject to the encumbrance or charge setting forth the facts verified by affidavit and alleging that no payment of principal or interest has been made within said period of twenty-one years on account of said encumbrance or charge by the present owner or owners or so far as can be ascertained by his or their predecessors in title and giving the names of all known parties interested in such encumbrance or charge their places of residence if known and a description of the land subject to the charge and sought to be released and discharged to direct the sheriff of the county to give notice to all such known parties in the county whose residences are known by copy served personally or left at their places of abode and to all parties out of the county if any and to all unknown parties if any by public notice published in one or more newspapers published within or nearest the county once a week for four successive weeks which notice shall briefly state the facts set forth in the petition and require the parties to appear in court on a day designated at least thirty days after the filing of the petition and service of notice as aforesaid to be made at least twenty days prior to the day designated for appearance at which time should any person or persons appear and claim payment for or on account of such encumbrance or charge or any part thereof the court shall enter a rule on the person or persons so appearing and claiming to commence proper legal proceedings to enforce payment of their claim or claims within thirty days after the entry of such rule and in default of compliance with such rule or in event of a non-appearance of any person to answer the petition or in the event of the joinder of all parties in interest in such petition the court [being satisfied of the truth of the allegations of the petition] shall decree and direct that the land subject to the encumbrance or charge or any part thereof sought to be released or discharged shall be released and discharged from the same and the payment thereof and that a copy of the petition and decree shall be entered of record in the office of the recorder of deeds of the county for recording which he shall be entitled to a fee at the rate he is entitled by law to charge for recording deeds which decree and record shall forever thereafter operate as a release and discharge of the land from the encumbrance of the charge and shall bar all actions brought thereon

Section 2 The provisions of this act shall become effective immediately upon its final enactment and shall apply in the case of proceedings then pending as well as in proceedings thereafter commenced

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—48

Barr,	DiSilvestro,	Lanius,	Stiefel,
Bartlett,	Ealy,	Letzler,	Tallman,
Becker,	Edmonds,	Mallery,	Taylor,
Carr,	Farrell,	McCreesh,	Thomas,
Cavalcante,	Frey,	McGinnis,	Tyler,
Chapman,	Geltz,	McQuiddy,	Wade,
Coleman,	Haluska,	Miller,	Walker,
Cox,	Heyburn,	Mundy,	Watkins,
Crider,	Homsher,	Reed,	Wilson, H. I.,
Crowe,	James,	Ruth,	Wilson, T. B.,
Deitrick,	Jaspan,	Snowden,	Woodward,
Dent,	Kephart,	Stevenson,	Ziesenheim,

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

BILL OVER IN ORDER

Mr. GELTZ. Mr. President, I request that Senate Bill No. 1121, (House Bill No. 909), on third reading, entitled:

An Act to further amend section three hundred three of and to add section three hundred seven of the act approved the twenty-fifth day of November one thousand nine hundred and thirty-three (P. L. 15, 1933-34) entitled as amended "An act to regulate and restrain the sale manufacture possession transportation importation traffic in and use of alcohol and alcoholic and malt or brewed beverages conferring powers and imposing duties upon the Pennsylvania Liquor Control Board and its agents the Department of Public Instruction other officers of the State government courts and district attorneys authorizing the establishment and operation of State stores for the sale of such beverages not for consumption on the premises and the granting of licenses subject to local option to sell such beverages for consumption on and off the premises forbidding importation or bringing of such beverages into the State except as herein provided prohibiting certain sales or practices in connection with and transactions in such beverages by licensees and others providing for the forfeiture of certain property making disposition of the receipts from State stores and of fees and imposing penalties" by providing for the appointment of assistant managers in Pennsylvania Liquor Stores and by establishing minimum salaries for certain employes of the Pennsylvania Liquor Control Board working in Pennsylvania Liquor Stores

go over in its order.

The PRESIDENT. Is there objection?

Mr. HALUSKA. Mr. President, I object to the bill going over in order and I desire to interrogate the gentleman from Allegheny, Mr. GELTZ.

The PRESIDENT. Will the gentleman from Allegheny permit himself to be interrogated?

Mr. GELTZ. Yes, Mr. President.

Mr. HALUSKA. Mr. President, will the gentleman once again tell me why he is making the request that Senate Bill No. 1121 go over in order.

Mr. GELTZ. Mr. President, once again I will tell my colleague, Senator Haluska, but I will not tell him the same thing. To tell the truth, I do not know any reason why this bill is going over in order except that I was requested to ask that it go over in order.

Mr. HALUSKA. Mr. President, I appreciate hearing the gentleman from Allegheny tell the truth. I feel much better with that answer than with the answer I got last night. There certainly must be some reason for these requests to have bills go over in order; the gentleman from Allegheny certainly must have some other reason. If he has only had a request, I trust he will withdraw his request and give us an opportunity to act on the bill. I am sure we have members on both sides, Democratic and Republican, who want to be recorded as voting for this bill. It is not a partisan measure. In fact I think the Republican Party should feel it would be a feather in their hat to have this bill go over in order, but I object, Mr. President, and ask for a roll call.

Mr. GELTZ. Mr. President, I move that Senate Bill No. 1121, go over in its order.

Mr. MILLER. I second the motion, Mr. President.

On the question,

Will the Senate agree to the motion?

The yeas and nays were required by Mr. HALUSKA and were as follows, viz:

YEAS—24

Bartlett,	Deitrick,	James,	Taylor,
Becker,	Ealy,	Kephart,	Thomas,
Carr,	Edmonds,	Mallery,	Wade,
Chapman,	Farrell,	Miller,	Watkins,
Crider,	Geltz,	Snowden,	Wilson, H. I.,
Crowe,	Heyburn,	Stevenson,	Wilson, T. B.,

NAYS—20

Barr,	DiSilvestro,	Letzler,	Ruth,
Cavalcante,	Frey,	McGinnis,	Stiefel,
Coleman,	Haluska,	McQuiddy,	Tallman,
Cox,	Jaspan,	Mundy,	Walker,
Dent,	Lanius,	Reed,	Ziesenheim,

So the question was determined in the affirmative.

BILL OVER IN ORDER

Mr. EDMONDS. Mr. President, I ask unanimous consent that Senate Bill No. 1199, (House Bill No. 1420), on third reading, entitled:

An Act to amend the act approved the seventeenth day of June one thousand nine hundred and thirteen (P. L. 507) entitled "An act to provide revenue for State and county purposes and in cities coextensive with counties for city and county purposes imposing taxes upon certain classes of personal property providing for the assessment and collection of the same providing for the duties and compensation of prothonotaries and recorders in connection therewith and modifying existing legislation which provided for raising revenue for State purposes" as amended by imposing the tax upon personal property held and managed in this Commonwealth owned held or possessed by residents as trustees agents or attorneys-in-fact jointly with one or more trustees agents or attorneys-in-fact domiciled in another state and by imposing the tax upon equitable interests of residents in personal property held and mangaed in another state where the legal title to such personal property is held by more than one trustee agent or attorney-in-fact one or more of whom are domiciled in another state and one or more of whom are domiciled within this Commonwealth and exempting casualty insurance companies having no capital stock from the tax imposed by this act.

go over in its order.

We have certain amendments that have been questioned, and there is also some doubt raised as to wether the amendments are not covered by earlier bills that passed both the Senate and the House and are now in the hands of the Governor.

The PRESIDENT . Is there objection? The Chair hears none.

BILL ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 1230, (House Bill No. 1397), as follows:

An Act to amend the act approved the fifth day of May one thousand nine hundred thirty-three (P L 457), entitled "An act relating to the business of building and loan association providing for the organization and voluntary dissolution of such associations defining the rights powers duties liabilities and immunities of such associations and of their officers directors shareholders solicitors and other employes prohibiting the transaction of business in this Commonwealth by foreign building and loan associations conferring powers and imposing duties upon the courts recorders of deeds and certain State departments commissions and officers establishing limitations of actions imposing penalties and repealing certain acts and parts of acts" as amended by requiring certificates of the payment of taxes and other charges to be filed with the Department of State in certain cases

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows:

Section 1 Section seven hundred seven of the act approved the fifth day of May one thousand nine hundred thirty-three (P. L. 457), entitled "An act relating to the business of building and loan associations providing for the organization and voluntary dissolution of such associations defining the rights powers duties liabilities and immunities of such associations and of their officers directors shareholders solicitors and other employes prohibiting the transaction of business in this Commonwealth by foreign building and loan associations conferring powers and imposing duties upon the courts recorders of deeds and certain State departments commissions and officers establishing limitations of actions imposing penalties and repealing certain acts and parts of acts" is hereby amended to read as follows

Section 707 Filing of Articles of Amendments Payment of Fees Approval by Department of State A The articles of amendment [and] the proof of publication of the advertisement required by this act and a certificate or certificates from the proper department or departments evidencing payment by the corporation of all taxes and charges as required by law shall be delivered to the Department of State

B The Department of State shall examine such articles of amendment [and] such proof of publication and such certificate or certificates herein required to be delivered therewith to determine whether they contain all the information and are in the form required by this act After all the fees taxes and other charges have been paid as required by law except for the costs of any examinations made by the Department of Banking pursuant to the provisions of this act to determine whether to approve the amendment or any other charges made by the Department of Banking the Department of State shall if the articles of amendment and the proof of publication contain the information and are in the form required by this act forthwith but not prior to the day specified in the advertisement of the intention of the association to file the articles endorse its approval thereon and shall forthwith transmit them to the Department of Banking

C If the Department of State shall disapprove the articles of amendment pursuant to the provisions of this act it shall forthwith give notice thereof to the association stating in detail its reasons for doing so and stating how such association can remedy the nonconformance with the provisions of this act Upon remedying the defect such association may in the same manner file the same or amended articles whichever the particular case may require

Section 2 Section one thousand five of said act as amended by the act approved the fifteenth day of March one thousand nine hundred thirty-seven (P. L. 63) is hereby further amended to read as follows

Section 1005 Filing of Articles of Merger Consolidation or Conversion Payment of Fees Approval by Department of State A The articles of merger consolidation or conversion as the case may be [and] the proof of publication of the advertisement required by this act and a certificate or certificates from the proper department or departments evidencing payment by the corporation of all taxes and charges as required by law shall be delivered to the Department of State

B The Department of State shall examine such articles of merger consolidation or conversion [and] such proof of publication and such certificate or certificates herein required to be delivered therewith to determine whether they contain all the information and are in the form required by this act and also whether the name of the surviving new or converted association as the case may be conforms with the requirements of law for the name of such an association or if the name is not the same as either or any of the merging or consolidating associations whether it is the same as one already adopted or reserved by another corporation or person or is so similar thereto that it is likely to mislead the public

After all the fees taxes and other charges have been paid as required by law except for the costs of an examination made by the Department of Banking pursuant to the provisions of this act to determine whether to approve the merger consolidation or conversion or any other charges made by the Department of Banking the Department of State if the articles of merger consolidation or conversion the certificate or certificates herein required to be delivered therewith and the proof of publication contain the information and are in the form required by this act shall forthwith but not prior to the day specified in the advertisement of the intention to file the articles endorse its approval thereon and shall forthwith transmit them to the Department of Banking

C If the Department of State shall disapprove the articles of merger consolidation or conversion pursuant to this act it shall forthwith give notice thereof to the association or Federal savings and loan association stating in detail its reasons for doing so and stating how such association or Federal savings and loan association can remedy the non-conformance with the provisions of this act Upon remedying the defect such association or Federal savings and loan association may in the same manner file the same or amended articles whichever the particular case may require

Section 3 This act shall become effective immediately upon final enactment

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—48

Barr,	DiSilvestro,	Lanius,	Stiefel,
Bartlett,	Ealy,	Letzler,	Tallman,
Becker,	Edmonds,	Mallery,	Taylor,
Carr,	Farrell,	McCreesh,	Thomas,
Cavalcante,	Frey,	McGinnis,	Tyler,
Chapman,	Geltz,	McQuiddy,	Wade,
Coleman,	Haluska,	Miller,	Walker,
Cox,	Heyburn,	Mundy,	Watkins,
Crider,	Homsher,	Reed,	Wilson, H. I.,
Crowe,	James,	Ruth,	Wilson, T. B.,
Deitrick,	Jaspan,	Snowden,	Woodward,
Dent,	Kephart,	Stevenson,	Ziesenheim,

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

BILL OVER IN ORDER

Mr. GELTZ. Mr. President, I ask unanimous consent that Senate Bill No. 1263, (House Bill No. 846), on third reading, entitled:

An Act requiring school boards in all school districts to grant leaves of absence to all school employes who shall volunteer or be called for military or naval service in time of war or during a state of national emergency preserving certain contracts salaries increments retirement rights seniority State contributions and grants to local school boards eligibility lists re-employment authorizing school boards to employ substitutes in place of such employes reserving all rights and privileges of employes granted leaves of absence under the provisions herein superseding or repealing all contrary laws.

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILL ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 1269, (House Bill No. 1652), as follows:

An Act to further amend sections eight and eleven of the act approved the fifteenth day of May one thousand nine hundred thirty-three (P. L. 553) entitled "An act relating to the financial responsibility of operators and owners of motor vehicles and to make uniform the law with reference thereto requiring operators and owners of automobiles under certain circumstances to furnish proof of financial responsibility as herein defined providing for the suspension of operators' licenses and motor vehicle registration certificates in certain cases regulating insurance policies which may be accepted as proof of financial responsibility imposing duties upon the Secretary of Revenue the State Treasurer and prothonotaries and prescribing penalties" by giving the secretary discretionary power under certain circumstances to suspend operators' licenses and providing for notice and hearing before suspension of licenses and registrations

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Sections eight and eleven of the act approved the fifteenth day of May one thousand nine hundred thirty-three (P. L. 553) entitled "An act relating to the financial responsibility of operators and owners of motor vehicles and to make uniform the law with reference thereto requiring operators and owners of automobiles under certain circumstances to furnish proof of financial responsibility as herein defined providing for the suspension of operators' licenses and motor vehicle registration certificates in certain cases regulating insurance policies which may be accepted as proof of financial responsibility imposing duties upon the Secretary of Revenue the State Treasurer and prothonotaries and prescribing penalties"

as amended by the act approved the twenty-fourth day of June one thousand nine hundred thirty-nine (P. L. 1075) are hereby further amended to read as follows

Section 8 Proof of Financial Responsibility Required as Condition Precedent to Issuance of Renewal of Operators' Licenses to Persons Having Certain Accident Record Suspension of Operators' Licenses Penalty (a) Until proof of financial responsibility has been furnished to the secretary an operator's license shall not be issued or renewed to a person who within any twelve months' period while operating a motor vehicle either within or outside of this State had one or more accidents caused wholly or partially by his negligence which caused injury to persons or damage to property excluding injury to persons or damage to motor vehicles operated by such person amounting in the aggregate to more than one hundred dollars ($100) or the operator's license of any person who while operating a motor vehicle either within or without this State had an accident caused by his negligence which caused injury to persons or damage to property excluding injury to himself and damage to motor vehicles operated by such person amounting in the aggregate to more than one hundred dollars ($100) may be suspended after a hearing by secretary unless proof of financial responsibility has been furnished to the secretary except that where an operator by his negligence has caused one (1) or more accidents within any twelve (12) months' period resulting in injury to persons or damage to property excluding injury to himself and damage to more vehicles operated by himself amounting in the aggregate to more than one hundred dollars ($100) and such operator or other person or insurer has paid all the claims arising from such accidents or if such operator or owner at the time of such accidents or if such operator or owner at the time of such accident or accidents was self insured in a manner satisfactory to the Pennsylvania Public Utility Commission or to the secretary in an amount sufficient to pay all claims for such injuries and damages or carried insurance in a solvent insurance carrier which would be liable to respond in damages in an amount sufficient to pay all claims for such injuries and damages or carried insurance in a solvent insurance carrier which would be liable to respond in damages in an amount sufficient to pay all claims for such injuries and damages then such operator shall be exempt from the provisions of this section The amount of damages caused by accidents in which the applicant was involved will be deemed to have been the amount paid in settlement of claims of other persons if all such claims have been settled and if such claims have not been paid then the amounts claimed by persons injured and by the persons entitled to recover for the death of persons killed and by the owners of property damaged or judgments obtained by such other persons

(b) For the purposes of this section where all claims have not been paid and the operator or owner either has not carried insurance in a solvent insurance carrier which would be liable to respond in damages in an amount sufficient to pay all such claims or was not self insured in a manner satisfactory to the Pennsylvania Public Utility Commission or to the secretary in an amount sufficient to pay all such claims the happening of an accident while a person is operating a motor vehicle shall be prima facie evidence that it was caused wholly or partly by such person's negligence but the secretary may upon application of such person conduct an inqury into the circumstances under which the accident occurred and thereupon find that the accident occurred without any negligence on the part of such person or that the damages are not in the amount claimed Damages may be deemed to be claimed only if the [defendant] secretary has received a notification of the amount of damages claimed from the person injured the person entitled to recover for the death of the person killed or the owner of property damaged which notification shall be subscribed to and verified by the oath or affirmation of such person and a copy of the receipted bill or a copy of the bill rendered or a copy of the estimate of the probable cost prepared by a qualified person and subscribed to and verified by the oath or affirmation of the person acknowledging payment rendering the bill or preparing the estimate.

(c) The secretary's finding or such notification shall not be admissible in evidence in any court proceeding for damages instituted either by or against such person or in any criminal proceeding arising out of such accident

(d) Any person making a misstatement of fact in notification required under subsection (b) of this section shall be guilty of a misdemeanor and upon conviction thereof shall be punished by imprisonment for not more than one year or by a fine not exceeding one thousand dollars ($1,000) or both in the discretion of the court

Section 11 Proof of Financial Responsibility Required of Persons Who Fail to Satisfy Judgments Arising Out of Motor Vehicle Accidents Operator's License and Registration Certificates to Be Suspended Until Satisfaction of Judgment If within fifteen days after if becomes final any person fails to satisfy any judgment rendered against him by a court of competent jurisdiction in this or any other State or the District of Columbia or any province of the Dominion of Canada or by a district Court of the United States for damages on account of personal injury or of damage to property in excess of five dollars and thirty-three cents ($5.33) resulting from the operation subsequent to the effective date of this act by him his agent or any other person with his express or implied consent of a motor vehicle owned by him or the operation by him or his agent of a motor vehicle not owned by him [his operator's license and all of his registration certificates shall be forthwith suspended by] the secretary upon receiving a certified copy of such final judgment from the court in which the same was rendered shall give such person notice within five (5) days after receiving such certified copy by registered mail at his last address recorded in the Department of Revenue that his operator's license and all of his registration certificates will be suspended unless such judgment is satisfied within twenty (20) days from the date of such notice Upon failure to satisfy any such judgment the secretary shall forthwith suspend such person's operator's license and all of his registration certificates and they shall remain suspended and shall not be renewed nor shall any other motor vehicle be thereafter registered in his name while such judgment remains unsatisfied and subsisting and until he has furnished proof of financial responsibility for future accidents Provided however That when any person whose operator's license and registration certificate have been suspended or revoked under the provisions of this section at the time of such accident was self insured in a manner satisfactory to the Pennsylvania Public Utility Commission or to the Secretary in an amount sufficient to pay all claims for such injuries and damages or carried insurance in a solvent insurance carrier which would be liable to respond in damages in an amount sufficient to pay the judgment rendered against him the secretary shall have the authority to issue or renew the operator's license and registration certificate of such person after such judgment has been satisfied without first requiring proof of financial responsibility.

If such person is not a resident of this State he shall not be permitted to operate any motor vehicle in this State and it shall not be lawful for any other person knowing that such operation is not permitted to operate in this State any motor vehicle owned by such nonresident while such judgment remains unsatisfied and subsisting and until such nonresident has furnished proof of financial responsibility for future accidents

If after such person has satisfied such judgment within the meaning of this act and has furnished proof of financial responsibility any other such judgment shall be recovered against him for any accident occurring before such proof was furnished his operator's license and registration certificates shall again be and remain suspended while such other judgment remains unsatisfied and subsisting

And said bill having been read at length the third time, and agreed to.

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—48

Barr,	DiSilvestro,	Lanius,	Stiefel,
Bartlett,	Ealy,	Letzler,	Tallman,
Becker,	Edmonds,	Mallery,	Taylor,
Carr,	Farrell,	McCreesh,	Thomas,
Cavalcante,	Frey,	McGinnis,	Tyler,
Chapman,	Geltz,	McQuiddy,	Wade,
Coleman,	Haluska,	Miller,	Walker,
Cox,	Heyburn,	Mundy,	Watkins,
Crider,	Homsher,	Reed,	Wilson, H. I.,
Crowe,	James,	Ruth,	Wilson, T. B.,
Deitrick,	Jaspan,	Snowden,	Woodward,
Dent,	Kephart,	Stevenson,	Ziesenheim,

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

BILL ON THIRD READING

Agreably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 1276, (House Bill No. 1365), entitled:

An Act to amend the act approved the first day of May one thousand nine hundred and twenty-nine (P. L. 905) entitled "An act for the protection of the public safety regulating the use of highways and the operation of vehicles tractors street cars trackless trolley omnibuses bicycles pedestrians and the riding of animals upon the highways of this Commonwealth providing for the titling including liens encumbrances and legal claims registration of certain vehicles and licensing the operators thereof upon payment of prescribed fees prescribing and limiting the powers of local authorities to deal with the subject matter of this act conferring powers and imposing duties upon the Department of Revenue the Department of Highways peace officers mayors burgesses magistrates aldermen justices of the peace the courts and the clerks thereof owners of vehicles and garage keepers providing that records are admissible as evidence imposing upon owners counties cities boroughs incorporated towns townships within the Commonwealth liability for damages caused by the negligent operation of their motor vehicles imposing penalties imposing certain costs upon counties providing for the disposition of fines forfeitures fees and miscellaneous receipts making an appropriation and providing for refunds" as variously amended authorizing the Secretary of Revenue to establish a system of permanent registration of vehicles and providing for the issuance of limited operator's licenses in certain cases further regulating the operation of vehicles and the suspension of registration and operating privileges giving the Pennsylvania Turnpike Commission power to regulate traffic on turnpikes extending the time limit for cities of the second class A to make certain changes in traffic signals extending the liability of political subdivisions to include negligent operation of their vehicles drawn by animal power amplifying and changing provisions of said act relating to lighting signal and warning devices and the transportation of vehicles redefining the term dealer further regulating dealers in junked vehicles permits for oversize and overweight vehicles use of school buses registration plates and cards maximum size of vehicles and medical examinations by physicians providing for payment of certain fees by counties limiting and providing new exemptions from the various provisions of said act giving additional authority to peace officers and department employes in the matter of investigation further regulating prosecutions giving certain powers to local authorities for the regulation of traffic and the establishment of traffic courts changing and fixing additional fees changing and imposing new penalties giving the secretary additional powers and duties imposing additional duties on keepers and employers of garages and repair shops providing refunds to certain persons entering Federal services making it a misdemeanor for committing malicious mischief to motor vehicles parts or accessories thereof and establishing penalties therefor and making an appropriation.

And said bill having been read at length the third time,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Will the Senate agree to the bill?

Mr. KEPHART. Mr. President, I ask unanimous consent to offer amendments.

POINT OF ORDER

Mr. CAVALCANTE. I rise to a point of order.

The PRESIDENT. The gentleman from Fayette will state his point of order.

Mr. CAVALCANTE. Mr. President, am I correct that we have on the statute books an Act of Assembly whereby in cases of this kind, where a word is misspelled, it does not require amendment; that the bill may be corrected by the printer without the necessity of amending the bill and forcing it over another legislative day; is there an Act of Assembly to take care of that.

The PRESIDENT. It may be corrected, if there are any errors. After the Senate and the House have adjourned sine die, these corrections can be made.

Mr. KEPHART. Mr. President, there are some other strike-out amendments if the gentleman will just let me finish.

I desire unanimous consent to amend Section 24 (Sec. 903), page 56, line 22, after the word "or" and before the word "load," by removing the misspelled word "axel" and inserting in lieu thereof the word: "axle"; amend Section 24 (Sec. 903), page 56, line 23, after the word "or" and before the word "load," by removing the misspelled word "axel" and inserting in lieu thereof the word: "axle"; amend Section 24 (Sec. 903), page 56, line 25, after the word "or" and before the word "load", by removing the misspelled word "axel" and inserting in lieu thereof the word: "axle"; amend Section 24 (Sec. 903), page 57, line 3, after the word "or" and before the word "load", by removing the misspelled word "axel" and inserting in lieu thereof the word: "axle"; amend Section 24, (Sec. 903), page 57, line 5, after the word "or" and before the word "load", by removing the misspelled word "axel" and inserting in lieu thereof the word: "axle"; amend Section 25 (Sec. 903), page 57, line 19, after the word "or" and before the word "load", by removing the misspelled word "axel" and inserting in lieu thereof the word: "axle"; amend Section 25 (Sec. 903), page 57, line 20, after the word "or" and before the word "load", by removing the misspelled word "axel" and inserting in lieu thereof the word: "axle"; amend Section 25 (Sec. 903), page 57, line 22, after the word "or" and before the word

"load," by removing the misspelled word "axel" and inserting in lieu thereof the word: "axle"; amend Section 25 (Sec. 903), page 57, line 29, after the word "or" and before the word "load," by removing the misspelled word "axel" and inserting in lieu thereof the word: "axle"; amend Section 25, (Sec. 903), page 58, line 2, after the word "or" and before the word "load", by removing the misspelled word "axel" and inserting in lieu thereof the word: "axle"; amend Section 27, page 60, line 28, after the letter "(b)", by taking out the following: "subsection (c)"; amend Section 27, (Sec. 1002), pages 62 and 63, beginning with line 7 through to line 28 on page 62, and lines 1 and 2 on page 63, by taking out all of the said lines beginning with the letter "(c)" and ending with the word "pass"; amend Section 27, (Sec. 1002), page 63, line 21, after the word "painted" and before the word "white", by taking out the word "primarily" and inserting in lieu thereof the word "predominately," and by underlining the words: "painted white and"; amend Bill, page 64, by taking out Section 28, beginning with line 4 and ending with line 20, including all the lines between lines 4 and 20; amend Sec. 33, page 70, lines 25 to 28, both inclusive by striking out the following in line 25: "and that parking may be pro-" and all of lines 26, 27 and 28; amend Sec. 34, page 72, line 1, by striking out after the letter "(g)" the following: "two" and inserting in lieu thereof: "one"; amend Sec. 34, page 72, line 1, by striking out the word "subsections"; and inserting in lieu thereof "subsection"; amend Sec. 34, page 72, lines 5 to 16, both inclusive, by striking out all of said lines; amend Sec. 34, page 72, line 17, by striking out the letter "(i)" and inserting in lieu thereof: "(h)".

The PRESIDENT. Is there objection? The Chair hears none.

The amendments were agreed to.

On the question,

Will the Senate agree to the bill on third reading, as amended?

It was agreed to.

Ordered, That said bill as amended be printed for the use of the Senate.

BILLS OVER IN ORDER

Mr. GELTZ. Mr. President, I ask unanimous consent that Senate Bill No. 1315, on third reading, entitled:

An Act to reenact and further amend the title and the provisions of the act, approved the twenty-fifth day of May, one thousand eight hundred ninety-seven (P. L. 83), entitled "An act to provide for the maintenance, care and treatment of the indigent insane in county and local institutions," as amended by reviving said act for a limited period of time and including institution districts within the act, in conformity with existing law.

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. GELTZ. Mr. President, I ask unanimous consent that Senate Bill No. 1316, on third reading, entitled:

An Act to further amend section three hundred nine of the act, approved the twenty-fourth day of June, one thousand nine hundred thirty-seven (P. L. 2017), entitled "An act creating in each county (except of the first class) as a separate corporation, and in each city of the first and second class as a part of the city government, an institution district for the care and maintenance of certain indigent persons and children; prescribing the powers and duties of county commissioners, county treasurers, city departments of public welfare, the State Department of Welfare and the State Department of Public Assistance in respect thereto; abolishing certain poor districts and terminating the terms of directors, overseers, guardians and managers of the poor and poor district auditors, and providing for the temporary employment of certain of them; providing for the transfer, vesting, sale and disposition of the property of poor districts and the payment of their obligations; imposing certain existing obligations on institution districts and on the Commonwealth; regulating the affairs of poor districts until abolished; revising, amending, changing and consolidating the law relating to the care of the poor; and repealing existing laws," by authorizing county institution districts to adopt a supplemental budget and to borrow money to operate institutions for mental patients heretofore transferred to the Commonwealth

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. GELTZ. Mr. President, I ask unanimous consent that Senate Bill No. 1317, on third reading, entitled:

An Act to reenact and further amend the title and section one of the act, approved the twenty-fifth day of April, one thousand nine hundred twenty-nine (P. L. 707), entitled "An act fixing the liabiilty of the counties, poor districts, and the Commonwealth for the support of the indigent and partly indigent insane in State institutions," by revising the provisions of said act for a limited period of time; further fixing the liability of counties, institution districts and the Commonwealth; and conforming the title and the act to existing law

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILL ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 1323, (House Bill No. 1857), as follows:

An Act making an appropriation to the Department of Revenue for the payment of claims against the Commonwealth arising from damage by fire caused by defective wires used for operating airplane beacons

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The sum of two thousand five hundred dollars ($2,500) or as much thereof as may be necessary is hereby appropriated to the Department of Revenue for the payment of any claims against the Commonwealth arising from damage by fire to buildings and their contents caused by the use of defective electric transmission wires furnished by the Division of Aeronautics of the Department of Revenue for use in operating airplane beacons Payments from this appropriation shall be made on requisition of the Secretary of Revenue with the approval of the Department of Justice

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—48

Barr,	DiSilvestro,	Lanius,	Stiefel,
Bartlett,	Ealy,	Letzler,	Tallman,
Becker,	Edmonds,	Mallery,	Taylor,
Carr,	Farrell,	McCreesh,	Thomas,
Cavalcante,	Frey,	McGinnis,	Tyler,
Chapman,	Geltz,	McQuiddy,	Wade,
Coleman,	Haluska,	Miller,	Walker,
Cox,	Heyburn,	Mundy,	Watkins,
Crider,	Homsher,	Reed,	Wilson, H. I.,
Crowe,	James,	Ruth,	Wilson, T. B.,
Deitrick,	Jaspan,	Snowden,	Woodward,
Dent,	Kephart,	Stevenson,	Ziesenheim,

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

BILL OVER IN ORDER

Mr. GELTZ. Mr. President, at the request of the sponsor, I ask unanimous consent that Senate Bill No. 1325, on third reading, entitled:

An Act making an appropriation to the Department of Welfare to pay for the care, treatment, removal, and maintenance of the indigent insane in county and institution district hospitals.

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

POINT OF INFORMATION

Mr. JASPAN. Mr. President, I rise to a point of information.

The PRESIDENT. The gentleman from Philadelphia will state his point of information.

Mr. JASPAN. Have we now completed the third reading Calendar?

The PRESIDENT. That is correct.

MOTION TO CALL UP SENATE BILLS Nos. 510 AND 512

Mr. JASPAN. Mr. President, I now move that Senate Bills Nos. 510 and 512, on page six of the Calendar, be called up for consideration.

Mr. President, I appreciate the fact that Senator Shapiro is not here and further, while we should consider his wishes, the fact remains we do not know how long the House will be in session tonight, and if these bills are not passed and sent over to the House it will not be possible to pass them.

The PRESIDENT. For the information of the Senator from Philadelphia, Mr. Jaspan, the Chair has just been advised that the House has already adjourned for the day. There is a dinner at the Harrisburger Hotel.

Mr. GELTZ. I may be in error, Mr. President, but I understand that they are coming back after the dinner.

Mr. DiSILVESTRO. Mr. President, I would like to congratulate my colleague on the very smooth way in which he has helped to kill these two bills. He may have done it in good faith, but it turns out they are dead. I understand the House has adjourned until tomorrow at one o'clock. I am making this statement for the information of the Chair, in order that he may have the facts.

Mr. MALLERY. Mr. President, with the consent of our Floor Leader, I now call up Senate Bill No. 510. I have been informed during the debate that these two Bills, Nos. 510 and 512, have been approved by the Pennsylvania State League Building and Loan Association, and a great majority of what we call local or state building and loan associations favor these bills.

Therefore, Mr. President, I would ask my colleagues to support these bills.

SENATE BILL No. 510 ON THIRD READING AND FINAL PASSAGE CALLED UP

Mr. MALLERY. Mr. President, I now call up Senate Bill No. 510, on third reading and final passage, which went over in its order, on page 6 of the Calendar.

Mr. FARRELL. Mr. President, I second the motion.

The motion was agreed to.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 510, as follows:

An Act to amend sections 504A 607 and 608A of the act appproved the fifteenth day of May one thousand nine hundred and thirty-three (P. L. 565) entitled "An act relating to the powers and duties of the Department of Banking and the Secretary of Banking in exercising supervision over and taking possession of and conducting or liquidating the business and property of corporations associations and persons receiving deposits or otherwise transacting a banking business corporations acting as fiduciaries and building and loan associations providing for the payment of the expenses of the Department of Banking by supervised corporations associations or persons and appropriating the Banking Department Fund Authorizing the Department of Banking under certain circumstances to examine corporations associations or persons affiliated or having business transactions with supervised corporations associations or persons authorizing appeals to the Supreme Court and prescribing and limiting the powers and duties of certain other courts and their prothonotaries registers of wills recorders of deeds and certain State departments commissions and officers authorizing certain local public officers and State department to collect fees for services rendered under this act providing penalties and repealing certain acts and parts of acts" by providing for the taking of possession of the business and property of building and loan associations and savings and loan associations the shares of which are insured in the State Building and Loan Insurance Fund

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section 504A of the act approved the fifteenth day of May one thousand nine hundred and thirty-three (P. L. 565) entitled "An act relating to the powers of Banking in exercising supervision over and taking possession of and conducting or liquidating the business and property of corporations associations and persons receiving deposits or otherwise transacting a banking business corporations acting as fiduciaries and building and loan associations providing for the payment of the expenses of the Department of Banking by supervised corporations associations or persons and appropriating the Banking Department Fund authorizing the Department of Banking under certain circumstances to examine corporations associations or persons affiliated or having business transactions with supervised corporations asso-

ciations or persons authorizing appeals to the Supreme Court and prescribing and limiting the powers and duties of certain other courts and their prothonotaries registers of wills recorders of deeds and certain local public officers and State departments to collect fees for services rendered under this act providin penalties and repealing certain acts and parts of acts" is hereby amended by adding at the end thereof a new clause to read as follows

Section 504 Taking of Possession by Department A The department may take possession of the business and property of any institution subject to its supervision whenever it shall appear to it that such institution

* * *

(8) Is a building and loan association or a savings and loan association the shares of which are insured in the State Building and Loan Insurance Fund and the State Building and Loan Insurance Board requests the department to take possession of such association

Section 2 Section 607 of said act is hereby amended to read as follows

Section 607 Taking Possession upon Request of Institution etc No institution shall make a general assignment of its business and property for the benefit of its creditors by the appointment of an assignee or a trustee or otherwise In lieu of the power to make an assignment for the benefit of creditors an institution may request the department to take possession in the regular manner provided by law In the case of a building and loan association or a savings and loan association the shares of which are insured in the State Building and Loan Insurance Fund the State Building and Loan Insurance Board may request the department to take possession of such association if after an examination and appraisal made by the department on its own motion or at the request of the board the board determines from the report of the department that the full paid-in value of the shares and creditor obligations of such association exceed the fair value of its assets. In either such (cases) case the department shall take possession and the secretary shall take over such possession and become receiver in the same manner and subject to the same provisions of this act as when the department takes possession of the business and property of an institution without the request of such institution or board

Section 3 Section 608A of said act is hereby amended by adding thereto immediately following clause (3) a new clause to read as follows

Section 608 Surrender of Possession Special Liquidations and Reorganizations A The secretary may upon conditions approved by him surrender possession of an institution of which he has taken possession as receiver at any time prior to final liquidation and distribution under the following circumstances

* * *

(4) He may surrender possession in the case of a building and loan association or a savings and loan association the shares of which are insured in the State Building and Loan Insurance Fund to the State Building and Loan Insurance Board to proceed with and dispose of as authorized and directed by the laws of this Commonwealth providing for and regulating the insurance of shares of building and loan associations

Section 4 This act shall become effective on

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

Mr. BECKER. Mr. President, in order that there may be no mistake whatsoever, I desire again as clearly as I can to state my position with respect to these bills. I shall be obliged to set aside my opinion as to the merit of the bills and vote "no" on the bills, in accordance with my arrangement with the Senator from Philadelphia, Mr. Shapiro. My arrangement with him was, after the bills had been considered in the Banking Committee and consideration had been postponed but not indefinitely, and after polling the committee for the purpose of obtaining unanimous consent of the Banking Committee to report the bills on the floor, they were reported upon my understanding with him that the bills would not come up for final passage without his consent.

The Senator from Philadelphia is not in his seat tonight and I construe his absence to be the equivalent of the lack of his consent. I announced my arrangement to my colleagues on this side of the aisle, and in accordance with that arrangement, and on motion of our Floor Leader that the bills go over in order, I think my colleagues were prepared to support such a motion.

Our colleagues in the Senate on the other side seem unwilling to be in accord with the arrangement made by the Senator from Philadelphia, whom I recognize as the Minority Floor Leader in making the arrangement with him, and therefore, under the circumstances, I shall have to vote "no" on these bills to carry out my arrangement but, under the circumstances, I can hardly expect my colleagues to go along with me in that arrangement, and I shall therefore have to release them from the arrangement which I reported to them.

Mr. HALUSKA. Mr. President, I desire to interrogate the gentleman from Lebanon, Mr. Becker.

The PRESIDENT. Will the gentleman from Lebanon permit himself to be interrogated?

Mr. BECKER. With pleasure, Mr. President.

Mr. HALUSKA. Mr. President, did I understand the gentleman from Lebanon to say that the Committee on Banking was polled with reference to these bills and that they had unanimous consent to report the bills out, is that correct?

Mr. BECKER. To the best of my knowledge, Mr. President.

Mr. HALUSKA. Mr. President, can the gentleman from Lebanon tell me whether the Senator from Cambria was polled at that time?

Mr. BECKER. My recollection, Mr. President, is that the Senator was polled I may be mistaken, I would not state it as a certainty, but my recollection is that the Senator was polled. I did not poll all the Senators myself, I myself polled a majority of the Senators and I asked the secretary of the Committee to assist me in polling the remaining Senators, but my impression was that all of the Senators on the Banking Committee were polled.

Mr. HALUSKA. Mr. President, the gentleman agrees with me, of course, that he did not poll my vote in person, is that right.

Mr. BECKER. I can not be sure, Mr. President that I did. I am not sure I did not, but I can not be sure I did.

Mr. HALUSKA. Mr. President, I have no knowledge of the bills coming out of course, and no contact was made with me by your secretary or by yourself, I wanted to make sure you had that information.

Mr. BECKER. Is not the gentleman from Cambria in accord with the fact the bills were reported out?

Mr. HALUSKA. I just wanted to make sure it was not by unanimous consent.

The PRESIDENT. The Chair has just been advised, by messenger from the House, that the House has adjourned until twelve o'clock noon tomorrow.

Mr. EDMONDS. Mr. President, I desire to interrogate the gentleman from Lebanon.

The PRESIDENT. Will the gentleman from Lebanon permit himself to be interrogated?

Mr. BECKER. Yes, Mr. President.

Mr. EDMONDS. Mr. President, I would like to ask the Senator from Lebanon, who is the very efficient chairman of the Banking Committee, as to whether or not the Banking Department has ever expressed an opinion with reference to the adequacy of the plan here outlined.

Mr. BECKER. Mr. President, in answer to the interrogation of the gentleman from Montgomery, representatives of the Banking Department were present at not less than three meetings of the Banking Committee at which these bills were discussed.. In fairness I am obliged to say that in the first instance the attitude of the Banking Department was against these bills. There were conferences afterwards—not in the Banking Committee and at which I was not present—and thereafter I was advised officially by the Banking Department that their objections to the bills were withdrawn and that they considered the legislation satisfactory.

Mr. GELTZ. Mr. President, I should like to interrogate my colleague from Philadelphia, Senator DiSilvestro.

The PRESIDENT. Will the gentleman from Philadelphia permit himself to be interrogated?

Mr. DiSILVESTRO. I will, Mr. President.

Mr. GELTZ. Did I understand the gentleman from Philadelphia, Senator DiSilvestro, to say that he congratulated me or someone on this side on the very slick manner in which these bills were killed.

Mr. DiSILVESTRO. I do not know whether I used the word "slick." All I meant to say was that in good faith I accepted the suggestion of the Majority Floor Leader.

Mr. GELTZ. Mr. President, I want to say that in good faith the Majority Floor Leader, and I am sure also my colleague from Lebanon, Senator Becker was merely trying to be accommodating, with the thought in mind that these bills could still be passed tonight, sent over to the House, and receive first reading in the House tonight. The reason there was no question in my mind, Mr. President, was that I was assured that the House would recess for their dinner tonight and come back again for an evening session. What convinced me of that, Mr. President, was the fact that I was presented with a list by the Minority Floor Leader in the Senate of bills in which our colleagues were interested and bills which they would like to have our assistance on. An arrangement was made that we were to make up a similar list, to be sent over to the House tonight, so that action would be taken and that those bills would be brought out and read for the first time and passed before this session adjourned.

Therefore, Mr. President, I do not like to be accused by anyone of the party which is in control of the House, which apparently has broken faith in this connection, because we are keeping our part of the bargain; we are in session and expect to carry out our end of the agreement to the fullest and completest extent.

The fact that the other House has not kept its side of its agreement, as they should have, certainly gives no jusification for any criticism of us or against us, because we were trying to be possibly more decent than we should have been in endeavoring to accommodate one of their own party.

Mr. BARR. Mr. President, I take what the gentleman from Allegheny, Mr. Geltz, has said to be true fact. So therefore I ask leave of absence for myself for the next fifteen or twenty minutes, in order that I may go to the Penn Harris and find out if there was such agreement and if so why it was not kept.

The PRESIDENT. Leave of absence is granted to the gentleman from Allegheny.

Mr. EDMONDS. Mr. President, when these bills were before the Banking Committee I was with the committee and sat at practically all the public hearings. There is no doubt our colleague from Philadelphia, Senator Farrell, has hit upon a most important idea and one that should be developed in this state, that all state building and loan associations be insured, or else they are bound to decline in relative importance with federal building and loan associations, which are insured by one of the federal corporations. That seems to me to be very clear.

The only point in doubt in the minds of members of the committee was whether or not the plan was adequate enough to provide that the insurance would be adequate, and on that we had wide objection from the banking department in the beginning, but as the Chairman of the committee has stated,, in the end those objections were removed by changes that were made in the bills, and therefore it seems to me that we now have a complete plan to accomplish a most worthy purpose and under the circumstances I would certainly like to see that we in the Senate do all we can to place the stamp of our approval on this legislation.

Mr. DENT. Mr. President, if this General Assembly is serious in intending to quit this week, I just want to call attention to the fact that we have on the Calendar more than these two bills that might as well not be passed at all and we may as well drop them from the Calendar if the House has quit for the day. There would only be two more legislative days in which the House could act and therefore there is no necessity of arguing about these bills and I think the sensible thing to do would be to drop the Senate Bills from the Calendar that are on it tonight.

Mr. McGINNIS. Mr. President, I feel these bills are of great importance to the people of Pennsylvania, especially to home owners and those who desire to have homes. The home owners in Pennsylvania have been under a great handicap ever since the depression set in during 1929; our building and loan associations are under a great handicap, with the federal building and loan association. The Federal Administration has done a great job in helping the building of homes. The Federal Housing Administration, when it was first inaugurated, every bank in the state was against it, but they saw it work and they saw where a man with a lot and four or five hundred dollars could have a home he could move into and every month pay his taxes, interest, and principal with less than rent, and it is working very satisfactory.

Here is another piece of legislation to put our building and loan associations in the state on a footing with the federal building and loans, and unless we do that they

will be under a great handicap, and it would stop a lot of home building in Pennsylvania.

Therefore, Mr. President, I am ready to move at the proper time that we do not adjourn this week, but that we continue another week, to pass this legislation, as well as perhaps some other legislation.

And the question recurring,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—34

Bartlett,	DiSilvestro,	Lanius,	Stevenson,
Carr,	Edmonds,	Letzler,	Stiefel,
Chapman,	Farrell,	Mallery,	Tallman,
Coleman,	Frey,	McGinnis,	Taylor,
Cox,	Geltz,	Miller,	Tyler,
Crider,	Haluska,	Mundy,	Watkins,
Crowe,	Heyburn,	Ruth,	Walker,
Deitrick,	Jaspan,	Snowden,	Wilson, H. I.,
Dent,	Kephart,		

NAYS—8

Becker,	Ealy,	James,	Thomas,
Cavalcante,	Homsher,	Reed,	Ziesenheim,

A majority of all the Senators having voted "aye" the quession was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

PERMISSION TO ADDRESS SENATE

Mr. GELTZ. Mr. President, I ask permission to address the Senate.

The PRESIDENT. The gentleman from Allegheny will proceed.

Mr. GELTZ. Mr. President, before considering Senate Bill No. 512, I ask unanimous consent to rectify and correct a mistake which apparently has been made. We apparently accused improperly the House in the action they took in adjourning. There is still a mistake insofar as the arrangements were concerned, in that they changed the arrangement without any notice to us, but I understand they kept their side of the bargain by reporting out everything the Senate had sent over, whether it was important or not, so they felt sure they covered everything we were interested in.

SENATE BILL No. 512 ON THIRD READING AND FINAL PASSAGE CALLED UP

Mr. MALLERY. Mr. President, I now call up Senate Bill No. 512, on third reading and final passage, which went over in its order on page 6 of the Calendar.

Mr. FARRELL. Mr. President, I second the motion.

The motion was agreed to.

BILLS ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 512, as follows:

An Act providing for the creation and for the administration by a State Building and Loan Insurance Board created in this act of a state fund for the insurance of shares in building and loan associations and savings and loan associations and prescribing penalties

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Definitions As used in this act the following terms shall have the following meanings

"Association" means a building and loan association or savings and loan association organized under or by virtue of any law of this Commonwealth

"Board" means the State Building and Loan Insurance Board created by this act

"Department" means the Department of Banking of this Commonwealth

"Full Paid-in Value of Shares" means the amount actually paid in on account of each share of an association less any amount lawfully deductible therefrom by the association except in the case of a lawfully and properly matured share in which case such value shall be the actual par value of the share less any payment received on account thereof from the association and less other amount lawfully deductible therefrom by the association

"Fund" means the State Building and Loan Insurance Fund created by this act

"Secretary" means the Secretary of Banking of this Commonwealth

Section 2 Creation of Board There is hereby created a departmental administrative board in the Department of Banking to be known as the "State Building and Loan Insurance Board" The board shall consist of the Secretary of Banking who shall be chairman thereof the State Treasurer the Insurance Commissioner and two other persons to be appointed by the Governor for terms of three (3) years each The Pennsylvania League of Building and Loan Associations or its successor shall have power to nominate from its membership at least double the number of candidates required to fill positions or vacancies in the board The Governor shall appoint members to fill all positions or vacancies only from the candidates so nominated except in any case where the Pennsylvania League of Building and Loan Associations or its successor shall fail to nominate candidates when the Governor shall appoint members without such nomination Three members shall constitute a quorum The members of the board shall serve without compensation but shall be entitled to receive expenses necessarily incurred in the discharge of their duties

Section 3 Employes of Board The board may with the approval of the Secretary appoint and fix the compensation of a secretary who shall act as executive director of the board and who shall conduct the administrative work of the board under its supervision The board may also with the approval of the Secretary appoint and fix the compensation of such accountants actuaries appraisers inspectors agents clerks and stenographers as are deemed necessary for the proper conduct of the work of the board The Secretary of the board as well as any other employe thereof may at the same time be employed by the department on an arrangement with the department for part time service and compensation The Attorney General shall be the legal adviser of the board

Section 4 Board Subject to Administrative Code Except as otherwise expressly provided by this act the board shall be subject to all the provisions of the Administrative Code of 1929 as amended which apply generally to departmental administrative boards and commissions

Section 5 Establishment of Fund The board shall under the conditions and in the manner herein provided establish a fund for the insurance of shares in associations to be known as the State Building and Loan Insurance Fund For the purpose of assuring a diversification of risks at the establishment of the fund the board shall have power by general rules and regulations to fix standards for the selection of membership in the fund so as to assure (a) distribution of members throughout the state by districts or localities to be determined by the board (b) limitation of the number of members from any one district or locality (c) diversification of size of associations and (d) diversification of employment of shareholders of associations Subject to selection of risks in accordance with such standards the fund shall be established whenever the board shall have approved the applications of two hundred

(200) or more associations with assets aggregating ten million ($10,000,000) dollars or more filed pursuant to resolutions of their boards of directors expressing a desire to become members of the fund

The fund shall be administered by the board without liability on the part of the state

The fund when once established may in the discretion of the board be continued notwithstanding the fact that any number of associations may cease to be members thereof

Section 6 Powers and Duties of the Board The board shall have the power and its duty shall be

(1) To adopt and use an official seal

(2) To make contracts

(3) To sue and be sued complain and defend in any court of law or equity State or Federal

(4) To own and dispose of real property acquired in the process of carrying on the functions of the board

(5) To adopt rules and regulations for the administration of the fund and for the transaction of the business of the board

(6) To borrow money make and issue its negotiable notes bonds and other evidences of indebtedness or obligations herein called "bonds" and to secure the payment thereof or of any part thereof by pledge or deed of trust of all or any part of its revenues and receipts and to make such agreements with the purchasers or holders of such bonds or with others in connection with any such bonds whether issued or to be issued as the board shall deem advisable to provide for the security for said bonds and rights of the holders thereof and to retire repurchase or reissue such bonds Provided That the board shall have no power at any time or in any manner to pledge the credit or taxing power of the Commonwealth nor shall any of its obligations or debts be deemed to be obligations of the Commonwealth nor shall the Commonwealth be liable for the payment of principal or interest on such obligations All bonds issued by the board shall be free from all State and local taxation

(7) To pay interest on its bonds

(8) To declare and pay dividends out of surplus at any time when the net fair value of the assets of the fund exceed five percent (5%) of the aggregate full paid in value of shares credited dividends and creditors obligations of all insured associations

(9) To prepare and publish an annual statement of the fund and to file the same in the department and in the Insurance Department and furnish copies thereof to all associations insured in the fund

Section 7 Examinations and Information of Department to be Available All records reports and information in the department and all of its departmental administrative agencies pertaining to any association applying or having been accepted for insurance in the fund shall be open to the inspection of the board and its authorized agents Whenever an examination and appraisal of an association shall be required by this act such examination and appraisal shall be made by the department If an examination and appraisal has already been made by the department pursuant to any other law the information gained by such examination and appraisal shall be used for the purpose of this act in so far as the board shall deem the same sufficient and to such extent no further examination or appraisal shall be made

Section 8 Management of Fund The members of the board shall be the trustees of the fund and shall have exclusive control and management thereof and full powers to invest the same subject to the terms conditions limitations and restrictions imposed by law upon administrative departments boards commissions and officers of the State Government in making investments and subject to like terms conditions limitations and restrictions such trustees shall have power to hold purchase sell assign transfer or dispose of any of the securities and investments in which any money of the fund shall have been invested as well as of the proceeds of said investments and of any moneys belonging to the fund

All securities or evidences of indebtedness purchased by the board shall be placed in the hands of the State Treasurer who shall be the custodian thereof He shall collect the principal and interest thereof when due and pay the same into the fund The State Treasurer shall pay for all such securities or evidences of indebtedness by check issued upon requisition of the Secretary

All such payments shall be made only upon delivery of such securities or evidences of indebtedness to the State Treasurer To all requisitions calling upon the State Treasurer to pay for any securities or evidences of indebtedness there shall be attached a certified copy of the resolution of the board authorizing the investment The board may upon like resolution sell any of such securities

Except as herein provided no trustee or any person connected with the board shall have any interest direct or indirect in the gains or profits of any investments made by the board nor as such directly or indirectly receive any pay or emoluments for his services No trustee or person connected with the board directly or indirectly for himself or as an agent or partner of others shall borrow any of its funds or deposits or in any manner use the same except to make such current and necessary payments as are authorized by the board under the provisions of this act nor shall any trustee or person connected with the board become surety or become in any manner an obligor for moneys loaned by or borrowed of the board

Section 9 Custodian of Fund Disbursements Deposits The State Treasurer shall be the custodian of the fund All disbursements therefrom shall be made by him by check upon requisitions of the Secretary It shall not be necessary for the State Treasurer to audit the accounts which the requisition of the Secretary calls upon him to pay and for making payments according thereto without audit the State Treasurer shall not be under any liability whatsoever The State Treasurer may deposit any portion of the fund not needed for immediate use as State funds are lawfully deposited and the interest thereon shall be collected by him and placed to the credit of the fund

Section 10 Annual Audit By Insurance Department The Insurance Department at least once each year shall make a complete examination and audit of the affairs of the fund including all receipts and expenditures cash on hand and securities investments or property held representing cash or cash disbursements to ascertain its financial condition and its ability to fulfill its obligations whether the board in managing the fund has complied with the provisions of law relating to the fund and the equities of the board's plans and dealings with insured associations

For the purpose of any examination and audit authorized by this section the Insurance Commissioner his deputy or his examiners shall have free access to all the books records and papers pertaining to the fund and all persons charged with the management of the fund or connected therewith as employes are hereby directed and required to give to the Insurance Commissioner his deputy or examiners the means facilities and opportunity for such examination and audit

The expenses incurred by the Insurance Department in making any examination and audit under the provisions of this section shall be ascertained by the department and shall be certified to the board whereupon the Secretary shall draw his warrant for the payment thereof to the Insurance Department out of the fund Any amount so received by the Insurance Department shall be paid by it into the General Fund of the State Treasury through the Department of Revenue

Section 11 Payment of Expenses of Board The moneys in the fund are hereby made available and appropriated for the following purposes (1) for the expenses of administering the fund including the salaries compensation and expenses of the members and employes of the board or employes assigned to the board and the purchase through the Department of Property and Supplies of surety bonds for such officers or employes of the board as may be required to furnish them supplies materials workmen's compensation insurance covering the officers and employes of the board (2) for payment to the Insurance Department of the cost incurred by that department in examining and auditing the fund at such amounts as the Insurance Department shall determine (3) for payment to the Treasury Department of the cost of making disbursements out of the

fund on behalf of the board at such amounts as the Treasury Department with the approval of the Executive Board shall determine (4) for payment to the Department of Property and Supplies for space occupied in the Capitol Buildings and for water light heat power telephone and other services utilized and consumed by the board at such amounts as the Department of Property and Supplies with the approval of the Executive Board shall determine

Section 12 Application For Insurance Undertakings In Connection Therewith Applications by associations for insurance may be made at any time and shall be in such form as the board shall prescribe They shall contain an agreement (1) to pay the reasonable cost of such examinations and appraisal as the board deems necessary in connection with such insurance (2) if the insurance is granted to permit and pay the cost of such examinations and appraisals as in the judgment of the board may from time to time be necessary for the protection of the fund and of other insured associations (3) to furnish the board with such additional information as it may from time to time require (4) after it becomes an insured association to issue no securities which guarantee a definite return or which have a definite maturity (5) to carry on no sales plan or practices nor any advertising in violation of regulations made by the board (6) to pay no dividends from reserves for contingent losses except as authorized by law (7) to comply with all the laws of the Commonwealth applying to and regulating associations

Section 13 Prohibited Requirements For Membership In Fund Except as provided in section 5 hereof none of the following considerations shall be made requirements or conditions for eligibility for membership in the fund

(1) Size of association whether the basis for arriving thereat be (a) amount of assets (b) number of shares (c) number of shareholders (d) amount of shareholders investments or (e) any other basis whatsoever

(2) Plan of operation so long as the same does not violate the charter of the association or the laws of this Commonwealth

(3) Full time or part time management

(4) Full time or part time facilities

Section 14 Rejection Or Approval Of Applications In considering applications for insurance the board shall give full consideration to all factors in connection with the financial condition of applicants and insured associations and shall have power to require any association to make such adjustments in its financial statement as the board deems to be necessary The board shall reject the application of any association if in its opinion the capital of the applicant is impaired or that its financal policies or management are unsafe The board may reject any application if in its opinion the character of the management of the applicant or its financial policy is inconsistent with econominal financing or with law or its reserve for contingent losses is impaired Upon approval of any application for insurance the board shall notify the applicant and upon payment of the initial contribution and premium charge of such insurance as herein provided the board shall issue to the applicant a certificate stating that it has become an insured association

Section 15 Amount Of Insurance Obtainable Each association whose application for insurance is approved by the board shall be insured to the extent of the full paid in value of shares plus credited dividends of each of its shareholders except that no shareholders shall be insured for an aggregate amount in excess of $5000

Section 16 Rights Of Insured Associations Penalty Any association to which a certificate of insurance has been issued which has not been cancelled or revoked shall have the right in such manner as shall be approved by the board to advertise the fact that it is insured and to display a facsimilie of the board's seal or the emblem thereon in connection with its advertising and on its stationery and forms

Whoever not being an association having a valid certificate of insurance advertises that he or it is insured in the fund or uses or displays the seal of the board or a facsimile thereof or the emblem thereon shall be guilty of a misdemeanor and upon conviction thereof shall be sentenced to pay a fine of not more than five hundred ($500) dollars or in the case of individuals and the responsible officers and agents of associations and corporations to undergo imprisonment for not more than six months or both such fine and imprisonment

Section 17 Contributions In addition to the annual premium charge and additional premiums hereinafter required each insured association shall pay a contribution to the fund equal to three per centum (3%) of the total assets of the association as shown by its last preceding annual report to the department at the time its application for insurance is approved one-half (½) of such contribution shall be paid prior ot the issuance of the certificate of insurance and the balance shall be paid in three (3) equal installments annually thereafter

Section 18 Annual Premiums Maintenance of Fund Each association whose application for insurance is approved by the board shall pay to the fund in such manner as the board shall prescribe a premium charge for such insurance equal to one-eighth of one per centum of the total full paid-in value of shares credited dividends and creditor obligations of such association as shown by its last preceding annual report to the department Such premium shall be paid at the time the certificate of insurance is issued by the board and annually thereafter until the net fair value of the assets of the fund equals five per centum (5%) of the aggregate full paid-in value of shares credited dividends and creditor obligations of all insured associations The board may by regulations permit the payment of such annual premium charges in semi-annual installments If at any time the net fair value of the assets of the fund falls below such five per centum (5%) the payment of such annual premium charge for insurance shall be resumed and shall be continued until the net fair value of the assets of the fund is restored to such five per centum (5%) In lieu of determining the full paid-in value of shares credited dividends and creditor obligations of associations from annual reports the same may be determined in such other manner as the board may by rules and regulations prescribe

Section 19 Additional Premiums For Losses And Expenses The board is further authorized to assess against each insured assocaition additional premiums for insurance until the amount of such premiums equals the amount of all losses and expenses of the fund The total amount so assessed in any one year against any association shall not exceed one-eighth of one per centum of the total of the full paid-in value of shares credited dividends and creditor obligations of the association to be determined in the manner provided by the next preceding section

Section 20 Credit For Excess Payments Any insured association which has paid into the fund any amount in excess of its liabilities thereto shall be credited on its future premiums with an amount equal to the total amount of such excess

Section 21 Payments Into Fund As Assets All payments made by an association into the fund whether as original contributions annual premiums or additional premiums may be carried by it on its books as an asset to the extent authorized by the department following each annual audit of the fund

Section 22 Payment Of Shareholders In Event Of Default If after an examination and appraisal made by the department on its own motion or at the request of the board the board determines from the report of the department that the full paid-in value of the shares credited dividends and creditor obligations of an insured association exceed the fair value of its assets or if the department takes possession of the business and property of an insured association without such determination by the board such association shall be deemed for the purposes of this act to be in default and the board shall promptly determine the insured shareholders thereof and the amount of the full paid-in value of their insured shares and the dividends credited thereto and shall make available to each of them upon surrender and transfer

to the board of his insured shares either (1) new insured shares in an insured association not in default in an amount equal to the full paid-in value of the shares so transferred and the dividends credited thereto or (2) at the option of the insured shareholder the full paid-in value of the shares insured under this act and the dividends credited thereto within five years from the discontinuance of the business of the defaulting association and at such times and in such installments as the board shall determine Notice to this effect shall be sent by mail to each shareholder at his last known address as shown by the books of the insured association

The surrender and transfer to the fund of insured shares in any association which is in default shall subrogate the fund with respect to such insured shares but shall not affect any right which the insured shareholder may have with respect to any shares not insured or to participate in the distribution of the net proceeds remaining from the disposition of the assets of such association

Section 23 Associations For Transfer Or Accounts In order to make available new insured shares in an insured association not in default the board is authorized (1) to contract with any insured association with respect to the making available of insured shares to the insured shareholders of any insured association in default or (2) to provide for the organization of a new association for such purpose subject to the approval of the department

Section 24 Powers Of Board In Case Of Default In the event tht an association is in default and its business and property are taken possession of by the department under the provisions of the Department of Banking Code the Secretary may surrender such possession to the board which shall then be authorized (1) to take over the asset of and operate such association (2) to take such action as may be necessary to put it in a sound and solvent condition (3) to merge it with another insured association (4) to organize a new association to take over its assets or (5) to proceed to liquidate its assets in the manner provided by law for the liquidation of associations whichever shall appear to be to the best interest of the insured shareholders of the association in default and of the fund In any event the fund shall pay the insurance as hereinbefore provided The net proceeds which may arise from the liquidation of the assets of any association after reimbursement of the fund of all amounts paid by it on account of its insurance liability shall be distributed pro rata among the shareholders of the association

Section 25 Annual Report And Record Of Association In Default The board shall make an annual report to the department of the operation by it of insured associations in default and shall keep a complete record of the administration by it of the assets of such insured association which shall be subject to inspection by any officer of such insured association or by any other interested party

Section 26 Loans Etc To Prevent Default Or Aid Restoration In order to prevent a default in an insured association or in order to restore an insured association in default to normal operation as an insured association the board may in its discretion make loans to purchase assets from or make reasonable contribution to an insured association or an insured association in default

Section 27 Termination Of Insurance By Association Any insured association may upon not less than ninety days' written notice to the board terminate its status as an insured association upon a majority vote of its board of directors approved by a majority vote of its shareholders In case of the voluntary dissolution of an association without the consent of the board the association shall be deemed to have terminated its status as an insured association In either of the above events the status as an insured association shall cease and all rights of its shareholders assenting thereto to insurance of their shares shall terminate But such an association shall provide for payment in cash to all shareholders who file written notice of objection to terminate the insurance the full paid-in value of his insured shares and the dividends credited thereto on the date of termination or continue the insurance as to all such shares and credited dividends by payment of the premium charges thereon until the full paid-in value of such shares are paid in cash

Section 28 Termination Of Insurance By Board The board shall have power to terminate the insured status of any insured association at any time after ninety days notice in writing for violation of any provision of this act or any rule or regulation made hereunder or any agreement pursuant hereto But the insured shares of its shareholders existing on the date of such termination shall continue as such for a period of five years thereafter and the association shall continue the payment of premiums thereon during such period From any order of the Board terminating any insurance the association whose insurance is terminated shall have the right to appeal by petition to the court of common pleas of Dauphin County which court after hearing on such notice to the association and the board as the court shall determine shall have power to affirm or reverse the action of the board as it shall deem proper The decision of the court of common pleas shall be final

Section 29 Effective Date This act shall become effective on

And said bill having been read at length the third time, and agreed to.

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—33

Bartlett,	Edmonds,	Lanius,	Stiefel,
Carr,	Farrell,	Letzler,	Tallman,
Chapman,	Frey,	Mallery,	Taylor,
Coleman,	Geltz,	McGinnis,	Tyler,
Cox,	Haluska,	Miller,	Watkins,
Crider,	Heyburn,	Mundy,	Walker,
Deitrick,	Jaspan,	Ruth,	Wilson, H. I.,
Dent,	Kephart,	Stevenson,	Ziesenheim,
DiSilvestro,			

NAYS—9

Becker,	Ealy,	James,	Snowden,
Cavalcante,	Homsher,	Reed,	Thomas,
Crowe,			

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Mr. MUNDY. Mr. President, I ask permission to interrogate the Chairman of the Public Health Committee, Senator Chapman.

THE PRESIDENT. Will the gentleman from Warren permit himself to be interrogated?

Mr. CHAPMAN. I will, Mr. President.

Mr. MUNDY. I would like to ask the gentleman from Warren if he has in his committee at the present time House Bills Nos. 674, 675, Senate Bills Nos. 1220 and 1221?

Mr. CHAPMAN. I do not recall those numbers, Mr. President. What are the bills?

Mr. MUNDY. They refer to the so-called nursing bills.

Mr. CHAPMAN. Yes, Mr. President.

Mr. MUNDY. May I ask the gentleman from Warren whether any action has been taken on those bills as yet in committee?

Mr. CHAPMAN. They were indefinitely postponed by the Committee.

Mr. MUNDY. Then, Mr. President, there was a meeting of the Public Health Committee?

Mr. CHAPMAN. Yes, there was.

Mr. MUNDY. I did not understand the Senator. Did he say there was or that there was not.

Mr. CHAPMAN. There was.

Mr. MUNDY. I do not know whether I correctly understood the Senator. Did he say these bills were postponed by the Caucus or that they were postponed by the committee?

Mr. CHAPMAN. By the committee, Mr. President, in the caucus room.

I might say, Mr. President, I am in favor of these bills and had they come out I would have voted for them.

Mr. MUNDY. Mr. President, I desire to interrogate the gentleman from Northumberland, Senator Deitrick.

THE PRESIDENT. Will the gentleman from Northumberland permit himself to be interrogated?

Mr. DEITRICK. I will, Mr. President.

Mr. MUNDY. I understand the gentleman from Northumberland is Chairman of this committee and that the gentleman from Warren, Dr. Chapman, is acting as chairman; is that correct?

THE PRESIDENT. The Chair understands the gentleman from Northumberland is the permanent chairman. The Chair has no information as to whether the gentleman from Warren is acting in that capacity or not. The only thing the Chair knows is that the gentleman from Warren is chairman of the Appropriation Committee.

Mr. MUNDY. Mr. President, may I interrogate the gentleman from Northumberland?

THE PRESIDENT. Will the gentleman from Northumberland permit himself to be interrogated?

Mr. DEITRICK. I will, Mr. President.

Mr. MUNDY. Is the gentleman from Northumberland Chairman of the Public Health Committee?

Mr. DEITRICK. I am just the appointed chairman, Mr. President, not the active Chairman.

Mr. MUNDY. Mr. President, I can not make the distinction between the appointed chairman and the active chairman. May I further interrogate the Senator from Northumberland and ask him to tell us the difference between the appointed chairman and the active chairman.

Mr. DEITRICK. One gets the name, Mr. President, and the other gets the game.

Mr. COLEMAN. Mr. President, I wonder if I would be permitted to observe to the gentleman from Northumberland, Dr. Deitrick, that one gets the name and the other gets the blame.

MOTION THAT SENATE RECESS

Mr. GELTZ. Mr. President, before we start consideration of the second reading Calendar, I suggest that we now recess for fifteen minutes.

Mr. MILLER. I second the motion, Mr. President.

On the question,

Will the Senate agree to the motion?

Mr. DENT. Mr. President, I merely want to observe that there are only two and one half pages of bills listed on second reading on the calendar and we could complete them in half an hour or so, and perhaps some of the men here who are not as young as I am might want to go to bed.

Mr. GELTZ. Mr. President, I am perfectly willing to withdraw my suggestion that we recess and finish second reading bills and then adjourn. The only reason we were going to hold a caucus was again to try to accommodate our Democratic colleagues in connection with the bills in which they are interested, on the postponed calendar, and if they do not want that accommodation I assure you, Mr. President, I will be glad to get a little more sleep tonight than I had last night.

I withdraw the suggestion that we recess.

Mr. MILLER. I withdraw my seconding, Mr. President.

REPORT FROM COMMITTEE

Mr. RUTH. Mr. President, I ask unanimous consent to make report from committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. RUTH, from the Committee on Education reported as committed, Senate Bill No. 1165, (House Bill No. 1678), entitled:

An Act to further amend section one thousand one hundred thirty-three of the act, approved the eighteenth day of May, one thousand nine hundred and eleven (P. L. 309), entitled "An act to establish a public school system in the Commonwealth of Pennsylvania, together with the provisions by which it shall be administered, and prescribing penalties for the violation thereof; providing revenue to establish and maintain the same, and the method of collecting such revenue; and repealing all laws, general, special or local, or any parts thereof, that are or may be inconsistent therewith," by removing certain limitations of the appointment of district superintendents.

BILLS ON SECOND READING

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 409, (House Bill No. 553), entitled:

An Act to amend section twenty-two of the act approved the seventh day of June one thousand nine hundred and seventeen (P. L. 403) entitled "An act relating to the form execution revocation and interpretation of wills to unucupative wills to the appointment of testamentary guardians to spendthrift trust to forfeiture of devise or legacy in case of murder of testator to elections to take under or against wills and to the recording and registering of such elections and of decrees relative thereto and to the fees therefor" by providing for forfeiture of the right to take property under the will of a murdered testator.

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 410, (House Bill No. 554), entitled:

An Act to amend section twenty-three of the act approved the seventh day of June one thousand nine hun-

dred and seventeen (P. L. 429) entitled "An act relating to the descendent and distribution of the real and personal property of persons dying intestate and to provide for the recording and registering of the decrees of the Orphans' Court in connection therewith and the fees therefor" by providing for forfeiture of the right to inherit or to take property of a murdered intestate under the said act.

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 537, (House Bill No. 579), entitled:

An Act relating to acknowledgements of written instruments and to make uniform the law with relation thereto.

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 754, (House Bill No. 652), entitled:

An Act authorizing any county, city, borough, town, township, poor district, school district or institution district to execute a special warranty deed for any real property which it has acquired at any sale for the nonpayment of taxes or municipal claims.

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 768, (House Bill No. 1127), entitled:

An Act defining regulating and providing for the licensing and registration of employment agents and their representatives including private employment agents theatrical employment agencies and nurses' registries providing for revocation and suspension of licenses and registrations subject to appeal and for their reinstatement defining the powers and duties of the Department of Labor and Industry and the Department of Public Instruction providing penalties and repealing existing laws

And said bill having been read at length the second time and agreed to.

Will the Senate agree to the bill on second reading.

Mr. GELTZ. Mr. President, there was a request that Senate Bill No. 768, go over in its order but at this time I am going to ask that it go over in its order; I am going to request that if there is any Senator who is interested in having the bill go over in its order that he make such a request.

Mr. EALY. May I say just a word, Mr. President.

The PRESIDENT. The gentleman from Somerset will proceed.

Mr. EALY. I am very much opposed to this bill in its present form, Mr. President. I might vote for it in an amended form but, as it is getting late, I withdraw my previous request that it go over in order, so that it may be read the second time in order that amendments may be prepared and inserted in the bill on third reading.

And the question recurring,

Will the Senate agree to the bill on second reading?

It was agreed to.

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 892, (House Bill No. 522), entitled:

An Act making an appropriation to the Pennsylvania State College to advance the tobacco interest of this Commonwealth.

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 898, (House Bill No. 1213), entitled·

An Act to amend an act approved the seventh day of June one thousand nine hundred seventeen (P. L. 600), entitled "An act providing that appointive officers and employes employed by the Commonwealth of Pennsylvania in its civil service or by any department bureau commission or office thereof or by any county municipality township or school district shall not be deemed or held to have resigned or abandoned their offices or employments by reason of enlistment enrollment or draft in the military or naval service of the United States or any branch or unit thereof in time of war or contemplated war prohibiting the removal from their offices or employment of such officers and employes during the period of their service in the Army or Navy directing that one-half of the salaries or wages of such officers or employes as have dependent wives children or parents and not exceeding two thousand dollars per annum be paid during the term of their service in the Army or Navy to such dependents authorizing the employment during said term of substitutes to perform the duties theretofore performed by such officers or employes respectively and providing for the compensation of such substitutes" by more fully defining the times during which the benefits shall be payable and the amounts thereof and to whom payable.

The first section was read.

On the question,

Will the Senate agree to the section?

Mr. HOMSHER. Mr. President, I desire to offer amendments.

The Clerk read the amendments as follows:

Amend sec. 1, (sec. 1) page 3, line 13, by inserting after the part word "nicipality" the word: "or"; amend sec. 1, (sec. 1) page 3, line 13, by inserting after the word "or" the following: "any appointive officer regularly employed

by any"; amend sec. 1, (sec. 1) page 4, line 14, by inserting after the word "municipality" the word: "or"; amend sec. 1, (sec. 1) page 4, line 14, by inserting after the word "or" the following: "of any appointive officer of any"; amend sec. 1, (sec. 2) page 5, line 1, by inserting after the word "and" the following: "[dependent]"; amend sec. 1 (sec. 2) page 6, line 23, by inserting after the word "municipality" the word: "or"; amend sec. 1 (sec. 2) page 6, line 23, by inserting after the word "or" the following: "paid to any appointive officer by any"; amend sec. 1 (sec. 3) page 7, line 24, by inserting after the word "officer" the word: "or".

On the question,

Will the Senate agree to the amendment?

It was agreed to.

On the question,

Will the Senate agree to the section as amended?

It was agreed to.

The second section was read and agreed to.

The title was read.

On the question,

Will the Senate agree to the title?

Mr. HOMSHER. Mr. President, I desire to offer an amendment.

The Clerk read the amendment as follows: Amend the title, page 2, last line of title, by inserting after the word "payable" the following: "and removing employes of school districts from the provisions of said act".

On the question,

Will the Senate agree to the amendment?

It was agreed to.

On the question,

Will the Senate agree to the title as amended?

It was agreed to.

And said bill as amended having been read at length the second time and agreed to.

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 914, (House Bill No. 53), entitled:

An Act providing for the acquisition of the Admiral Peary Memorial Park and for its management and development by the Pennsylvania Historical Commission and making an appropriation

And said bill having been read at length the second and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 1118, (House Bill No. 687), entitled:

An Act to further amend the title and section one of the act approved the third day of May one thousand nine hundred and nine (P. L. 424), entitled "An act providing that in all counties having more than five hundred thousand inhabitants advertisements and notices required by law or rules of court to be published in newspapers of general circulation unless dispensed with by special order of court shall be published in the legal newspaper issued at least weekly of the proper county designated by rules of court for the publication of court or other legal notices" as amended extending the provisions of the said act to counties of the sixth class

And said bill having been read at length the second and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 1127, (House Bill No. 1328), entitled:

An Act to reenact and amend the title and the act approved the twenty-ninth day of April one thousand nine hundred thirty-seven (P. L. 526) entitled "An act providing for and regulating joint purchases by counties (other than counties of the first and second classes) cities of the third class boroughs towns townships school districts and poor districts" by including second class counties cities of the second class and institution districts within the provisions of the act

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 1136, (House Bill No. 353), entitled:

An Act making an appropriation to the Department of Military Affairs, for the maintenance and education of children of soldiers, sailors, marines, female field clerks, yeomen (female) and nurses who were killed in action or died during the World War; and conferring certain duties upon the State Veterans' Commission.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 1150, (House Bill No. 1487), entitled:

An Act providing for the construction and maintenance by the Department of Forests and Waters with the advice of the Bushy Run Battlefield Commission, of a Bushy Run Museum Building on land owned by the Commonwealth in Westmoreland County; and making an appropriation.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILL OVER IN ORDER

Mr. GELTZ. Mr. President, I ask unanimous consent that Senate Bill No. 1204, (House Bill No. 1511), on second reading, entitled:

An Act making an appropriation for the expenses of the Committee of the House of Representatives created by House Resolution Serial Number thirty-five adopted

the twenty-fourth day of February one thousand nine hundred and forty-one

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILLS ON SECOND READING

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 1234, (House Bill No. 1530), entitled:

An Act authorizing and directing the Department of Highways to erect and construct a bridge over the Lackawanna River between a point in or near the Borough of Blakely Lackawanna County and a point in or near the Borough of Olyphant in Lackawanna County and to provide the necessary approaches thereto and making an appropriation

The first section was read.

On the question,

Will the Senate agree to the Section?

Mr. COLEMAN. Mr. President, I desire to offer an amendment.

The Clerk read the amendment as follows:

Amend Section 1, page 1, lines 3 and 4, by striking out after the word "River" the words "at a convenient point in or near," and inserting in lieu thereof the following: "on State Highway Route 35066 in"; amend Section 1, page 1, line 5 by striking out at the beginning of the line before the word "the" the words "a point on"; amend Section 1, page 1, line 5, by striking out at the end of the line after the word "in" the words "or near."

On the question,

Will the Senate agree to the amendment?

It was agreed to.

On the question,

Will the Senate agree to the section as amended?

It was agreed to.

The second and third sections were read and agreed to.

The title was read.

On the question,

Will the Senate agree to the title?

Mr. COLEMAN. Mr. President, I desire to offer an amendment.

The Clerk read the amendment as follows:

Amend title, page 1, line 3, by striking out after the word "River" and before the word "the" the words "between a point in or near" and inserting in lieu thereof the following: "on State Highway Route 35066 in"; amend title, page 1, line 4, by striking out after the word "and" the words "a point in or near," and inserting in lieu thereof the following: "in."

On the question,

Will the Senate agree to the amendment?

It was agreed to.

On the question,

Will the Senate agree to the title as amended?

It was agreed to.

And said bill as amended having been read at length the second time and agreed to.

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 1251, (House Bill No. 1835), entitled:

An Act creating a Highway Traffic Advisory Committee to the War Department of the United States of America providing for its appointment prescribing the powers and duties and authorizing the use by the committee of the employes equipment supplies and facilities of certain State agencies

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILLS OVER IN ORDER

Mr. GELTZ. Mr. President, I ask unanimous consent that Senate Bill No. 1303, (House Bill No. 1727), on second reading, entitled:

An Act providing that proceedings acts and bonds issued by Authorities incorporated under the Municipality Authorities Act as amended and supplemented shall not be invalid by reason of certain circumstances

go over in order.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. GELTZ. Mr. President, I ask unanimous consent that Senate Bill No. 1304, (House Bill No. 1728), on second reading, entitled:

An Act relating to the compatibility of office of members of the Boards and officers of the Authorities incorporated under the Municipality Authorities Act as amended and supplemented.

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILLS ON SECOND READING

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 1309, (House Bill No. 448), entitled:

An Act to further amend clause (e) of section seven and to amend the first paragraph of section nine of the act approved the twenty-fourth day of June one thousand nine hundred and thirty-seven (P. L. 2051) entitled "An act relating to public assistance providing for and regulating assistance to certain classes of persons designated and defined as dependent children aged persons blind persons and other persons requiring relief providing for the administration of this act by the Department of Public Assistance and county boards of assistance hereby created for this purpose authorizing the Department of Public Assistance to cooperate with and to accept and disburse moneys received from the United States Government for assistance to such persons providing for the liquidation of the State Emergency Relief Board Boards of Trustees of the Mothers' Assistance Fund and Boards of Trustees of Pension Fund for the Blind and repealing laws relating to mothers' assistance pensions for the blind old age assistance and the State Emergency Relief Board" by redefining eligibility for assistance providing for appeals from certain decisions of the Department of Public Assistance to common pleas

courts and imposing powers and duties on common pleas court.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 1326, (House Bill No. 355), entitled:

An Act fixing the salary of the Parliamentarian of the House of Representatives.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 1327, (House Bill No. 1952), entitled:

An Act to provide for the change of object of the corporate existence of beneficial and relief associations as herein defined and authorizing and providing a mode for the dissolution and surrender of the charter of such associations.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 1332, (House Bill No. 1895), entitled:

An Act to amend section five of the act approved the fourth day of April one thousand nine hundred twenty-nine (P. L. 144) entitled "An act prescribing the powers and duties of the Department of Agriculture with regard to farm products providing for cooperation with the Department of Internal Affairs to establish standard receptacles for farm products authorizing the Department of Agriculture to establish and promulgate standards for the grade and other classification of farm products and to promulgate regulations for the enforcement thereof defining farm products to include agricultural horticultural vegetable fruit and floricultural products of the soil live stock and meats wools hides poultry eggs dairy products nuts mushrooms and honey and providing penalties" by including certificates of the United States Department of Agriculture as evidence of grade and classification.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

REQUEST TO CONSIDER SECOND READING OF POSTPONED BILLS

Mr. DENT. Mr. President, I suggest if we now take up second reading bills, on page 27 of the postponed Calendar, it will have the effect of adding a legislative day and then, if they are not agreeable to the Republican Caucus or the Democratic Caucus, they will be defeated on third reading.

I suggest, Mr. President, that we now proceed to page twenty-seven of the Calendar, bills on second reading postponed. It does not mean anything at all, because they will have to be taken up again on third reading anyway. We could take up bills on second reading postponed and they could do the same thing the in House, and pass the bills of the Senate on first reading. Those they do not want they will lick on second reading.

Mr. EALY. Mr. President, the House only passed certain bills on first reading. We wish to have a short recess in order to shorten the time of the session tonight. There are a lot of bills on here on which we are not sure as to what action we desire to take. It seems to me we could shorten this session and possibly pass some of these third reading postponed bills, so that we could shorten the work tomorrow.

Mr. DENT. I will withdraw my suggestion, Mr. President, if the gentlemen on the other side desire a recess, but I predict it will take longer than twenty minutes.

Mr. COLEMAN. Mr. President, I desire to interrogate the gentleman from Luzerne, Mr. Mundy.

The PRESIDENT. Will the gentleman from Luzerne permit himself to be interrogated?

Mr. MUNDY. I will, Mr. President.

Mr. COLEMAN. I desire to ask the gentleman from Luzerne if he is one of the conferees on Senate Bill No. 507, which is the congressional apportionment bill.

Mr. MUNDY. I am, Mr. President; I agree that I was.

Mr. COLEMAN. I desire to ask the gentleman from Luzerne whether or not this committee has had a number of conferences, at which no agreement was arrived at.

Mr. MUNDY. That is correct.

Mr. COLEMAN. I desire to ask the gentleman from Luzerne whether or not the committee is now hopelessly deadlocked.

Mr. MUNDY. That is correct.

Mr. COLEMAN. I desire to ask the gentleman from Luzerne whether he has reported to the Senate that the committee is hopelessly deadlocked and unable to reach an agreement.

Mr. MUNDY. Mr. President, the committee held a meeting last night and decided that we were hopelessly deadlocked; that the report of the conference committee of the Senate would be that we were unable to agree; the committee authorized such a release to the press, that is, authorized each of the members of the committee to so say to the press, speaking generally, and a report was ordered to be drawn up in accordance with that and is now ready for signature and the report will be made to the Senate.

Mr. COLEMAN. Mr. President, I now raise the point of order that the gentleman from Luzerne, Senator Mundy, was one of the conferees duly appointed by the President Pro Tempore of the Senate, to sit with the House conferees to adjust the differences existing betwen the Senate and the House with reference to Senate Bill No. 507, which is a bill proposing the apportioning of congressional districts in the Commonwealth of Pennsylvania, and that having reported to this body that the committee is hopelessly deadlocked and unable to arrive at an agreement, the committee is automatically discharged and the Senate is now in physical possession of the bill.

The PRESIDENT. The Chair is not aware of any rule whereby a committee would be automatically discharged. According to the information of the Chair, no formal report has been submitted by the joint committee. If the Chair is incorrect in his understanding he would like to be enlightened.

Mr. COLEMAN. Mr. President, I desire to call the attention of the Chair to the Pennsylvania Manual, page 724, rules of order of the Senate, rule 54, which reads as follows: "The question being propounded to the Chair, viz: does the report of a committee of conference on its final disagreement operate as a discharge of the committee without further action of the Senate?" and the decision was in the affirmative.

I raise that point of order, Mr. President.

The PRESIDENT. Apparently the gentlman from Lackawanna has given consideration to the point he has raised; the Chair does not propose to render an unconsidered opinion.

The Chair rules that the decision quoted by the gentleman from Lackawanna does not apply under the circumstances, for the reason that, as far as the Chair is informed, no report has been filed by the conference committee. If such a report has been made to the Senate the Chair would be glad to be so advised.

Mr. COLEMAN. I desire to ask the Chair if he could inform me who has authority on a conference committee to report a disagreement, since the gentleman from Cumberland indicated there is no chairman of the conference committee.

The PRESIDENT. The Chair understands a chairman is not appointed on conference committees. The House appointed three conferees on the part of the House and the Senate appointed three conferees on the part of the Senate. There is no provision in the rules as to the appointment of a chairman. The Chair understands, however, that should the conferees so desire, after they have organized, they may select a chairman; there is no rule they must do so of which the Chair is aware. There is no such Senate rule, as the gentleman from Lackawanna knows, and there is no joint rule of the House and Senate.

Mr. COLEMAN. Mr. President, I desire to interrogate the gentleman from Cumberland.

The PRESIDENT. Will the gentleman from Cumberland permit himself to be interrogated?

Mr. WADE. I will, Mr. President.

Mr. COLEMAN. Mr. President, I desire to ask the gentleman from Cumberland whether he knows who, on the conference committee has any authority to report back to the Senate, representing the major part of the Senate committee, that this committee is hopelessly deadlocked and unable to reach an agreement.

Mr. WADE. While we have no authorized chairman, the impression in the committee, as I understand it, is that we will submit on the floor of the Senate a written report of our final decision.

Mr. COLEMAN. Mr. President, two weeks ago I made a statement on the floor of the Senate that one of the most important bills before this particular Legislature was a bill which would apportion congressional districts in the Commonwealth of Pennsylvania. I stated on that occasion that if this Legislature adjourned without passing a congressional apportionment bill, that it would be a grave blow struck at representative form of government in Pennsylvania.

Every report from the conference committee indicates to me very clearly that this committee has no possibility of reaching an agreement. Some of the gentlemen of the committee are quoted in the press as having stated that it is their intention to kill the bill

Now, Mr. President, as a Democrat I am not panicky about the probable outcome of a congressional election next year. I believe firmly, and it is my sincere conviction, that when Mr. Roosevelt comes into the Commonwealth of Pennsylvania that we will be able to elect thirty-three Democratic members of Congress, so I am not panicky, feeling that there will be no Democratic congressmen elected in the event that these congressmen are elected at large, but I do protest against that form of representation. I do not know whether anybody can possibly conceive the great injustice to the people of the Commonwealth of Pennsylvania if this Legislature adjourns without taking some action on this all important question. It is very conceivable that the cost to the taxpayers in the Commonwealth will be staggering. There will not be any election machinery in the Commonwealth that will be able to be used, because estimates of the number of candidates runs up into the thousands. It is very conceivable too, that in the event this thing happens, that the election will be decided in the election bureaus, where the candidates pick their positions on the ballot, and I want to again enter my protest and indicate to this Senate that in the event the Senate conferees fail to reach an agreement by tomorrow, I propose to move for the discharge of the committee.

Mr. DENT. Mr. President, I too have been disturbed over this particular lack of action on the part of the House and Senate. I have heard quite a few Senators say here that they would be willing to sit all summer on certain pieces of legislation, if necessary. Therefore, Mr. President, I ask permission at this time to introduce a resolution, and I ask that it be read for the information of the Senate. I am introducing this resolution on behalf of myself, the gentleman from Allegheny, Senator Cox, the gentleman from Lackawanna, Senator Coleman, and the gentleman from Allegheny, Senator Barr.

RESOLUTION RELATIPE TO CONGRESSIONAL REAPPORTIONMENT

Mr. DENT. Mr. President, on behalf of Senators Coleman, Cox and Barr, I ask unanimous consent to offer a resolution at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. DENT, offered the following resolution which was twice read:

In the Senate, July 10, 1941.

Whereas, There are rumors of an early date of adjournment sine die of the General Assembly, and

Whereas, The important question of Congressional Reapportionment appears to be deadlocked in a Conference Committee, and

Whereas, Contrary to the rules of the United States of America and to the best interest of the citizens of the Commonwealth of Pennsylvania, the Congressional Districts have not been reapportioned, and

Whereas, An adjournment of the General Assembly of Pennsylvania, with the reapportionment of Congressional Districts, would result in an exhorbitant cost to the taxpayers and would be inimical to the principles of a Democratic form of government, therefore be it

Resolved, and it is resolved, if the House concur that the General Assembly of the Commonwealth of Pennsylvania shall not adjourn sine die until a law has been enacted complying with the requirements of the Federal status governing Congressional Reapportionment.

Mr. DENT. Mr. President, if we act upon this resolution immediately and send it to the House, we may be serving notice upon the House members, as well as ourselves, that we are serious in this matter, and that we are not going to allow the election machinery in this state to break down.

Therefore, Mr. President, I ask immediate consideration of this resolution.

On the question,

Will the Senate agree to the resolution?

Mr. EALY. Mr. President, everyone knows that I have stated very strongly I feel that this session of the Legislature should reapportion the congressional districts in the state. However, I think it is not the time to pass such a resolution today.

I will therefore, Mr. President, object to its immediate consideration.

This committee on congressional reapportionment has not made any formal report to us. I do not know why they can not get together. When they make a report, then we will know how to act on this matter. I am hoping they can get together and provide a real apportionment of this state for us.

Mr. DENT. Mr. President, I request, with permission of the gentleman from Somerset, that instead of sending the resolution to committee, that it be laid upon the table.

The PRESIDENT. Under the rules it must be referred to a committee.

Mr. DENT. Mr. President, I do not want to tie the Senate up. I wanted my sentiments expressed in the matter, and they have been expressed. I can draft another resolution tomorrow. Send it to committee, if you so desire.

Mr. EALY. I have no objection to the resolution being laid on the table. However, I would like to get a report from this committee before we take any further action.

The PRESIDENT. Is there objection to the request of the gentleman from Westmoreland.

Mr. COLEMAN. Mr. President, I think the gentleman from Westmoreland ought to have explained, and I want to bring it out so there will be no misunderstanding, that we propose to call the resolution up tomorrow. If the disposition of the resolution be that it be laid on the table, we propose to call the resolution up tomorrow. I think that ought to be explained to anyone who may not understand why the gentleman from Westmoreland requested that the resolution be laid on the table.

The PRESIDENT. The Chair calls attention of the Senator from Westmoreland to the fact that if this resolution is laid on the table now, and is called up tomorrow, it will then be in the same status as it is now, and then, if there is objection, it will have to be referred to committee.

Mr. WALKER. Mr. President, I was going to suggest to the Chair, as the Chair suggested to the Senator from Westmoreland, Mr. Dent, that it would be perfectly all right to allow this resolution to go to committee, because I think we are all in sympathy with the desire to have congressional reapportionment.

The feeling of the gentleman from Somerset, Mr. Ealy, is well known to all of us, because he has expressed his sentiments at various times, that he is unwilling to adjourn sine die without proper congressional reapportionment. May I say, Mr. President, we are all interested in that, but when we say we want congressional reapportionment, may I say in all fairness to the sponsors of this resolution, and as well express my own sentiments, when we say we want congressional reapportionment, we do not propose to subject the people of Pennsylvania to a partisan bill, representing overbearing partisanship of either the Republican or the Democratic party. This state can be logically and equitably cut up into congressional districts without intentionally overshadowing one party or the other, and I feel if we can sit down and try again, perhaps we can reach an equitable conclusion on the matter. That is the hope, I know, of the sponsors of the resolution, because I know they did not present this resolution with any partisan spirit, and I know also that is the reaction of the gentleman from Somerset.

While we are still on the Calendar, Mr. President, may I call up for action a bill.

The PRESIDENT. It will be necessary to dispose of this resolution first.

Mr. WALKER. I am sorry, Mr. President; I thought the Chair had referred the resolution to committee, under the rules.

The PRESIDENT. The Chair called attention to the fact that action should be taken on the request to lay the resolution on the table. If the resolution is laid on the table and then called from the table tomorrow, it will then be in exactly the same status as it is at this time, by so doing action is delayed for one day, as the resolution will have to be referred to committee, if there be objection.

Mr. WALKER. Mr. President, I understood the gentleman from Westmoreland withdrew his request.

RESOLUTION REFERRED TO COMMITTEE

The PRESIDENT. The resolution is referred to the Committee on Congressional Reapportionment.

SENATE BILL No. 835, (HOUSE BILL No. 1435), ON THIRD READING, POSTPONED CALLED UP

Mr. WALKER. Mr. President, I now call up Senate Bill No. 835, (House Bill No. 1435), on third reading, postponed, page 24 of the Calendar.

Mr. GELTZ. Mr. President, I second the motion.

The motion was agreed to.

BILL ON THIRD READING

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 835, (House Bill No. 1435), entitled:

An Act to authorize housing authorities to undertake the development or administration of projects to provide safe and sanitary dwellings for persons engaged in national defense activities who would not otherwise be able to secure such dwellings within the vicinity thereof; to

limit the initiation of the development of such projects until December 31, 1943; to authorize housing authorities to cooperate with or act as agent of the Federal Government in the development and administration of such projects of the Federal Government, to acquire or lease such projects and to sell or lease certain projects to the Federal Government; to authorize public bodies to assist such projects of housing authorities and of the Federal Government; and to declare valid all bonds, notes and obligations of housing authorities issued for projects heretofore undertaken to provide safe and sanitary dwellings for persons engaged in national defense activities.

And said bill having been read at length the third time,

On the question,

Will the Senate agree to the bill?

Mr. WALKER. Mr. President, I ask unanimous consent to amend Bill, Page 9, by striking out all of lines 9 to 18, both inclusive; Amend Section 8, Page 9, line 19, by striking out the figure "8" and inserting in lieu thereof the figure "7;" Amend Section 9, Page 10, line 15, by striking out the figure '9" and inserting in lieu thereof the figure "8;" Amend Section 10, Page 10, line 19, by striking out the figure "10" and inserting in lieu thereof the figure "9;" Amend Section 11, Page 10, line 27, by striking out the figure '11" and inserting in lieu thereof the figure "10;" Amend Section 11, Page 10, line 27, by inserting after the word "immediately" at the end of the line, the following: "upon final enactment;" Amend Title, Page 1, by striking out at the end of the last line of the Title on said page the word "and"; Amend Title, Page 2, by striking out all of the first and second lines of the Title on said page, and by striking out the partial word "-taken" at the beginning of line 3 of the Title on said page.

The PRESIDENT. Is there objection? The Chair hears none.

On the question,

Will the Senate agree to the amendments.

Mr. COX. Mr. President, I wish to interrogate the sponsor of these amendments.

The PRESIDENT. Will the gentleman from Allegheny permit himself to be interrogated?

Mr. WALKER. Yes, Mr. President.

Mr. COX. As I gather from these amendments, the only part of the act which is really amended is section 7, which is cut out in its entirety; Section 7 on page 9.

Mr. WALKER. That is my understanding, Mr. President, and I might explain to the gentleman from Allegheny, Mr. Cox, that the purpose of these amendments was suggested, as I understand, by a communication from Mr. Strauss, who is the head of the National Housing Authority. What we are trying to do is to amend the bill to make it conform to the recommendations that were made by him. I have no personal pride of authorship in either the bill or the amendments; we are merely trying to conform with the distinguished gentleman's recommendations.

Mr. COX. Mr. President, Section 7 was merely the section which validated financial contracts previously entered into by housing authorities, and I can not see any particular reason why it should be deleted from the bill.

Mr. WALKER. Mr. President, when this bill was introduced in the House it proposed to validate certain actions which might have been taken by these housing authorities with relation to bonds, notes, contracts, agreements and obligations, and according to the information which was detailed to us, that was not the purpose, and that is why the recommendation was made that it be stricken from the bill, because we have no knowledge of what action were taken by some of these housing authorities that might have to be validated.

Mr. President, if the gentleman from Allegheny, Mr. Cox, has any suggestions as to what hardship would be created by deletion of that section, we would be glad to listen to him, but that portion there has the result of saying no matter what these housing authorities do, whether it is irregular or contrary to constituted authority or in violation of their agreements or in violation of the law, we are validating that, whether it was done intentionally, in innocence, with intent or in ignorance.

Mr. COX. I know of no concrete instance, Mr. President, to which this section would be applicable, but when we consider the huge sums of money spent by housing authorities, and the fact that there are obligations which in many instances were purchased by purchasers without notice of any defects, it seems to me the section is a good section and should be still included in the bill. I am not concerned with the action of the housing authority, but I am concerned with the people who rely on the credit of the housing authority when purchasing its obligations.

Mr. WALKER. May I suggest there is no interrogatory contained in the statement by the gentleman; it is merely a statement of fact, the gentleman has been indulging in and therefore I assume the interrogation has been completed.

Mr. BARR. Mr. President, I should like to interrogate the gentleman from Allegheny, Mr. Walker.

The PRESIDENT. Will the gentleman from Allegheny permit himself to be interrogated?

Mr. WALKER. Yes, Mr. President.

Mr. BARR. Mr. President, I have been very much interested in the bill and not being an attorney, I must admit I do not know just exactly what this does to this bill. Now, Senator Walker, where did you get this amendment? Did you say it came from the National Housing Authority? the defense housing authority.

Mr. WALKER. No. Mr. President, I did not. I said these amendments were compiled in order to make the bill conform with information that we had received.

Mr. BARR. Mr. President, I thought I heard the gentleman from Allegheny use the name of Mr. Strauss.

Mr. WALKER. Mr. President, I did not say that disrespectfully. I said information had been received from the very distinguished gentleman, Mr. Strauss, who, as I understand it, is head of the Federal Housing Authority.

Mr. BARR. What information, Mr. President?

Mr. WALKER. Information regarding the bill, Mr. President; he was urging passage of a bill doing certain things and Section 7, which is on page 9, and which we have been discussing, was not one of the items that Mr. Strauss recommended to us.

Mr. COX. Mr. President, I desire to interrogate the gentleman from Allegheny, Mr. Walker.

The PRESIDENT. Will the gentleman from Allegheny permit himself to be interrogated?

Mr. WALKER. I will, Mr. President.

Mr. COX. The question now is on the amendments; is that correct?

Mr. WALKER. That is correct.

Mr. EALY. Mr. President, may I just say a word.

The PRESIDENT. The gentleman from Somerset may proceed.

Mr. EALY. Mr. President, I regard this as a bad bill, but there was a telegram which came from Nathan Strauss, from Washington, urging that a bill be passed so that the State Housing Authority might become the agent for national housing projects. There was nothing in Mr. Strauss' telegram requesting that we validate illegal transactions of Pennsylvania housing authorities heretofore. If this section is put in the bill, validating all acts of former housing authorities, whether legal or illegal, certainly it will be a bad bill that no one will want to vote for. I do not promise to vote for the bill in the form with the amendments inserted, but I can not conceive that anybody would want to vote for a bill with a validating amendment in it, which would validate all transactions, legal or illegal, of former housing authorities.

Mr. WALKER. Mr. President, I would just like to confirm what the Senator from Somerset, Mr. Ealy, has said, and call attention to the fact that there has been quite considerable discussion over validating or attempting to whitewash things that have occurred, for example, in Delaware County, and here is a section that is validating no one knows what actions, legal or illegal, whether they were done, as I said before, intentionally, innocently or in ignorance, and I agree with the gentleman from Somerset that I do not think any member of this Senate would want to close his eyes and blindly validate all the actions of these housing authorities without knowing what we are getting into.

Now, Mr. President, we seem to be in agreement in validating or whitewashing what has taken place in Delaware County. I would suggest we adopt these amendments, and then we can see in what shape the bill will be tomorrow.

Mr. BARR. Mr. President, I wish to withdraw my objection. I thought Senate Bill No. 837, the third bill of this group, was a validating act, and I did not understand that paragraph.

Like Senator Walker and Senator Ealy, I certainly do not care to validate anything that may have been illegally done long ago.

Mr. COX. Mr. President, I am sufficiently interested in this bill to make sure it passes, and irrespective of the weakness of this particular section, I certainly will withdraw my objection and agree to the amendments.

And the question recurring,

Will the Senate agree to amendments?

The amendments were agreed to.

And the question recurring,

Will the Senate agree to the bill on third reading, as amended?

It was agreed to.

Ordered, That said bill as amended be printed for the use of the Senate.

REPORT FROM COMMITTEE

Mr. CRIDER. Mr. President, I ask unanimous consent to make report from committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. CRIDER. On behalf of Senator Ziesenheim from the Committee on Municipal Government reported as committed, Senate Bill No. 1245, (House Bill No. 1770), entitled:

An Act to amend the title and to further amend section forty-three of the act, approved the seventh day of June, one thousand nine hundred and one (P. L. 493), entitled "An act providing for the examination, licensure, and registration of persons, firms, or corporations engaged or engaging in the business or work of plumbing or house drainage, and prescribing certain rules, regulations, and requirements for the construction of plumbing, house drainage, and cesspools in cities of the second class; and imposing fines, penalties, and forfeitures for violation thereof," by permitting the use of enclosed woodwork about sinks in all except tenement-houses and lodging-houses in cities of the second class, second class A, and third class.

PERMISSION TO ADDRESS SENATE

Mr. BARR. Mr. President, I ask permission to address the Senate.

The PRESIDENT. The gentleman from Allegheny may proceed.

Mr. BARR. Mr. President, after returning from my leave of absence, I have consulted with the Majority Leader and we have agreed that we all agree and now ask for a recess of ten minutes.

Mr. GELTZ. Mr. President, I want to say just about half an hour ago I received a list of twenty-three bills on which action is desired, and in order to keep our agreement on this side of the aisle we are going to consider these bills, which will require a short recess.

RECESS

Mr. GELTZ. Mr. President, I move that the Senate do now take a recess for ten minutes.

Mr. BARR. Mr. President, I second the motion.

The motion was agreed to.

AFTER RECESS

The PRESIDENT PRO TEMPORE (Hon. Charles H. Ealy in the Chair). The time of recess having elapsed the Senate will be in order.

CONSIDERATION OF CALENDAR RESUMED

BILL DROPPED FROM CALENDAR

Mr. GELTZ. Mr. President, I move that Senate Bill No. 693, (House Bill No. 1173), on second reading, postponed, entitled:

An Act to further amend the fourth paragraph of section five hundred and six of the act, approved the eighteenth day of May, one thousand nine hundred and eleven (P. L. 309), entitled "An act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered, and prescribing penalties for the violation thereof; providing revenue to establish and maintain the same, and the method of collecting such revenue; and repealing all laws, general, special, or local, or any part thereof, that are or may be inconsistent therewith," allowing further deductions from gross indebtedness in order to determine indebtedness of any school district

be dropped from the Calendar.

Mr. JAMES. Mr. President, I second the motion.

The motion was agreed to.

Mr. GELTZ. Mr. President, I might say in explanation that the provisions of this bill are included, as I understand from the gentleman from Lancaster, Senator Homsher, in another bill which was passed, and therefore this bill is no longer necessary. The sponsor of this bill, Senator Homsher so understands that situation.

SENATE BILL No. 769, (HOUSE BILL No. 1194), ON SECOND READING POSTPONED

Mr. GELTZ. Mr. President, I now call up Senate Bill No. 769, (House Bill No. 1194), on second reading, postponed, page 28 of the Calendar.

Mr. MALLERY. Mr. President, I second the motion.

The motion was agreed to.

BILLS ON SECOND READING

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 769, (House Bill No. 1194), entitled:

An Act to amend sections two and three of the act approved the eleventh day of May one thousand nine hundred and eleven (P. L. 275) entitled "An act to provide for the appointment of county and city inspectors of weights and measures providing for their compensation and expenses prescribing their duties prohibiting vendors from giving false or insufficient weights and fixing the penalties for the violation of the provisions thereof" as amended by providing for the issuance of certificates of approval for weights and measures of county city and borough sealers.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

SENATE BILL No. 809, (HOUSE BILL No. 215), ON SECOND READING POSTPONED CALLED UP

Mr. GELTZ. Mr. President, I now call up Senate Bill No. 809, (House Bill No. 215), on second reading, postponed, page 28 of the Calendar.

Mr. MILLER. Mr. President, I second the motion.

The motion was agreed to.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 809, (House Bill No. 215), entitled:

An Act to further amend sections one and four of the act, approved the sixteenth day of May, one thousand nine hundred and nineteen (P. L. 180), entitled "An act providing a method of establishing title to land acquired at a sale for unpaid taxes or municipal claims," extending the provisions of said act to include land acquired at city treasurer's sales for unpaid taxes and providing that in certain cases notice of the proceedings by advertisement shall be deemed a good and sufficient service.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

SENATE BILL No. 819, (HOUSE BILL No. 1326), ON SECOND READING POSTPONED CALLED UP

Mr. GELTZ. Mr. President, I now call up Senate Bill No. 819, (House Bill No. 1326), on second reading, postponed, page 28 of the Calendar.

Mr. MILLER. Mr. President, I second the motion.

The motion was agreed to.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 819, (House Bill No. 1326), entitled:

An Act to amend sections three and four of the act approved the thirtieth day of March one thousand nine hundred three (P. L. 110) entitled "A supplement to an act entitled 'An act regulating the construction maintenance alteration and inspection of buildings and party walls in cities of the second class' approved the seventh day of June Anno Domini one thousand eight hundred and ninety-five regulating the construction alteration and ventilation of tenement-houses and providing for the safety of the inhabitants thereof and providing penalties for the violation of the same" further regulating the erection alteration and ventilation of certain tenement houses.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

SENATE BILL No. 820, (HOUSE BILL No. 1327), ON SECOND READING POSTPONED CALLED UP

Mr. GELTZ. Mr. President, I now call up Senate Bill No. 820, (House Bill No. 1327), on second reading, postponed, on page 29 of the Calendar.

Mr. MILLER. Mr. President, I second the motion.

The motion was agreed to.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 820, (House Bill No. 1327), entitled:

An Act to amend section six and to further amend section eleven of the act approved the twenty-eighth day of May one thousand nine hundred and fifteen (P. L. 596) entitled "An act requiring cities of the second class to establish a pension fund for employes of said cities and regulating the administration and the payment of such pensions" restricting the right of per diem employes to join such pension system and giving peace time drafted employes credit for the time spent in the services of the United States

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

SENATE BILL No. 1082, (HOUSE BILL No. 1658), ON SECOND READING POSTPONED CALLED UP

Mr. GELTZ. Mr. President, I now call up Senate Bill No. 1082, (House Bill No. 1658), on second reading, postponed, on page 29 of the Calendar.

Mr. MILLER. Mr. President, I second the motion.

The motion was agreed to.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 1082, (House Bill No. 1658), entitled:

An Act to further amend the first paragraph of section one of article fifteen of the act, approved the seventh day of March, one thousand nine hundred and one (P. L. 20), entitled "An act for the government of cities of the second class" by further regulating the manner of letting contracts relating to city affairs.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

REPORTS FROM COMMITTEES

Mr. CHAPMAN. Mr. President, I ask unanimous consent to make report from committee at this time.

The PRESIDENT PRO TEMPORE. Is there objection? The Chair hears none.

Mr. CHAPMAN from the Committee on Appropriations reported as committed Senate Bill No. 1250, (House Bill No. 1832), entitled:

An Act making an emergency appropriation to the Department of Highways for allocation to and distribution among boroughs and townships for the repair of certain roads and streets in Western Pennsylvania.

Mr. MILLER. Mr. President, I ask unanimous consent to make report from committee at this time.

The PRESIDENT PRO TEMPORE. Is there objection? The Chair hears none.

Mr. MILLER from the Committee on State Government reported as committed, Senate Bill No. 1287, (House Bill No. 1336), entitled:

An Act authorizing and directing the Department of Property and Supplies to reprint the Report of the Commission to Locate the Sites of the Frontier Forts of Pennsylvania; and providing for the distribution thereof.

Mr. WALKER. Mr. President, I ask unanimous consent to make report from committee at this time.

The PRESIDENT PRO TEMPORE. Is there objection? The Chair hears none.

Mr. WALKER from the Committee on Judiciary General reported as committed, Senate Bill No. 1195, (House Bill No. 1129), entitled:

An Act to further amend subsection (a) of section six of the act, approved the seventh day of June, one thousand nine hundred seventeen (P. L. 447), entitled as amended "An act relating to the administration and distribution of the estates of decedents and of minors, and of trust estates; including the appointment, bonds, rights, powers, duties, liabilities, accounts, discharge and removal of executors, administrators, guardians, and trustees, herein designated as fiduciaries; the administration and distribution of the estates of presumed decedents; widow's and children's exemptions; debts of decedents, rents of real estate as assets for payment thereof, the lien thereof, sales and mortgages or real estate for the payment thereof, judgments and executions therefor, and the discharge of real estate from the lien thereof; contracts of decedents for the sale or purchase of real estate; legacies, including legacies charged on land; the discharge of residuary estates and of real estate from the lien of legacies and other charges; the appraisement of real estate devised at a valuation; the ascertainment of the curtilage of dwelling houses or other buildings devised; the abatement and survival of actions, and the substitution of executors and administrators therein; the survival of causes of action and suits thereupon by or against fiduciaries investments by fiduciaries the organization of corporations to carry on the business of decedent; the audit and review of accounts of fiduciaries; refunding bonds; transcripts to the court of common pleas of balance due by fiduciaries; the rights, powers and liabilities of nonresident and foreign fiduciaries; the appointment, bonds, rights, powers, duties and liabilities of trustees durante absentia; the recording and registration of decrees, reports, and other proceedings, and the fees therefor; appeals in certain cases; and, also, generally dealing with the jurisdiction, powers, and procedure of the orphans' court in all matters relating to fiduciaries concerned with the estates of decedents." eliminating requirements for advertising and for appointment of masters where value of estates of presumed decedents is not in excess of five hundred dollars.

He also, from the Committee on Judiciary General, reported as committed, Senate Bill No. 1032, (House Bill No. 1350), entitled:

An Act validating certain deeds and conveyances made by trustees without setting forth their authority to convey.

PERMISSION TO ADDRESS SENATE

Mr. COX. Mr. President, I desire permission to address the Senate.

The PRESIDENT. The gentleman from Allegheny may proceed.

Mr. COX. Mr. President, I would like to refer to Senate Bill No. 770, (House Bill No. 1198), appearing on page 28 of the Calendar and Senate Bill No. 1122, (House Bill No. 1197), on page 29 of the Calendar.

Mr. President, these bills refer to townships having a popularion of eight thousand or more, relating to the incorporation of new boroughs, and I might say although Mr. Harkins' name is attached to these two bills, he would not care to have them construed as being his bills. These bills were introduced for a definite purpose.

As you know, Mr. President, in certain sections of western Pennsylvania there has been an increase or expansion of industries. One borough in particular, having had a new plant built in a township within the last five years, there has resulted an increased assessed valuation and as a result of that they would be able to build new schools, and now that there seems to be a possibility of expansion of industries and building of new plants these neighboring boroughs and third class cities are trying to take advantage of that, and we feel the townships certainly should be incorporated into boroughs so that this situation would be remedied. That was the reason for the introduction of these two bills. I do not want to press the issue. If there is not any conceivable chance of getting these two bills passed of course they will have to die.

I am addressing my remarks to the gentleman from Allegheny, Senator Geltz, I realize the Caucus has taken definite action, but thought you might not be familiar with the background of this particular legislation and we would appreciate it if you were to pass these bills on second reading.

Mr. GELTZ. Mr. President, the only answer I can give to that is that we have advanced the second reading bills we favor advancing. I do not know any other way

to answer that question or statement, whichever it was.

Mr. COX. That is a very positive answer, Mr. President. Thank you.

HOUSE MESSAGE

HOUSE BILL FOR CONCURRENCE

The Clerk of the House of Representatives being introduced presented for concurrence bill of the Hounse, as follows:

House Bill No. 1768, (Senate Bill No. 1342), entitled:

An Act to further amend the act, approved the fifth day of December, one thousand nine hundred thirty-six (P. L. of 1937, p. 2897) entitled "Unemployment Compensation Law," by providing therein as to the replacement of certain moneys received pursuant to the provisions of Section three hundred two of the Federal Social Security Act as amended.

Which was committed to the Committee on State Government.

SENATE BILL No. 961, (HOUSE BILL No. 654), ON SECOND READING POSTPONED CALLED UP

Mr. MALLERY. Mr. President, I now call up Senate Bill No. 961, (House Bill No. 654), on second reading, postponed, on page 29 of the Calendar.

Mr. MILLER. Mr. President, I second the motion.

The motion was agreed to.

BILL ON SECOND READING

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 961, (House Bill No. 654), entitled:

An Act authorizing counties, cities, except cities of the first class, boroughs, towns, townships, school districts, poor districts and institution districts, at any sale of real property for the nonpayment of taxes or municipal claims to take title jointly in proportion to their tax claims; provide for the management of such real property and for the re-sale and conveyance of their interests to a purchaser.

The first section was read and agreed to.

The second section was read.

On the question,

Will the Senate agree to the section?

Mr. MALLERY. Mr. President, I desire to offer an amendment.

The Clerk read the amendment as follows:

Amend Section 2, page two, line twenty by inserting after the word "interests" at the end of the line the following: "Provided however That the provisions of Sections 1 and 2 of this Act shall not apply to any real property containing minerals and oil beneath or upon the surface thereof."

On the question,

Will the Senate agree to the amendment?

It was agreed to.

On the question,

Will the Senate agree to the section as amended?

It was agreed to.

The third, fourth, and fifth sections of the bill were read and agreed to.

The title was read and agreed to.

And said bill as amended having been read at length the second time and agreed to.

Ordered, To be transcribed for a third reading.

REPORT FROM COMMITTEE

Mr. TALLMAN. Mr. President, I ask unanimous consent to make report from committee at this time.

The PRESIDENT PRO TEMPORE. Is there objection? The Chair hears none.

Mr. TALLMAN from the Committee on State Government reported as amended, Senate Bill No. 1342, (House Bill No. 1768), entitled:

An Act to further amend the act approved the fifth day of December one thousand nine hundred thirty-six (P. L. of 1937 p. 2897) entitled "An act establishing a system of unemployment compensation to be administered by the Department of Labor and Industry and its existing and newly created agencies with personnel (with certain exceptions) selected on a civil service basis requiring employers to keep records and make reports and certain employers to pay contributions based on payrolls to provide moneys for the payment of compensation to certain unemployed persons providing procedure and administrative details for the determination payment and collection of such contributions and the payment of such compensation providing for cooperation with the Federal Government and its agencies creating certain special funds in the custody of the State Treasurer and prescribing penalties" by providing therein as to the replacement of certain moneys received pursuant to the provisions of Section three hundred two of the Federal Social Security Act as amended.

MOTION TO READ BILLS THE FIRST TIME

Mr. GELTZ. Mr. President, I move that the Senate do now proceed to the first reading of all bills reported from the committees for the first time at today's session.

Mr. EALY. Mr. President, I second the motion.

The motion was agreed to.

BILLS ON FIRST READING

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 412, (House Bill No. 656), entitled:

An Act to amend the third paragraph of article seven of the act, approved the seventh day of March, one thousand nine hundred and one (P. L. 20), entitled "An act for the government of cities of the second class," permitting the city treasurer to collect delinquent taxes under the act approved the thirtieth day of March, one thousand nine hundred and three (P. L. 106).

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 815, (House Bill No. 1221), entitled:

An Act to add section 654.1 to the act, approved the twenty-fourth day of June, one thousand nine hundred thirty-nine (P. L. 872) entitled "An act to consolidate amend and revise the penal laws of the Commonwealth,"

by making it a crime to discriminate in the selection or appointment of persons for employment in the civil service of the Commonwealth; or of any political subdivision thereof because of the race, creed or color of any person.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 816, (House Bill No. 1223), entitled:

An Act to add section 654.2 to the act approved the twenty-fourth day of June, one thousand nine hundred and thirty-nine (P. L. 872), entitled "An act to consolidate, amend and revise the penal laws of the Commonwealth," making it a crime for any officer of any labor union to discriminate because of race, color or creed between applicants for membership in such union, or between assignments for employment of union members because of their race, color or creed.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 821, (House Bill No. 1402), entitled:

An Act to add section six hundred fifty-five and one-tenth to article six of the act, approved the twenty-fourth day of June, one thousand nine hundred and thirty-nine (P. L. 872), entitled "An act to consolidate, amend and revise the penal laws of the Commonwealth," relating to discrimination against persons employed or seeking employment on contracts effecting the national preparedness program because of the race, color or religion of such persons.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 877, (House Bill No. 1156), entitled:

An Act to add section one thousand six hundred and seven and one-tenth to article sixteen of the act, approved the eighteenth day of May one thousand nine hundred and eleven (P. L. 309), entitled "An act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith" requiring teaching in the public and private schools of principles of democratic government and patriotism and imposing certain duties on the Superintendent of Public Instruction.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 1060, (House Bill No. 736), entitled:

An Act to further amend section two thousand five hundred and sixty-three of the act, approved the twenty-third day of June, one thousand nine hundred and thirty-one (P. L. 932), entitled "An act relating to cities of the third class; and amending, revising and consolidating the law relating thereto," changing the penalties and interest imposed for the nonpayment of taxes.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 1165, (House Bill No. 1678), entitled:

An Act to further amend section one thousand one hundred thirty-three of the act, approved the eighteenth day of May, one housand nine hundred and eleven (P. L. 309), entitled "An act to establish a public school system in the Commonwealth of Pennsylvania, together with the provisions by which it shall be administered, and prescribing penalties for the violation thereof; providing revenue to establish and maintain the same, and the method of collecting such revenue; and repealing all laws, general, special or local, or any parts thereof, that are or may be inconsistent therewith," by removing certain limitations of the appointment of district superintendents.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 1183, (House Bill No. 1662), entitled:

An Act to amend the title and further amend section one of the act, approved the twenty-second day of June, one thousand nine hundred and thirty-one (P. L. 844), entitled "An act authorizing the Commonwealth of Pennsylvania, or any department or division thereof, and counties, cities, boroughs, incorporated towns, townships, school districts and poor districts to make contracts of life, health, and accident policies for the benefit of employes thereof, and contracts for pensions for such employes; and providing for the payment of the cost thereof," authorizing the making of contracts for hospitalization and medical services; and extending the provisions of the act to vocational school districts and institution districts.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 1195, (House Bill No. 1129), entitled:

An Act to further amend subsection (a) of section six of the act, approved the seventh day of June, one thousand nine hundred seventeen (P. L. 447), entitled as amended "An act relating to the administration and distribution of the estates of decedents and of minors, and of trust estates; including the appointment, bonds, right powers, duties, liabilities, accounts, discharge and removal of executors, administrators, guardians, and trustees, herein designated as fiduciaries; the administration and distribution of the estates of presumed decedents; widow's and children's exemptions; debts of decedents, rents of real estate as assets for payment thereof, the lien thereof, sales and mortgages of real estate for the payment thereof, judgments and executions therefor, and the discharge of real estate from the lien thereof; contracts of decedents for the sale or purchase of real estate; legacies, including legacies charged on land the discharge of residuary estates and of real estate from the lien of legacies and other charges; the appraisement of real estate devised at a valuation; the ascertainment of the curtilage of dwelling houses or other buildings

devised; the abatement and survival of actions, and the substitution of executors and administrators therein; the survival of causes of action and suits thereupon by or against fiduciaries investments by fiduciaries the organization of corporations to carry on the business of decedents the audit and review of accounts of fiduciaries; refunding bonds; transcripts to the court of common pleas of balances due by fiduciaries; the rights, powers, and liabilities of nonresident and foreign fiduciaries; the appointment, bonds, rights, powers, duties, and liabilities of trustees durante absentia; the recording and registration of decrees, reports and other proceedings, and the fees therefor; appeals in certain cases; and, also, generally dealing with the jurisdiction, powers, and procedure of the orphans' court in all matters relating to fiduciaries concerned with the estates of decedents," eliminating requirements for advertising and for appointment of masters where value of estates of presumed decedents is not in excess of five hundred dollars.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 1213, (House Bill No. 1766), entitled:

An Act to add clause six to section thirteen of the act, approved the eighteenth day of July, one thousand nine hundred seventeen (P. L. 1043), entitled "An act establishing a public school employes' retirement system, and creating a retirement board for the administration thereof; establishing certain funds from contributions by the Commonwealth and contributing employes, defining the uses and purposes thereof and the manner of payments therefrom, and providing for the guaranty by the Commonwealth of certain of said funds; imposing powers and duties upon boards having the employment of public school employes; exempting annuities, allowances, returns, benefits, and rights from taxation and judicial process; and providing penalties," defining the disability retirement rights of members of the School Employes' Retirement Association who engage in active military service.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 1245, (House Bill No. 1770), entitled:

An Act to amend the title and to further amend section forty-three of the act approved the seventh day of June one thousand nine hundred and one (P. L. 493), entitled "An act providing for the examination licensure and registration of persons firms or corporations engaged or engaging in the business or work of plumbing or house drainage and prescribing certain rules regulations and requirements for the construction of plumbing house drainage and cesspools in cities of the second class and imposing fines penalties and forfeitures for violation thereof" by permitting the use of enclosed woodwork about sinks in all except tenement-houses and lodging-houses in cities of the second class second class A and third class.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 1250, (House Bill No. 1832), entitled:

An Act making an emergency appropriation to the Department of Highways for allocation to and distribution among boroughs and townships for the repair of certain roads and streets in Western Pennsylvania.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 1287, (House Bill No. 1336), entitled:

An Act authorizing and directing the Department of Property and Supplies to reprint the Report of the Commission to Locate the Sites of the Frontier Forts of Pennsylvania and providing for the distribution thereof

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 1320, (House Bill No. 1014), entitled:

An Act to further amend clause eight of section one thousand two hundred and ten of the act, approved the eighteenth day of May, one thousand nine hundred and eleven (P. L. 309), entitled "An act to establish a public school system in the Commonwealth of Pennsylvania, together with the provisions by which it shall be administered, and prescribing penalties for the violation thereof; providing revenue to establish and maintain the same, and the method of collecting such revenue; and repealing all laws, general, special or local, or any parts thereof, that are or may be inconsistent therewith," by changing the minimum salary of county superintendents.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 1324, (House Bill No. 1878), entitled:

An Act to further amend the act approved the eighteenth day of May, one thousand nine hundred and eleven (P. L. 309), entitled "An act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered, and prescribing penalties for the violation thereof; providing revenue to establish and maintain the same, and the method of collecting such revenue; and repealing all laws, general, special or local, or any parts thereof, that are or may be inconsistent therewith" as amended, by providing for the appointment of a deputy school treasurer, a deputy school controller and clerks to the school controller and school treasurer in school districts of the first class by further providing as to the election of school controllers in school districts of the first class and as to vacancies in such office and by providing that certain stationery and books shall be supplied to school treasurers in school districts of the first class.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 1328, (House Bill No. 629), entitled:

An Act to amend section one of and to add section three

and one-tenth to the act approved the twentieth day of June one thousand nine hundred and one (P. L. 582) entitled "An act to provide for the registration of labels trade-marks trade-names stamps designs devices shop-marks terms brands designations descriptions or forms of advertisement and protect and secure the rights property and interest therein of the persons copartnerships or corporations adopting and filing the same and providing penalties for the violations of the act" further regulating the registration of labels trade-marks trade-names devices shop-marks designations and forms of advertisement and providing for the cancellation of such registrations in certain cases.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 1329, (House Bill No. 1831), entitled:

An Act to further amend section twenty-one of the act approved the seventh day of June one thousand nine hundred fifteen (P. L. 900) entitled "An act to provide for the immediate registration of all births and deaths throughout the Commonwealth of Pennsylvania by means of certificates of births and deaths and burial or removal permits requiring prompt returns to the Central Bureau of Vital Statictics as required to be established by the State Department of Health and in order to secure prompt and faithful registration of births marriages deaths and diseases of practitioners of medicine and surgery of midwives nurses and undertakers and of all persons whose occupation is deemed to be of importance in obtaining complete registration of births deaths marriages and diseases throughout the State as provided in section ten of an act entitled 'An act creating the Department of Health and defining its powers and duties' approved the twenty-seventh day of April nineteen hundred and five and providing penalties for violations of this act" by directing the Department of Health to maintain branch offices in counties of the second class for the filing of death certificates authorizing such offices to issue certified copies of death certicates and make searches of their files imposing additional duties upon local registrars in such counties and prescribing fees.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 1334 (House Bill No. 1935), entitled:

An Act to further amend clause six of section one and section three of the act approved the twenty-seventh day of June one thousand nine hundred and twenty-three (P. L. 858) entitled "An act establishing a State employes' retirement system and creating a retirement board for the administration thereof establishing certain funds from contributions by the Commonwealth and contributing State employes dening the uses and purposes thereof and the manner of payments therefrom and providing for the guaranty by the Commonwealth of certain of said funds imposing powers and duties upon the heads of departments in which State employes serve excepting annuities allowances returns benefits and rights from taxation and judicial process and providing penalties" by further defining "State employe" so as to include certain employes of the Board of Fish Commissioners providing that such employes shall have the option of joining the State Employes Retirement Association and permitting their membership in such association to be retroactive upon the making of certain back payments by them and by the Board of Fish Commissioners.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 1335, (House Bill No. 413), entitled:

An Act prohibiting the employment by the Commonwealth or any county city borough incorporated town township school district vocational school district or institution district thereof or by any authority or any institution supported in whole or in part out of public funds of persons who hereafter advocate or participate in un-American or subversive doctrines as herein defined providing for dismissals under existing laws and permitting appeals to courts of common pleas and appellate courts in all such cases.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 1336, (House Bill No. 248), entitled:

An Act authorizing taxpayers in cities of the second class A to inspect the books and records of such cities at any reasonable time and prescribing a procedure for enforcing such right of inspection.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 1337, (House Bill No. 1398), entitled:

An Act to amend the act approved the fifth day of May one thousand nine hundred thirty-three (P. L. 289) entitled "An act relating to non-profit corporations defining and providing for the organization merger consolidation and dissolution of such corporations conferring certain rights powers duties and immunities upon them and their officers and members prescribing the conditions on which such corporations may exercise their powers providing for the inclusion of certain existing corporations of the first class within the provisions of this act prescribing the terms and conditions upon which foreign nonprofit corporations may be admitted or may continue to do business within the Commonwealth conferring powers and imposing duties on the courts of common pleas prothonotaries of such courts recorders of deeds and certain State departments commissions and officers authorizing certain local public officers and State departments to collect fees for services required to be rendered by this act imposing penalties and repealing certain acts and parts of acts relating to corporations" as amended by changing certain provisions of the act relating to corporate names by requiring certain certificates of the payment of taxes and other charges to be filed with the Department of State in certain cases by making certain changes in the scope of the act and by making certain provisions relating to the filing of notices of changes of registered offices.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 1338, (House Bill No. 1400), entitled:

An Act to amend the act approved the fifth day of May

one thousand nine hundred thirty-three (P. L. 364) entitled "An act relating to business corporations defining and providing for the organization merger consolidation reorganization winding up and dissolution of such corporations conferring certain rights powers duties and immunities upon them and their officers and shareholders prescribing the conditions on which such corporations may exercise their powers providing for the inclusion of certain existing corporations of the second class within the provisions of this act prescribing the terms and conditions upon which foreign business corporations may be admitted or may continue to do business within the Commonwealth conferring powers and imposing duties on the courts of common pleas and certain State departments commissions and officers authorizing certain State departments boards commissions or officers to collect fees for services required to be rendered by this act imposing penalties and repealing certain acts and parts of acts relating to corporations" as amended by changing certain provisions of the act relating to corporate names and requiring certificates of the payment of taxes and other charges to be filed with the Department of State in certain cases.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 1342, (House Bill No. 1768), entitled:

An Act to further amend the act approved the fifth day of December one thousand nine hundred thirty-six (P. L. of 1937 p. 2897) entitled "An act establishing a system of unemployment compensation to be administered by the Department of Labor and Industry and its existing and newly created agencies with personnel (with certain exceptions) selected on a civil service basis requiring employers to keep records and make reports and certain employers to pay contributions based on payrolls to provide moneys for the payment of compensation to certain unemployed persons providing procedure and administrative details for the determination payment and collection of such contributions and the payment of such compensation providing for cooperation with the Federal Government and its agencies creating certain special funds in the custody of the State Treasurer and prescribing penalties" by providing therein as to the replacement of certain moneys received pursuant to the provisions of Section three hundred two of the Federal Social Security Act as amended.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

ADJOURNMENT

Mr. GELTZ. Mr. President I move that the Senate do now adjourn until Friday, July 11, 1941, at 2:00 o'clock, p. m. Eastern Standard Time.

Mr. WALKER. Mr. President I second the motion.

The motion was agreed to.

The Senate adjourned at 11:59 o'clock p. m. Eastern Standard Time until Friday, July 11, 1941 at 2:00 o'clock, p. m. Eastern Standard Time.

HOUSE OF REPRESENTATIVES

THURSDAY, July 10, 1941

The House met at 1 p. m.

The SPEAKER (Elmer Kilroy) in the Chair.

The SPEAKER. The Chaplain has asked permission of the Speaker to be absent today. In his absence and at his invitation prayer will be offered by the gentleman from Northampton, Mr. McFall.

PRAYER

Mr. Charles McFall, a member of the House offered the following prayer:

O God, our heavenly Father, who from Thy throne above dost look down on the governments of men, most humbly do we beseech Thee to bless our native land, which Thou hast so richly and wonderfully made.

Continue, we pray Thee, these blessings and make us ever mindful of our debt and obligations to Thee, for Thou hast asked us to love Thee and worship Thee in spirit and in truth. Help us to remember the words of the prophet, "Righteousness exalteth a nation, but sin is a reproach to any people."

God forbid that even a shadow of sin be cast that will rob us as individuals or as a people of the rich inheritance Thou hast so freely given.

Give us the light of truth, the light of knowledge, and the light of love, we pray Thee, for these will enrich us more than silver and gold.

May the pathway of life for each of us, who represent every cross section of our State, be made more bright by the knowledge of the love and friendship we have for one another. May this friendship be as lasting and enduring as the love of God, that surpasseth all understanding.

We ask this in the name of Christ. Amen.

JOURNAL APPROVED

The SPEAKER. The Clerk will read the Journal of yesterday.

The Clerk proceeded to read the Journal of yesterday, when, on motion of Mr. HARRIS, unanimously agreed to, the further reading was dispensed with and the Journal approved.

RESOLUTION INTRODUCED AND REFERRED

By Messrs. CHUDOFF, JEFFERSON, McCLANAGHAN and MONKS RESOLUTION No. 108

In the House of Representatives, July 9, 1941.

Whereas, There have been serious disturbances in certain sections of the City of Philadelphia because of the failure of the part of the city authorities to furnish proper recreational facilities and competent police protection for the young men and women residing in such districts, and

Whereas, It has been repeatedly recalled to the attention of the City Council that such disturbances would occur unless the situation were immediately remedied, and

Whereas, In spite of these recurring disorders, principally in the vicinity of the 15th, 28th, 29th, 32nd and 47th wards of the City of Philadelphia, City Council has remained apathetic and indifferent to the needs of these communities, be it therefore

Resolved, That the House of Representatives requests the City Council and the Mayor of the City of Philadelphia to take immediate steps to provide proper and adequate recreational facilities and equipment in these respective wards, and provide for their construction and installation in the proposed city budget, and be it further

Resolved, That a copy of this resolution be mailed to

the Chief Clerk of City Council and to the Mayor of Philadelphia and the Director of Public Safety of the City of Philadelphia as a symbol of the House of Representatives' desire that this situation be immediately corrected.

Referred to the Committee on Rules.

LEAVE OF ABSENCE

By unanimous consent leave of absence was granted as follows:

Mr. Munley for Mr. BRETH for today and tomorrow.

Mr. Paul A. Brunner for Mr. WOLF for today.

REPORTS FROM COMMITTEES

Mr. GERARD, from the Committee on Appropriations, reported as committed, House Bill No. 1960, (Senate Bill No. 258), entitled:

An Act making an appropriation to the Medical School of the University of Pittsburgh Pittsburgh Pennsylvania.

Mr. GERARD, from the Committee on Appropriations, reported as committed, House Bill No. 1959, (Senate Bill No. 257), entitled:

An Act making an appropriation to the Nursing School of the University of Pittsburgh Pittsburgh Pennsylvania.

Mr. GERARD, from the Committee on Appropriations, reported as committed, House Bill No. 1977, (Senate Bill No. 1313), entitled:

A supplement to the act approved the twenty-seventh day of June one thousand nine hundred thirty-nine (Appropriation Acts page sixty) entitled "An act to provide for the ordinary expenses of the Executive Legislative and Judicial Departments of the Commonwealth interest on the public debt and the support of the public schools for two years beginning June first one thousand nine hundred and thirty-nine and for the payment of bills incurred and remaining unpaid at the close of the fiscal year ending May thirty-first one thousand nine hundred and thirty-nine" providing for deficiencies in certain appropriations made by the act for the fiscal biennium ending May thirty-first one thousand nine hundred forty-one.

Mr. GILLETTE, from the Committee on Appropriations, reported as committed, House Bill No. 1941, (Senate Bill No. 1190), entitled:

An Act making an appropriation to the Department of Public Instruction for the cost of improving, repairing, operating and maintaining the Thaddeus Stevens Industrial School at Lancaster, Pennsylvania.

Mr. GILLETTE, from the Committee on Appropriations, rereported as committed, House Bill No. 1975 (Senate Bill No. 1215), entitled:

A Supplement to the act, approved the sixteenth day of June, one thousand nine hundred forty-one (Appropriation Act, Number 12A), entitled "An act to provide for the ordinary expenses of the Executive, Legislative and Judicial Departments of the Commonwealth, interest on the public debt and the support of the public schools for two years beginning June first, one thousand nine hundred and forty-one, and for the payment of bills incurred and remaining unpaid at the close of the fiscal year ending May thirty-first, one thousand nine hundred and forty-one."

Mr. MALLOY, from the Committee on Appropriations reported as committed, House Bill No. 1699, (Senate Bill No. 571), entitled:

An Act making an appropriation to the Local Government Commission to continue its work.

Mr. MALLOY, from the Committee on Appropriations reported as committed House Bill No. 1967, (Senate Bill No. 1260), entitled:

An Act to amend the act approved the twenty-second day of June one thousand nine hundred and thirty-one (P. L. 594) entitled "An act establishing certain township roads as State Highways authorizing their construction maintenance and improvement under certain conditions and restrictions limiting the obligation of the Commonwealth in the construction of certain structures on such highways conferring certain powers upon the Department of Highways and local authorities persons associations and corporations for sharing the cost of the maintenance and construction of such highways and making an appropriation to carry out the provisions of said act" as amended by changing a certain route

Mr. MALLOY, from the Committee on Appropriations reported as committed House Bill No. 1887, (Senate Bill No. 1172), entitled:

An Act making an apropriation to the Department of Health for the purpose of equipping and operating a sanitorium for the treatment of cancer and for cancer research.

Mr. STOCKHAM from the Committee on Appropriations reported as committed House Bill No. 1969, (Senate Bill No. 1282), entitled:

An Act authorizing the Department of Property and Supplies with the approval of the Governor and the Board of Trustees of the California State Teachers College to acquire a certain tract of land for the use of said college and making an appropriation.

Mr. STOCKHAM from the Committee on Appropriations reported as committed, House Bill No. 1981, (Senate Bill No. 399), entitled:

An Act making an appropriation to the Treasury Department for the use of the Board of Finance and Revenue in granting refunds of "store and theatre" tax.

Mr. STOCKHAM from the Committee on Appropriations reported as committed, House Bill No. 1904, (Senate Bill No. 1188), entitled:

An Act making an appropriation for the purpose of reconstruction, preservation, and maintenance of public roads, and improving and replacing bridges thereon through the Cornplanter Indian Reservation in Elk Township, Warren County, Pennsylvania.

Mr. CHERVENAK, from the Committee on Appropriations, rereported as committed, House Bill No. 1974, (Senate Bill No. 1306), entitled:

An Act making an appropriation to the Trustees of the Pennsylvania State College for the use of the School of Mineral Industries.

Mr. CHERVENAK, from the Committee on Appropriations, rereported as committed, House Bill No. 1916, (Senate Bill No. 489), entitled:

An Act authorizing the Department of Property and Supplies to acquire by gift from the Pennsylvania State College, on behalf of the Commonwealth of Pennsylvania, that certain tract of land in Northumberland Borough,

County of Northumberland, upon which is located the home of Joseph Priestley, and now the property of the Pennsylvania State College; providing for the control, management and maintenance thereof by the said department and the Pennsylvania Historical Commission; authorizing the Pennsylvania Historical Commission to accept in trust from the American Chemical Society and other interested societies or individuals, such moneys as they may see fit to present to the Commonwealth to assist in the maintenance and development of this property as a permanent memorial; authorizing the Pennsylvania Historical Commission to accept as gifts or loan, such books, manuscripts, pamphlets, relics and furniture as interested societies or individuals may provide for the permanent utilization of the property as a museum of science; and making an appropriation.

Mr. CHERVENAK, from the Committee on Appropriations, rereported as committed, House Bill No. 1970, (Senate Bill No. 229), entitled:

An Act creating a commission to make a study and investigation of the laws governing and the practical operation of the parole and penal systems of this Commonwealth and other parole and penal systems defining its powers and duties and making an appropriation.

Mr. CHERVENAK, from the Committee on Appropriations, rereported as committed, House Bill No. 1108, (Senate Bill No. 205), entitled:

An Act making an appropriation to the Trustees of the Pennsylvania State College for the use of the School of Mineral Industries for research and investigation of problems affecting mineral industries.

Mr. GERARD, from the Committee on Appropriations, re-reported as committed House Bill No. 1891, (Senate Bill No. 1019), entitled:

An Act authorizing the Department of Property and Supplies with the approval of the Governor and the Board of Trustees of Pennsylvania Soldiers' Orphan School to acquire a certain tract of land for the use of said school and making an appropriation therefor.

Mr. CHERVENAK from the Committee on Appropriations re-reported as committed House Bill No. 1841, (Senate Bill No. 1095), entitled:

An Act to further amend paragraph nineteen of section one thousand two hundred and ten of the act, approved the eighteenth day of May, one thousand nine hundred and eleven (P. L. 309), entitled "An act to establish a public school system in the Commonwealth of Pennsylvania, together with the provisions by which it shall be administered, and prescribing penalties for the violation thereof; providing revenue to establish and maintain the same, and the method of collecting such revenue; and repealing all laws, general special or local, or any parts thereof, that are or may be inconsistent therewith," providing for minimum salary and increments of part-time teachers of children of exceptional physical or mental condition unable to attend regular public school, and for payments by the Commonwealth on account thereof.

Mr. GILLETTE, from the Committee on Appropriations re-reported as committed, House Bill No. 1823, (Senate Bill No. 367), entitled:

An Act authorizing the Department of Public Instruction with the approval of the Board of Trustees of the Millersville State Teachers' College to contract with the Borough of Millersville for the erection of a sewage disposal plant and the connection therewith and use thereof by the Millersville State Teachers' College and the payment of part of the cost of maintenance thereafter and making an appropriation.

Mr. GERARD, from the Committee on Appropriations, re-reported as amended, House Bill No. 937, (Senate Bill No. 298), entitled:

An Act making an appropriation out of the Motor License Fund to the Department of Highways for allocation to and expenditure in cities, boroughs, towns and townships of the first class of the Commonwealth for maintenance, construction, reconstruction, resurfacing, or improvement of municipal roads, highways and bridges, during the calendar years one thousand nine hundred forty-two and one thousand nine hundred forty-three, permitting the use of the funds for maintenance and repair of municipal roads, highways and bridges under certain conditions; and providing for the method of payment to such political subdivisions

BILLS REPORTED FROM COMMITTEE READ FIRST TIME

The SPEAKER. If there is no objection all bills reported from committee as committed today will be read for the first time. Is there objection? The Chair hears none.

BILLS ON FIRST READING

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1960, (Senate Bill No. 258), entitled:

An Act making an appropriation to the Medical School of the University of Pittsburgh Pittsburgh Pennsylvania.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1959, (Senate Bill No. 257), entitled:

An Act making an appropriation to the Nursing School of the University of Pittsburgh Pittsburgh Pennsylvania.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1977, (Senate Bill No. 1313), entitled:

A supplement to the act approved the twenty-seventh day of June one thousand nine hundred thirty-nine (Appropriation Acts page sixty) entitled "An act to provide for the ordinary expenses of the Executive Legislative and Judicial Departments of the Commonwealth interest on the public debt and the support of the public schools for two years beginning June first one thousand nine hundred and thirty-nine and for the payment of bills incurred and remaining unpaid at the close of the fiscal year ending May thirty-first one thousand nine hundred and thirty-nine" providing for deficiencies in certain appropriations made by the act for the fiscal biennium ending May thirty-first one thousand nine hundred forty-one.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1941, (Senate Bill No. 1190), entitled:

An Act making an appropriation to the Department of Public Instruction for the cost of improving repairing operating and maintaining the Thaddeus Stevens Industrial School at Lancaster Pennsylvania.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 1975, (Senate Bill No. 1215), entitled:

A Supplement to the act approved the sixteenth day of June, one thousand nine hundred forty-one (Appropriation Act, Number 12A), entitled "An act to provide for the ordinary expenses of the Executive, Legislative and Judicial Departments of the Commonwealth, interest on the public debt and the support of the public schools for two years beginning June first, one thousand nine hundred and forty-one, and for the payment of bills incurred and remaining unpaid at the close of the fiscal year ending May thirty-first, one thousand nine hundred and forty-one."

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 1699, (Senate Bill No. 571), entitled:

An Act making an appropriation to the Local Government Commission to continue its work.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 1967, (Senate Bill No. 1260), entitled:

An Act to amend the act approved the twenty-second day of June one thousand nine hundred and thirty-one (P. L. 594) entitled "An act establishing certain township roads as State Highways authorizing their construction maintenance and improvement under certain conditions and restrictions limiting the obligation of the Commonwealth in the construction of certain structures on such highways conferring certain powers upon the Department of Highways and local authorities persons associations and corporations for sharing the cost of the maintenance and construction of such highways and making an appropriation to carry out the provisions of said act" as amended by changing a certain route

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 1887, (Senate Bill No. 1172), entitled:

An Act making an appropriation to the Department of Health for the purpose of equipping and operating a sanitorium for the treatment of cancer and for cancer research.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 1969, (Senate Bill No. 1282), entitled:

An Act authorizing the Department of Property and Supplies with the approval of the Governor and the Board of Trustees of the California State Teachers College to acquire a certain tract of land for the use of said college and making an appropriation

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 1981, (Senate Bill No. 399), entitled:

An Act making an appropriation to the Treasury Department for the use of the Board of Finance and Revenue in granting refunds of "store and theatre" tax

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 1904, (Senate Bill No. 1188), entitled:

An Act making an appropriation for the purpose of reconstruction, preservation and maintenance of public roads, and improving and replacing bridges thereon through the Cornplanter Indian Reservation in Elk Township, Warren County, Pennsylvania.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 1974, (Senate Bill No. 1306), entitled:

An Act making an appropriation to the Trustees of the Pennsylvania State College for the use of the School of Mineral Industries.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 1916, (Senate Bill No. 489), entitled:

An Act authorizing the Department of Property and Supplies to acquire by gift from the Pennsylvania State College, on behalf of the Commonwealth of Pennsylvania, that certain tract of land in Northumberland Borough, County of Northumberland, upon which is located the home of Joseph Priestley, and now the property of the Pennsylvania State College; providing for the control, management and maintenance thereof by the said department and the Pennsylvania Historical Commission; authorizing the Pennsylvania Historical Commission to accept in trust from the American Chemical Society and other interested societies or individuals, such moneys as they may see fit to present to the Commonwealth to assist in the maintenance and development of this property as a permanent memorial; authorizing the Pennsylvania Historical Commission to accept as gifts or loan, such books, manuscripts, pamphlets, relics and furniture as interested societies or individuals may provide for the permanent utilization of the property as a museum of science; and making an appropriation.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1970, (Senate Bill No. 229), entitled:

An Act creating a commission to make a study and investigation of the laws governing and the practical operation of the parole and penal systems of this Commonwealth and other parole and penal systems defining its powers and duties and making an appropriation.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1108 (Senate Bill No. 205), entitled:

An Act making an appropriation to the Trustees of the Pennsylvania State College for the use of the School of Mineral Industries for research and investigation of problems affecting mineral industries.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

HOUSE BILL No. 727 TAKEN FROM TABLE

Mr. BOWER. Mr. Speaker, I move that House Bill No. 727, together with the communication from the Governor which was laid on the table June 16, 1941, be taken from the table.

The motion was agreed to.

The communication was read by the Clerk as follows:

COMMUNICATION FROM THE GOVERNOR

The Secretary to the Governor being introduced, presented a communication in writing from His Excellency the Governor, which was read as follows:

APPROVAL OF RESOLUTION RECALLING HOUSE BILL No. 727

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, June 12, 1941.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed a resolution of the House of Representatives and Senate recalling from the Governor House Bill No. 727, Printer's No. 821, for the purpose of further consideration.

Accordingly, the original bill is herewith returned.

ARTHUR H. JAMES.

RESOLUTION

RETURNING HOUSE BILL No. 727 TO THE GOVERNOR

Messrs. BOWER and REAGAN offered the following resolution which was twice read, considered and adopted:

In the House of Representatives, July 10, 1941.

Resolved, (If the Senate concur) That House Bill No. 727, Printer's No. 821, entitled "An act establishing certain public roads in the counties of Union and Northumberland as a State highway and providing for their construction and maintenance by the Commonwealth, subject to certain terms and conditions" which was recalled from the Governor on June 12, 1941,

be returned to the Governor without amendment.

Ordered, That the Clerk present the same to the Senate for concurrence.

QUESTION OF INFORMATION

Mr. LEVY. Mr. Speaker, I rise to a question of information.

The SPEAKER. The gentleman from Philadelphia will state his question of information.

Mr. LEVY. Mr. Speaker, do I understand that all bills reported as committed will be read for the first time?

The SPEAKER. All bills reported as committed will be read for the first time.

RESOLUTION

RECALLING HOUSE BILL No. 820 FROM THE GOVERNOR

Mr. HERING offered the following resolution which was twice read, considered and adopted:

In the House of Representatives, July 10, 1941.

Resolved, (if the Senate concur), That House Bill No. 820, Printer's No. 1070, entitled "An act to amend section one of the act approved the second day of May, one thousand eight hundred and ninety-nine, (P. L. 184) entitled 'An act to provide revenue by imposing a mercantile license tax on vendors of, or dealers in, goods, wares and merchandise, and providing for the collection of said tax,' as amended; exempting from the mercantile license tax so much of the business of manufacturers and mechanics as comprises the vending of goods of their manufacture from their factories and workshops,"

be recalled from the Governor for the purposes of amendment.

Ordered, That the Clerk present the same to the Senate for concurrence.

BILLS ON SECOND READING

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 1851, entitled:

An Act to amend sections three thousand seven hundred nineteen four thousand four hundred one and four thousand four hundred two of the act approved the twenty-third day of June one thousand nine hundred and thirty-one (P. L. 932) entitled "An act relating to cities of the third class and amending revising and consolidating the law relating thereto" by extending civil service provisions to include park guards

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 1539, entitled:

An Act to amend section two of the act approved the second day of July one thousand nine hundred and thirty-five (P. L. 599) entitled "An act relating to motion picture exhibitions and sound motion picture exhibitions together with orchestral or other instrumental musical or mechanical musical accompaniment prelude playing

or selection in connection with or incidental thereto on Sunday prohibiting motion picture exhibitions and sound motion picture exhibitions and orchestral or other instrumental musical or mechanical musical accompaniment prelude playing or selection incidental thereto on Sunday during certain hours and also during other hours unless the electors of a municipality approve thereof regulating the employment of persons in conducting such exhibitions on Sunday providing for referendums to ascertain the will of the electors and providing penalties and repealing inconsistent laws," by making it lawful for persons copartnerships associations or corporations to conduct stage manage operate or engage in motion picture exhibitions whether or not there be a charge of admission thereto within a radius of ten miles of any army depot military reservation or military encampment

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 1785, (Senate Bill No. 428), entitled:

An Act to amend section nine hundred and one of and to add section nine hundred and one-tenth to the act approved the twenty-fourth day of June one thousand nine hundred and thirty-nine (P. L. 872) entitled "An act to consolidate amend and revise the penal laws of the Commonwealth" by limiting the offense of burglary to certain acts committed by night and making entering buildings in the daytime with intent to commit a felony therein or breaking and entering buildings in the daytime a felony

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILL POSTPONED

Mr. MARKS. Mr. Speaker, I move that this bill be placed on the third reading postponed calendar.

The motion was agreed to.

BILL ON SECOND READING

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 1813, entitled:

An Act to amend section seven of the act approved the third day of May one thousand nine hundred and thirty-three (P. L. 242) entitled "An act to promote the public health and safety by providing for examination and registration of those who desire to engage in the occupation of beauty culture defining beauty culture and regulating beauty culture shops and schools students apprentices teachers managers and operators conferring powers and duties upon the Department of Public Instruction providing for appeals to certain courts by applicants and licensees and providing penalties" permitting beauty culture schools in certain cases to charge for materials used by students in giving treatments to the public

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILL PASSED OVER

There being no objection House Bill No. 1617, Senate Bill No. 86, Printer's No. 18, was passed over at the request of Mr. BROWN.

BILLS ON SECOND READING

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 1620, (Senate Bill No. 714), entitled:

An Act to further amend section fifteen of the act, approved the eleventh day of May, one thousand nine hundred and twenty-one (P. L. 522), entitled "An act relating to dogs, and the protection of live stock and poultry from damage by dogs; providing for the licensing of dogs by the Secretary of Agriculture; providing for the enumeration of dogs by assessors; regulating the keeping of dogs, and authorizing their destruction in certain cases; providing for the protection of licensed dogs, and for dogs temporarily imported for trial, show, and breeding purposes; prescribing certain privileges for hunting dogs, and dogs owned or used by the Board of Game Commissioners; providing for the assessment of damages done to live stock and poultry by dogs, and for the illegal killing of licensed dogs, and the payment of such damages by the Commonwealth; imposing powers and duties on certain State, county, city, borough, town, and township officers and employes; directing the payment of all moneys collected into the State Treasury; and making an appropriation thereof; and providing penalties," by providing for the return of a portion of moneys received for licenses to the counties for use by Societies for the Prevention of Cruelty to Animals and specifically appropriating the same for such purpose.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 1606, (Senate Bill No. 177), entitled:

An Act regulating and limiting the rights of slayers in real and personal property and in the benefits from insurance policies, arising out of or as a result of the death of the person slain; protecting and saving the rights of purchasers and insurers dealing with slayers without notice of the slaying, and repealing certain legislation

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 1361, (Senate Bill No. 338), entitled:

An Act to further amend sections four and five of the act approved the sixth day of April, one thousand nine hundred thirty-five (P. L. 90), entitled "An act to promote uniformity in the assessment and taxation of properties and persons within the territorial limits of cities of the second class A by providing that city and school taxes within such territorial limits shall be assessed levied and collected upon the basis of the assessments for taxation for county purposes and requiring the furnishing of tax duplicates by the county taxing authorities to such cities and to school districts, coterminous therewith, abolishing the department of assessors in cities of the second class A consolidating tax statements covering city, school county and poor taxes therein, and making uniform the time for levy and collection of said taxes respectively and regulating the discounts therefrom and penalties thereon," by further regulating discounts for prompt payment of taxes and penalties and interest imposed on said taxes and by changing the date of certain tax payments.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 1965, (Senate Bill No. 1300), entitled:

An Act to amend sections 410 and 411 of the Act approved the third day of June one thousand nine hundred and thirty-seven (P. L. 1225) entitled "An act concerning game and other wild birds and wild animals and amending revising consolidating and changing the law relating thereto" by eliminating the requirement that owners make available open public hunting areas contiguous to regulated shooting grounds and changing shooting restrictions on regulated shooting grounds

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 1934, (Senate Bill No. 1256), entitled:

An Act authorizing the Department of Property and Supplies with the approval of the Governor to sell and convey certain plots of land.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 1868, (Senate Bill No. 1055), entitled:

An Act to amend sections five, six, twenty-seven, thirty-one, thirty-two and thirty-nine of the act, approved the twenty-fifth day of May, one thousand nine hundred and thirty-seven (P. L. 849), entitled "An act to provide for the permanent personal registration of electors in cities of the third class as a condition of their right to vote at elections and primaries, and their enrollment as members of political parties as a further condition of their right to vote at primaries, prescribing certain procedure for the conduct of elections and primaries and the challenge and proof of qualifications of electors; and prescribing the powers and duties of citizens, parties, political bodies, registration commissions, commissioners, registrars, inspectors of registration and other appointees of registration commissions, county election boards, election officers, municipal officers, departments and bureaus, police officers, courts, judges, prothonotaries, sheriffs, county commissioners, peace officers, county treasurers, county controllers, registrars of vital statistics, certain public utility corporations, real estate brokers, rental agents, and boards of school directors; imposing penalties; and repealing existing legislation," extending the powers and duties of the registration commission and further regulating the check-up of electors and the cancellation of their registrations by the commission.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 1939, (Senate Bill No. 883), entitled:

An Act to enlarge the powers of the Navigation Commission for the Delaware River and its navigable tributaries with respect to the maintenance, operation and financing of a nautical school for the Commonwealth of Pennsylvania.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILL PASSED OVER

There being no objection House Bill No. 1940, Senate Bill No. 913, Printer's No. 397 was passed over at the request of the SPEAKER.

BILLS ON SECOND READING

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 1886, (Senate Bill No. 1114), entitled:

An Act authorizing the Department of Public Instruction with the approval of the Board of Trustees of the Indiana State Teachers' College to contract with the Borough of Indiana for the erection of a sewage disposal plant and the connection therewith and use thereof by the Indiana State Teachers' College and the payment of part of the cost of maintenance thereafter; and making an appropriation.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 1983, (Senate Bill No. 1308), entitled:

An Act to amend section one further amend section three and to reenact section six of the act approved the twenty-second day of May one thousand nine hundred thirty-three (P. L. 912) entitled "An act to protect the public health defining and providing for the licensing of bakeries and regulating the inspection maintenance and operation of bakeries and premises stores and shops connected therewith defining and regulating the manufacture sale and offering for sale of bakery products conferring powers on the Department of Agriculture and providing penalties" by redefining "bakery" removing the exception from registration and licensing requirements requiring registered bakery products to show the fact of such registration making it unlawful for any person to sell offer for sale or have in possession with intent to sell unregistered bakery products or to import bakery products from bakeries not licensed hereunder and making possession prima facie evidence of intention to sell

The first section was read.

On the question,

Will the House agree to the section?

Mr. SARRAF. Mr. Speaker, I desire to offer the following amendment.

The amendment was read by the Clerk as follows:

Amend Sec. 1 (Sec. 1), page 3, by inserting between lines 11 and 12, the following: "Bread dealer" means any person, excepting any store, as hereinafter defined, who purchases or handles bread within the Commonwealth for sale, storage or shipment within or without the Commonwealth, providing it is not sold at the premise.

"Licensee" means a licensed bread dealer and/or manufacturer.

"Manufacturer" means a person baking bread within the Commonwealth of Pennsylvania.

"Store" includes a grocery store, hotel, restaurant, soda fountain, bakery store, or any similar mercantile establishments which sell bread.

The amendment was agreed to.

The section was agreed to as amended.

The second and third section were separately read and agreed to.

Mr. SARRAF. Mr. Speaker, I desire to offer the following amendment, as a new section.

The amendment was read by the Clerk as follows:

Amend bill, page 6, by inserting between lines 7 and 8, the following:

Section 4. Said act is hereby amended, by adding thereto, after section ten, the following new sections to read as follows:

Section 11. (a). The department is hereby declared to be the instrumentality of the Commonwealth for the purpose of administering the provisions of this act and to execute the legislative intent herein expressed, and it is hereby vested with power:

(1) To supervise and regulate the entire bread industry of this Commonwealth, including the manufacture, transportation, processing, storage, distribution, delivery and sale of bread in this Commonwealth, within the provisions of this act: Provided, however, That nothing contained in this act shall be construed to alter, amend or repeal the Public Utility Law or any law of this Commonwealth relating to the public health, or to the prevention of fraud or deception.

(2) To investigate and regulate all matters pertaining to the manufacture, transportation, processing, storage, distribution, delivery and sale of bread in this Commonwealth for the purpose of establishing reasonable trade practices in connection therewith.

(b) The department, either itself or through its duly authorized agents, may hold such hearings, either at the capital or elsewhere, as it deems necessary to carry out the provisions of this act.

Section 12. (a) In order to enable the department to carry out the provisions of this act, it shall have the power to issue subpoenas requiring the attendance of or the production of pertinent books and papers by, bread dealers or their employes, manufacturers or their employes, persons having dealings with bread dealers or manufacturers, or other persons whom the department believes to have information important to it in carrying out the purposes of this act. The department may likewise issue commissions, letters rogatory or other appropriate processes outside the Commonwealth. The department shall have power to question such witnesses under oath or affirmation and to examine such books and papers. The department may delegate to any member thereof or any employe designated by it, the powers granted to it under this section.

(b) Any witness who refuses to obey a subpoena issued hereunder, or to be sworn or affirmed or to testify or who is guilty of any contempt after a summons to appear, may be punished as for contempt of court. For this purpose an application may be made by the department to the court of common pleas within the territorial jurisdiction of which the offense was committed.

(c) Each witness required to attend before the department, or any member thereof, shall be entitled to the fees and mileage customarily paid to witnesses in the courts of common pleas.

Section 13. Pursuant to carrying out the purposes of this act, any member of the department, or any employe designated for the purposes, shall have access to and may enter at all reasonable hours all places where bread is being manufactured, processed, stored, sold or otherwise handled. The department, or any designated employe thereof, shall have power at all reasonable hours to inspect all books, papers, records or documents in any place within the Commonwealth for the purposes of ascertaining facts pertinent to the administration of this act. The information so obtained shall be for the confidential use of the department and the various departments of the State government, and shall not be disclosed by any person, except as may be required in the enforcement of law or by order of court. The department, however, may use such information for the publication of statistics of the industry in this Commonwealth.

Section 14. Except as herein otherwise provided, a bread dealer shall not buy bread from manufacturers or others within this Commonwealth or sell or distribute bread within this Commonwealth unless such dealer be duly licensed as herein provided. An application for a license to operate as a bread dealer shall be made within thirty days after this act takes effect and annually thereafter on or before April fifteenth to the department upon blanks prepared under authority and direction of the department, and shall be accompanied by a fee the amount of which shall be determined by the department. The license year shall commence May first and shall end April thirtieth following. The applicant shall state the following:

(1) The nature of the business to be conducted.

(2) The full name of the person applying for the license.

(3) The adress at which the business is to be conducted.

Section 15. Except as herein or otherwise provided, no person shall engage as a bread manufacturer within this Commonwealth unless such manufacturer be duly licensed as herein provided. An application for a license to operate as a bread manufacturer shall be made within thirty days after this act takes effect and annually thereafter on or before April fifteenth to the department upon blanks prepared under authority and direction of the department, and shall be accompanied by the prescribed fee. The license year shall commence May first and shall end April thirtieth following. The applicant shall state the following:

(1) The nature of the business to be conducted.

(2) The full name of the person applying for the license.

(3) The address at which the business is to be conducted.

(4) Facts showing that the applicant has adequate technical personnel and adequate technical and physical facilities properly to conduct the business of manufacturing bread, that he has complied with all rules, regulations and orders of the department filed or served as required in this act, and such other facts with respect to the license as may be required by the department.

Section 16. The department shall grant a bread dealer's or manufacturer's license to an applicant complying with the provisions of this act, and of any rules and regulations issued by the department. The department may decline to grant a license to an applicant or suspend or revoke a license already granted to a bread dealer or manufacturer for violations of this act or any regulation adopted under the authority hereof. The licenses required by this act shall be in addition to any other licenses which are now or may hereafter be required by law.

Section 17. Any person aggrieved by an order of department fixing the terms upon which bread may be bought or sold or the conditions under which bread may be manufactured or by any other general rule, regulation or order of the department may file an appeal therefrom in the Superior Court within twenty days after the issuance of such order or such other general rule or regulation, but such appeal shall not be permitted to act as a supersedeas.

The amendment was agreed to.

The fourth section was read.

On the question,

Will the House agree to the section?

Mr. SARRAF. Mr. Speaker, I desire to offer the following amendment.

The amendment was read by the Clerk as follows:

Amend bill, page 6, line 8, by striking out the following "24" and inserting in lieu thereof: "5".

The amendment was agreed to.

The section was agreed to as amended.

The title was read.

On the question,

Will the House agree to the title?

Mr. SARRAF. Mr. Speaker, I desire to offer the following amendments.

The amendments were read by the Clerk as follows:

Amend title, page 1, lines 1 and 2 of title, by striking out the following: "section one further amend section three and to reenact section six of".

Amend title, page 2, last line of title on page 2, by inserting after the word "sell" the following: "and imposing additional duties and powers on the Department of Agriculture to establish reasonable trade practices in the operation of bakeries and in the sale of bakery products by bread dealers, and licensing bread dealers."

The amendments were agreed to.

The title was agreed to as amended.

And said bill having been read at length the second time and agreed to as amended.

Ordered, To be transcribed for a third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 1892, (Senate Bill No. 1054), entitled:

An Act to amend sections four, five, twenty-six, thirty, thirty-one and thirty-eight of the act, approved the twenty-ninth day of April, one thousand nine hundred thirty-seven (P. L. 487), entitled "An act to provide for the permanent personal registration of electors in boroughs, towns, and townships as a condition of their right to vote at elections and primaries, and their enrollment as members of political parties as a further condition of their right to vote at primaries, prescribing certain procedure for the conduct of elections and primaries and the challenge and proof of qualifications of electors; requiring the county commissioners of the various counties to act as a registration commission therefor; and prescribing the powers and duties of citizens, parties, political bodies, registration commissions, commissioners, registrars, inspectors of registration and other appointees of registration commissions, county election boards, election officers, municipal officers, departments and bureaus, police officers, courts, judges, prothonotaries, sheriffs, county commissioners, peace officers, county treasurers, county controllers, registrars of vital statistics, certain public utility corporations, real estate brokers, rental agents, and boards of school directors; and imposing penalties," extending the powers and duties of the registration commission and further regulating the check-up of electors and the cancellation of their registrations by the commission.

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for a third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 1580, (Senate Bill No. 574), entitled:

An Act to amend section twenty of the act approved the thirtieth day of April one thousand nine hundred and twenty-nine (P. L. 885) entitled "An act to provide for the incorporation and regulation of cooperative agricultural associations having capital stock and defining agriculture so as to include persons engaged in agriculture dairying livestock raising poultry raising floriculture mushroom growing beekeeping horticulture and other allied occupations and providing penalties" by limiting exemptions of and further exempting certain classes of associations formed under such act from State county and municipal taxation and from the duty of filing certain tax reports with State county or municipal agencies

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for a third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 570, entitled:

An Act to add two new definitions to Section 102, to amend the table of contents to Article VI, to further amend Sections 601, 603, 605 and 606 to amend Section 609, to further amend Sections 613, 620, and 621, to add Sections 623 to 638, both inclusive, to Article VI, and to further amend Section 713 of the act, approved the first day of May, one thousand nine hundred twenty-nine (P. L. 905), entitled, "An act for the protection of the public safety; regulating the use of highways, and the operation of vehicles, tractors, street cars, trackless trolley omnibuses, bicycles, pedestrians, and the riding of animals upon the highways of this Commonwealth; providing for the titling, including liens, encumbrances, and legal claims; registration of certain vehicles and licensing the operators thereof, upon payment of prescribed fees; prescribing and limiting the powers of local authorities to deal with the subject matter of this act; conferring powers and imposing duties upon the Department of Revenue, the Department of Highways, peace officers, mayors, burgesses, magistrates, aldermen, justices of the peace the courts and the clerks thereof, owners of vehicles, and garage keepers; providing that records are admissible as evidence; imposing upon owners, counties, cities, boroughs incorporated towns, townships, within the Commonwealth, liability for damages caused by the negligent operation of their motor vehicles; imposing penalties; imposing certain costs upon counties; providing for the disposition of fines, forfeitures, fees, and miscellaneous receipts; making an appropriation and providing for refunds." providing for the issuance of commercial operators' licenses; further regulating the operation of motor vehicles, commercial motor vehicles, motor busses, omnibuses, and school busses; fixing fees, and imposing additional penalties.

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for a third reading.

BILL PASSED OVER

There being no objection House Bill No. 1844, Senate Bill No. 594, Printer's No. 587, was passed over at the request of Mr. WOODSIDE.

BILLS ON SECOND READING

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 1936, (Senate Bill No. 653), entitled:

An Act regulating and improving the civil service of certain departments and agencies of the Commonwealth vesting in the State Civil Service Commission and a Per-

sonnel Director certain powers and duties providing for classification of positions adoption of compensation schedules and certification of payrolls imposing duties upon certain officers and employes of the Commonwealth, authorizing service to political sub-divisions of the Commonwealth in matters relating to civil service, defining certain crimes and misdemeanors imposing penalties and making an appropriation and repealing certain acts and parts thereof.

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for a third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 1937, (Senate Bill No. 654), entitled:

An Act to amend sections two hundred two and four hundred fifty-two of the act, approved the ninth day of April one thousand nine hundred and twenty-nine (P. L. 177), entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments, boards, commissions and officers thereof, including the boards of trustees of State Normal Schools or Teachers Colleges, abolishing, creating, reorganizing or authorizing the reorganization of certain administrative departments, boards and commissions, defining the powers and duties of the Governor and other executive and administrative officers and of the several administrative departments, boards, commissions and officers fixing the salaries of the Governor, Lieutenant-Governor and certain other executive and administrative officers, providing for the appointment of certain administrative officers and of all deputies and other assistants and employes in certain departments, boards and commissions and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments, boards and commissions shall be determined," as amended, in order to establish the State Civil Service Commission as a departmental administrative commission in the Executive Department

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for a third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 1817, (Senate Bill No. 1044), entitled:

An Act to further amend section eleven and section seventeen of the act approved the twenty-seventh day of June one thousand nine hundred twenty-three (P. L. 858) entitled "An act establishing a State employes' retirement system, and creating a retirement board for the administration thereof; establishing certain funds from contributions by the Commonwealth and contributing State employes: defining the uses and purposes thereof, and the manner of payments therefrom, and providing for the guaranty by the Commonwealth of certain of said funds; imposing powers and duties upon the heads of departments in which State employes serve; excepting annuities, allowances, returns, benefits and rights from taxation and judicial process; and providing penalties" by permitting a member to borrow from his or her funds under certain provisions and regulating exemption from execution

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for a third reading.

RECONSIDERATION OF VOTE

Mr. SHEPARD. Mr. Speaker, I move that the vote by which House Bill No. 1539, Printer's No. 1152, entitled:

An Act to amend section two of the act, approved the second day of July, one thousand nine hundred and thirty-five (P. L. 599), entitled "An act relating to motion picture exhibitions and sound motion picture exhibitions, together with orchestral or other instrumental musical or mechanical musical accompaniment, prelude, playing, or selection in connection with or incidental thereto on Sunday; prohibiting motion picture exhibitions and sound motion picture exhibitions, and orchestral or other instrumental musical or mechanical musical accompaniment, prelude, playing, or selection incidental thereto on Sunday during certain hours and also during other hours, unless the electors of a municipality approve thereof; regulating the employment of persons in conducting such exhibitions on Sunday; providing for referendums to ascertain the will of the electors; and providing penalties; and repealing inconsistent laws," by making it lawful for persons, copartnerships, associations or corporations to conduct, stage, manage, operate or engage in motion picture exhibitions whether or not there be a charge of admission thereto, within a radius of ten miles of any army depot, military reservation of military encampment.

on page 2 of today's calendar, was ordered to be transcribed for a third reading be reconsidered.

Mr. COCHRAN. Mr. Speaker, I second the motion.

The SPEAKER. How did the gentleman from Philadelphia, Mr. Shepard, vote to transcribe the bill for third reading.

Mr. SHEPARD. Mr. Speaker, I voted in the majority.

The SPEAKER. How did the gentleman from Fayette, Mr. Cochran, vote to transcribe the bill for third reading?

Mr. COCHRAN. Mr. Speaker, I voted in the majority.

On the question,

Will the House agree to the motion?

It was agreed to.

Mr. SHEPARD. Mr. Speaker, I move that the vote by which the bill passed second reading be reconsidered.

Mr. COCHRAN. Mr. Speaker, I second the motion.

The motion was agreed to.

Mr. SHEPARD. Mr. Speaker, I move that the vote by which the title was agreed to be reconsidered.

Mr. COCHRAN. Mr. Speaker, I second the motion.

The motion was agreed to.

Mr. SHEPARD. Mr. Speaker, I move that the vote by which the various sections were agreed to be reconsidered.

Mr. COCHRAN. Mr. Speaker, I second the motion.

The motion was agreed to.

The first section was read.

BILL PASSED OVER

There being no objection House Bill No. 1539, Printer's No. 1152, was passed over at the request of Mr. SHEPARD.

HOUSE BILLS ON THIRD READING AND FINAL PASSAGE MADE SPECIAL ORDER

Mr. READINGER. Mr. Speaker, I move that all House Bills on third reading and final passage be made a special order of business in their numerical order immediately.

The motion was agreed to.

BILL ON FINAL PASSAGE RECALLED FROM GOVERNOR PASSED OVER

There being no objection House Bill No. 1513, Printer's No. 1088, was passed over at the request of the SPEAKER.

BILL ON FINAL PASSAGE RECALLED FROM GOVERNOR

Agreeably to order,

The House proceeded to the consideration on final passage of House Bill No. 90, as follows:

An Act providing that whenever the term "Veterans of the Spanish American War" or the term "Spanish American War Veterans" occurs or is referred to in any existing law such term or reference shall be deemed to refer to and include the United Spanish War Veterans Inc

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Whenever the term "Veterans of the Spanish American War" or the term "Spanish American War Veterans" occurs in any law or whenever in any law reference is made to such veterans or to any organization of such veterans such term or reference shall be deemed to refer to and include the United Spanish War Veterans Inc

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows, viz:

YEAS—204

Achterman,	French,	Malloy,	Royer,
Allmond,	Gallagher,	Marks,	Rush,
Auker,	Gates,	Maxwell,	Sarge,
Baker,	Gerard,	McClanaghan,	Sarraf,
Balthaser,	Gillan,	McClester,	Scanlon,
Bentley,	Gillette,	McDermott,	Schwab,
Bentzel,	Goodwin,	McDowell,	Serrill,
Boles,	Greenwood,	McFall,	Shaffer,
Boney,	Gross,	McIntosh,	Shaw,
Boorse,	Gryskewicz,	McKinney,	Shepard,
Bower,	Gyger,	McLanahan,	Simons,
Bradley,	Habbyshaw,	McLane,	Skale,
Bretherick,	Haberlen,	McMillen,	Snyder,
Brown,	Haines,	McSurdy,	Sollenberger,
Brunner, C. H.,	Hall,	Melchiorre,	Sorg,
Brunner, P. A.,	Hamilton,	Mihm,	Stambaugh,
Burns,	Hare,	Modell,	Stank,
Burris,	Harkins,	Monks,	Stine,
Cadwalader,	Harmuth,	Mooney,	Stockham,
Chervenak,	Harris,	Moran,	Tarr,
Chudoff,	Heatherington,	Moul,	Tate,
Cochran,	Helm,	Muir,	Taylor,
Cohen, M. M.,	Hering,	Munley,	Thompson, E. F.,
Cohen, R. E.,	Herman,	Nagel,	Thompson, R. L.,
Cook,	Hersch,	Nunemacher,	Trout,
Cooper,	Hewitt,	O'Brien,	Turner,
Cordier,	Hirsch,	O'Connor,	Van Allsburg,
Corrigan,	Holland,	O'Dare,	Verona,
Croop,	Huntley,	O'Mullen,	Vincent,
Cullen,	Imbrie,	O'Neill,	Vogt,
Dalrymple,	James,	Owens,	Voldow,
Dennison,	Jefferson,	Petrosky,	Voorhees,
DiGenova,	Jones, G. E.,	Pettit,	Wagner,
Dix,	Jones, P. N.,	Polaski,	Watkins,
Dolon,	Keenan,	Polen,	Weingartner,
D'Ortona,	Kenehan,	Powers,	Weiss,
Duffy,	Kline,	Prosen,	Welsh, E. B.,
Early,	Knoble,	Rank,	Welsh, M. J.,
Eckels,	Kolankiewicz,	Rausch,	Wilkinson,
Elder,	Komorofski,	Readinger,	Williams,
Elliott,	Krise,	Regan,	Winner,
Ely,	Lee, E. A.,	Reese, D. P.,	Wood, L. H.,
Falkenstein,	Lee, T. H.,	Reese, R. E.,	Wood, N.,
Finestone,	Leisey,	Reagan,	Woodring,
Finnerty,	Leonard,	Reynolds,	Woodside,
	Lesko,	Rhea,	Wright,
Fisher,	Levy,	Riley,	Yeakel,
Fiss,	Leydic,	Rooney,	Yester,
Fleming,	Lichtenwalter,	Rose, S.,	Young,
Fletcher,	Longo,	Rose, W. E.,	Kilroy,
Flynn,	Lovett,	Rosenfeld,	Speaker.
Foor,	Lyons,		

NAYS—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the consideration on final passage of House Bill No. 1543, as follows:

An Act providing a method for supplying perfecting and recording birth records of certain persons whose births have not heretofore been made a public record or whose record of birth is incomplete or incorrect making such records competent legal evidence prescribing fees and imposing certain duties upon the orphans' court and the Bureau of Vital Statistics of the Department of Health authorizing the orphans' court to appoint masters for the determination of certain questions and requiring counties to pay the compensation of such masters

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Any person having been born in the Commonwealth of Pennsylvania prior to January first one thousand nine hundred and six whose record of birth is not contained in the records of the orphans' court of the county in which he was born or whose record of birth is incomplete or incorrect may have a record of his birth filed and recorded or corrected in the office of the clerk of the orphans' court of the county in which he was born by presenting a petition to said orphans' court alleging the fact that no record of his birth exists or that said record is incomplete or incorrect and setting forth so much of the following information as is available and a statement that the information not supplied cannot be obtained and the reasons therefor

(a) Place and date of birth including state county city borough town township or village If in a hospital or other institution the name of the same shall be given as well as the residence of the parents and the post office address of the parents

(b) Full name

(c) Sex

(d) Whether a twin or other plural birth

(e) Whether the birth was legitimate or illegitimate

(f) Full name of father when legitimate

(g) Color or race of father

(h) Birthplace of father and age at birth of applicant if known

(i) Occupation of father if known

(j) Residence of parents if living and known

(k) Occupation

(l) Maiden name of mother

(m) Color or race of mother

(n) Birth place of mother and age at birth of applicant if known

(o) Occupation of mother if known

(p) Number of children of this mother if known and number of children of this mother now living if known

(q) (1) A certificate written in the English language signed by the doctor or midwife in attendance at the birth of such person and

(2) A certificate written in the English langauge signed by such person accompanied by a baptismal record kept by a bona fide ecclesiastical body and certified by a priest minister or other officer of said body or if it is impossible to obtain such records then an affidavit to that effect and by such priest minister or other officer and

(3) A certificate written in the English language signed by such person and by a parent or near relative of such

person who has lived with the person or family and has knowledge of the facts contained in such affidavit and

(4) A certificate written in the English language signed by such person and by two other persons who have had adequate means of knowledge of the facts contained in such affidavit or of the family tradition thereon Provided That such last mentioned persons need not be related by blood or marriage if they have been connected with the family so long and so intimately as to have acquired knowledge of the facts Provided however that if the information required above is not available the court may require such other information including public or private records as will satisfy it

Every certificate filed under this section shall be supported by an affidavit or affirmation on behalf of each person signing the certificate attesting the correctness of the information given therein which affidavit or affidavits shall be a part of the record of birth and a copy of such affidavit or affidavits shall accompany each certified copy of any record of such birth issued by the clerk of the orphans' court In order that the form of petition in the several counties may be uniform the Bureau of Vital Statistics of the Department of Health shall prescribe the form of petition and certificate required under Section 1 of this act

Section 2 Upon presentation of said petition by the clerk of the orphans' court or after hearing had the said court if satisfied of the truth and accuracy of the facts alleged therein shall order the record of the birth of the petitioner to be filed and recorded and indexed in the office of the clerk of the orphans' court in said county upon the payment of a filing fee of two dollars and fifty cents ($2.50) which payment shall entitle the petitioner to a certified copy of said record

The Orphans' Court is hereby authorized to appoint a standing Master or Masters to whom such petitions may be referred who shall upon such reference hold the hearing specified in this Section and make recommendations to the Orphans' Court for approval or disapproval of the petition with an appropriate form of decree Such Master or Masters shall be paid by the county such compensation as the Orphans' Court shall fix

Section 3 There shall be prvoided at the expense of the county a special docket book or register wherein such records of birth shall be duly entered

Section 4 A record of birth so established or a duly certified copy of the same shall be prima facie evidence of all matters therein contained and shall be admissible in all judicial proceedings

Section 5 A certified copy of any such birth record shall be furnished to any applicant upon payment to the clerk of said court of the sum of fifty cents ($.50)

Section 6 In addition to any other penalties provided by existing law any person who shall make any affidavit statement record or certification under the provisions of this act knowing the same to be false shall upon summary conviction therefor be sentenced to pay a fine of not less than one hundred dollars ($100.00) nor more than three hundred dollars ($300.00) and the costs of prosecution and upon failure to pay such fine and costs shall be imprisoned not more than ninety (90) days

Section 7 All acts and parts of acts inconsistent with the provisions of this act are hereby repealed

Section 8 The provisions of this act shall become effective immediately upon final enactment

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows, viz:

YEAS—204

Achterman,	French,	Lyons,	Rosenfeld,
Allmond,	Gallagher,	Malloy,	Royer,
Auker,	Gates,	Marks,	Rush,
Baker,	Gerard,	Maxwell,	Sarge,
Balthaser,	Gillan,	McClanaghan,	Sarraf,
Bentley,	Gillette,	McClester,	Scanlon,
Bentzel,	Goodwin,	McDermott,	Schwab,
Boles,	Greenwood,	McDowell,	Serrill,
Boney,	Gross,	McFall,	Shaffer,
Boorse,	Gryskewicz,	McGrath,	Shaw,
Bower,	Gyger,	McIntosh,	Shepard,
Bradley,	Habbyshaw,	McKinney,	Simons,
Bretherick,	Haberlen,	McLanahan,	Skale,
Brown,	Haines,	McLane,	Snyder,
Brunner, C. H.,	Hall,	McMillen,	Sollenberger,
Brunner, P. A.,	Hamilton,	McSurdy,	Sorg,
Burns,	Hare,	Melchiorre,	Stambaugh,
Burris,	Harkins,	Mihm,	Stank,
Cadwalader,	Harmuth,	Modell,	Stine,
Chervenak,	Harris,	Monks,	Stockham,
Chudoff,	Heatherington,	Mooney,	Tarr,
Cochran,	Helm,	Moran,	Tate,
Cohen, M. M.,	Hering,	Moul,	Taylor,
Cohen, R. E.,	Herman,	Muir,	Thompson, E. F.,
Cook,	Hersch,	Munley,	Thompson, R. L.,
Cooper,	Hewitt,	Nagel,	Trout,
Cordier,	Hirsch,	Nunemacher,	Turner,
Corrigan,	Holland,	O'Brien,	Van Allsburg,
Croop,	Huntley,	O'Connor,	Verona,
Cullen,	Imbrie,	O'Dare,	Vincent,
Dalrymple,	James,	O'Mullen,	Vogt,
Dennison,	Jefferson,	O'Neill,	Voldow,
DiGenova,	Jones, G. E.,	Owens,	Voorhees,
Dix,	Jones, P. N.,	Petrosky,	Wagner,
Dolon,	Keenan,	Pettit,	Watkins,
D'Ortona,	Kenehan,	Polaski,	Weingartner,
Duffy,	Kline,	Polen,	Weiss,
Early,	Knoble,	Powers,	Welsh, E. B.,
Eckels,	Kolankiewicz,	Prosen,	Welsh, M. J.,
Elder,	Komorofski,	Rank,	Wilkinson,
Elliott,	Krise,	Rausch,	Williams,
Ely,	Lee, E. A.,	Readinger,	Winner,
Falkenstein,	Lee, T. H.,	Reagan,	Wood, L. H.,
Finestone,	Leisey,	Reese, D. R.,	Wood, N.,
Finnerty,	Leonard,	Reese, R. E.,	Woodring,
Fisher,	Lesko,	Regan,	Woodside,
Fiss,	Levy,	Reynolds,	Wright,
Fleming,	Leydic,	Rhea,	Yeakel,
Fletcher,	Lichtenwalter,	Riley,	Yester,
Flynn,	Longo,	Rooney,	Young,
Foor,	Lovett,	Rose, S.,	Kilroy, Speaker

NAYS—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

BILL ON THIRD READING PASSED OVER

There being no objection House Bill No. 1096, Printer's No. 698, was passed over at the request of Mr. READINGER.

BILL ON THIRD READING

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1882, entitled:

An Act to amend section seven of the act approved the sixteenth day of May one thousand nine hundred twenty-nine (P. L. 1780) entitled "An act to fix the salaries and compensation of the judges of Supreme Court the judges of the Superior Court the judges of the courts of common pleas the judges of the orphans' courts the judges of the Municipal Court of Philadelphia and the judges of the County Court of Allegheny County" by increasing salaries of certain judges

On the question,

Will the House agree to the bill on third reading?

BILL RECOMMITTED

Mr. READINGER. Mr. Speaker, I move that this bill be recommitted to the Committee on Judiciary Special for the purpose of further study.

The motion was agreed to.

BILL ON THIRD READING

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 792, entitled:

An Act to add sections 418 419 420 421 422 and 423 to the act approved the twenty-fourth day of June one thousand nine hundred and thirty-nine (P. L. 872), entitled "An act to consolidate amend and revise the penal laws of the Commonwealth" by making unlawful certain acts designated to incite counsel or advocate racial or religious hatred and imposing penalties

On the question,

Will the House agree to the bill on third reading?

BILL RECOMMITTED

Mr. TAYLOR. Mr. Speaker, I move that this bill be recommitted to the Committee on Judiciary Special for the purpose of further study.

The motion was agreed to.

BILL ON THIRD READING

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1768, entitled:

An Act to further amend the act approved the fifth day of December one thousand nine hundred thirty-six (P. L. of 1937, page two thousand eight hundred ninety-seven) entitled "An act establishing a system of unemployment compensation to be administered by the Department of Labor and Industry and its existing and newly created agencies with personnel (with certain exceptions) selected on a civil service basis requiring employers to keep records and make reports and certain employers to pay contributions based on payrolls to provide moneys for the payment of compensation to certain unemployed persons providing procedure and administrative details for the determination payment and collection of such contributions and the payment of such compensation providing for cooperation with the Federal Government and its agencies creating certain special funds in the custody of the State Treasurer and prescribing penalties" by providing therein as to the replacement of certain moneys received pursuant to the provisions of Section three hundred two of the Federal Social Security Act as amended

On the question,

Will the House agree to the bill on third reading?

MOTION TO RECOMMIT

Mr. ACHTERMAN. Mr. Speaker, I move that this bill be recommitted to the Committee on State Government.

On the question,

Will the House agree to the motion?

Mr. WOODSIDE. Mr. Speaker, I ask the gentleman from Monroe, Mr. Achterman, whether he will permit this bill to go over in order.

MOTION TO RECOMMIT WITHDRAWN

Mr. ACHTERMAN. Mr. Speaker, I am perfectly willing to withdraw my motion and ask that it be passed over in its order.

Mr. WOODSIDE. Will the gentleman further agree with me, Mr. Speaker, that neither of us will make a motion on this bill without first consulting each other?

Mr. ACHTERMAN. Mr. Speaker, I am perfectly willing to do that.

BILL PASSED OVER

There being no objection House Bill No. 1768 Printer's No. 1113 was passed over at the request of Mr. ACHTERMAN.

BILLS ON THIRD READING

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1687, as follows:

An Act to further amend section four of the act approved the twenty-eighth day of May one thousand nine hundred and fifteen (P. L. 596) entitled "An act requiring cities of the second class to establish a pension fund for employes of said cities and regulating the administration and the payment of such pensions" by further regulating the allowance of pensions to certain persons heretofore or hereafter dismissed

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section four of the act approved the twenty-eighth day of May one thousand nine hundred and fifteen (P. L. 596) entitled "An act requiring cities of the second class to establish a pension fund for employes of said cities and regulating the administration and the payment of such pensions" as last amended by the act approved the seventeenth day of May one thousand nine hundred and thirty-nine (P. L. 163) is hereby further amended to read as follows

Section 4 During the lifetime of the said person he or she shall be entitled to receive a pension from the fund set aside for the purpose fifty per centum of the amount which would constitute the average rate of pay at which he or she was employed during the last five years of his or her employment by the said city Said pension shall be paid in monthly payments Provided That if any pension be granted to a person who has not been a contributor to the pension fund as herein provided during a period of twenty years such person shall be required to pay unto the board of pensions monthly an amount equal to not less than two nor more than four per centum of his her pension until such time as his or her contribution shall have extended during a period of twenty years Should any person so employed after twenty years of service be dismissed voluntarily retire or be in any manner deprived of his or her position or employment before attaining the age fixed for retirement by this act upon continuing a monthly payment to the fund equal to the last amount due and paid monthly while in active service said person shall be entitled to the pension above mentioned notwithstanding he or she has not attained the age for retirement at the time of his or her separation from the service of such city but said pension shall not commence until he or she has attained such age Provided That any employe who has heretofore or shall hereafter be dismissed and who has been in the service of the city for a period of [twenty-five (25)] twenty (20) years or more and who has made payments into the pension fund for a period of twenty (20) years or more and who has reached the age of fifty (50) years shall upon application to the board of pensions receive the pension or compensation fixed by this act during the remainder of his or her life Should any employe however become totally or permanently disabled after fifteen years of service he or she shall be entitled to the said pension Provided That if any employe who has served less than fifteen years becomes totally and permanently disabled by reason of injury sustained in the actual performance of duty such employe shall be entitled to the said pension Proof of total and permanent disability shall consist of the sworn statement of three practicing physicians designated by the board that the employe is in a permanent condition of health which would totally disable him or her from performing the duties of his or her position or

office Once a year the board of pensions may require a disability pensioner to undergo a medical examination by three physicians appointed by the board and should such physicians thereupon report and certify to the board that such beneficiary is no longer incapacitated and should the pension board concur in such report the pension to such beneficiary shall be discontinued The pension paid to any one employe shall not exceed one hundred and twenty-five dollars per month and shall not be computed on rate of pay in excess of two hundred and fifty dollars per month

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows, viz:

YEAS—204

Achterman,	French,	Malloy,	Royer,
Allmond,	Gallagher,	Marks,	Rush,
Auker,	Gates,	Maxwell,	Sarge,
Baker,	Gerard,	McClanaghan,	Sarraf,
Balthaser,	Gillan,	McClester,	Scanlon,
Bentley,	Gillette,	McDermott,	Schwab,
Bentzel,	Goodwin,	McDowell,	Serrill,
Boles,	Greenwood,	McFall,	Shaffer,
Boney,	Gross,	McGrath,	Shaw,
Boorse,	Gryskewicz,	McIntosh	Shepard,
Bower,	Gyger,	McKinney,	Simons,
Bradley,	Habbyshaw,	McLanahan,	Skale,
Bretherick,	Haberlen,	McLane,	Snyder,
Brown,	Haines,	McMillen,	Sollenberger,
Brunner, C. H.,	Hall,	McSurdy,	Sorg,
Brunner, P. A.,	Hamilton,	Melchiorre,	Stambaugh,
Burns,	Hare,	Mihm,	Stank,
Burris,	Harkins,	Modell,	Stine,
Cadwalader,	Harmuth,	Monks,	Stockham,
Chervenak,	Harris,	Mooney,	Tarr,
Chudoff,	Heatherington,	Moran,	Tate,
Cochran,	Helm,	Moul,	Taylor,
Cohen, M. M.,	Hering,	Muir,	Thompson, E. F.,
Cohen, R. E.,	Herman,	Munley,	Thompson, R. L.,
Cook,	Hersch,	Nagel,	Trout,
Cooper,	Hewitt,	Nunemacher,	Turner,
Cordier,	Hirsch,	O'Brien,	Van Allsburg,
Corrigan,	Holland,	O'Connor,	Verona,
Croop,	Huntley,	O'Dare,	Vincent,
Cullen,	Imbrie,	O'Mullen,	Vogt,
Dalrymple,	James,	O'Neill,	Voldow,
Dennison,	Jefferson,	Owens,	Voorhees,
DiGenova,	Jones, G. E.,	Petrosky,	Wagner,
Dix,	Jones, P. N.,	Pettit,	Watkins,
Dolon,	Keenan,	Polaski,	Weingartner,
D'Ortona,	Kenehan,	Polen,	Weiss,
Duffy,	Kline,	Powers,	Welsh, E. B.,
Early,	Knoble,	Prosen,	Welsh, M. J.,
Eckels,	Kolankiewicz,	Rank,	Wilkinson,
Elder,	Komorofski,	Rausch,	Williams,
Elliott,	Krise,	Readinger,	Winner,
Ely,	Lee, E. A.,	Reagan,	Wood, L. H.,
Falkenstein,	Lee, T. H.,	Reese, D. P.,	Wood, N.,
Finestone,	Leisey,	Reese, R. E.,	Woodring,
Finnerty,	Leonard,	Regan,	Woodside,
Fisher,	Lesko,	Reynolds,	Wright,
Fiss,	Levy,	Rhea,	Yeakel,
Fleming,	Leydic,	Riley,	Yester,
Fletcher,	Lichtenwalter,	Rooney,	Young,
Flynn,	Longo,	Rose, S.,	Kilroy,
Foor,	Lovett,	Rosenfeld,	Speaker.
	Lyons,		

NAYS—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1963, as follows:

An Act to add clause (i) to section seven hundred and four of the act approved the third day of June one thousand nine hundred and thirty-sevn (P. L. 1333) entitled "An act concerning elections including general municipal special and primary elections the nomination of candidates primary and election expenses and election contests creating and defining membership of county boards of elections imposing duties upon the Secretary of the Commonwealth courts county boards of elections county commissioners imposing penalties for violation of the act and codifying revising and consolidating the laws relating thereto and repealing certain acts and parts of acts relating to elections" by adding rule for determining residence in case of electors compelled to remove from their place of residence by agencies or bodies having right of eminent domain or acquiring property for carrying out National defense programs

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section seven hundred and four of the act approved the third day of June one thousand nine hundred and thirty-seven (P. L. 1333) entitled "An act concerning elections including general municipal special and primary election the nomination of candidates primary and election expenses and election contests creating and defining membership of county boards of elections imposing duties upon the Secretary of the Commonwealth courts county boards of elections county commissioners imposing penalties for violation of the act and codifying revising and consolidating the laws relating thereto and repealing certain acts and parts of acts relating to elections" is hereby amended by adding at the end thereof a new clause to read as follows

Section 704 Rules for Determining Residence In determining the residence of a person desiring to register or vote the following rules shall be followed so far as they may be applicable

* * * *

(i) If a person is compelled to remove from his place of residence within a period of two months next preceding any election or primary by reason of the acquisition of such property by any Federal or State agency political subdivision or corporation having the power of eminent domain or by any corporation in the process of expanding its plant capacity for the purpose of fulfilling contracts in connection with a National defense program such person shall not be considered to have lost his residence in such election district for a period of three months following the next ensuing election or primary and if registered and if otherwise qualified shall be entitled to vote in such election district at all elections and primaries occurring at any time prior to the expiration of said period of three months

Section 2 This act shall become effective immediately upon final enactment and shall remain in effect until and including the thirty-first day of May one thousand nine hundred and forty-three

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows, viz:

YEAS—204

Achterman,	French,	Lyons,	Rosenfeld,
Allmond,	Gallagher,	Malloy,	Royer,
Auker,	Gates,	Marks,	Rush,
Baker,	Gerard,	Maxwell,	Sarge,
Balthaser,	Gillan,	McClanaghan,	Sarraf,
Bentley,	Gillette,	McClester,	Scanlon,
Bentzel,	Goodwin,	McDermott,	Schwab,

Boles,	Greenwood,	McDowell,	Serrill,
Boney,	Gross,	McFall,	Shaffer,
Boorse,	Gryskewicz,	McGrath,	Shaw,
Bower,	Gyger,	McIntosh,	Shepard,
Bradley,	Habbyshaw,	McKinney,	Simons,
Bretherick,	Haberlen,	McLanahan,	Skale,
Brown,	Haines,	McLane,	Snyder,
Brunner, C. H.,	Hall,	McMillen,	Sollenberger,
Brunner, P. A.,	Hamilton,	McSurdy,	Sorg,
Burns,	Hare,	Melchiorre,	Stambaugh,
Burris,	Harkins,	Mihm,	Stank,
Cadwalader,	Harmuth,	Modell,	Stine,
Chervenak,	Harris,	Monks,	Stockham,
Chudoff,	Heatherington,	Mooney,	Tarr,
Cochran,	Helm,	Moran,	Tate,
Cohen, M. M.,	Hering,	Moul,	Taylor,
Cohen, R. E.,	Herman,	Muir,	Thompson, E. F.,
Cook,	Hersch,	Munley,	Thompson, R. L.,
Cooper,	Hewitt,	Nagel,	Trout,
Cordier,	Hirsch,	Nunemacher,	Turner,
Corrigan,	Holland,	O'Brien,	VanAllsburg,
Croop,	Huntley,	O'Connor	Verona,
Cullen,	Imbrie,	O'Dare,	Vincent,
Dalrymple,	James,	O'Mullen,	Vogt,
Dennison,	Jefferson,	O'Neill,	Voldow,
DiGenova,	Jones, G. E.,	Owens,	Voorhees,
Dix,	Jones, P. N.,	Petrosky,	Wagner,
Dolon,	Keenan,	Pettit,	Watkins,
D'Ortona,	Kenehan,	Polaski,	Weingartner,
Duffy,	Kline,	Polen,	Weiss,
Early,	Knoble,	Powers,	Welsh, E. B.,
Eckels,	Kolankiewicz,	Prosen,	Welsh, M. J.,
Elder,	Komorofski,	Rank,	Wilkinson,
Elliott,	Krise,	Rausch,	Williams,
Ely,	Lee, E. A.,	Readinger,	Winner,
Falkenstein,	Lee, T. H.,	Reagan,	Wood, L. H.,
Finestone,	Leisey,	Reese, D. P.,	Wood, N.,
Finnerty,	Leonard,	Reese, R. E.,	Woodring,
Fisher,	Lesko,	Regan,	Woodside,
Fiss,	Levy,	Reynolds,	Wright,
Fleming,	Leydic,	Rhea,	Yeakel,
Fletcher,	Lichtenwalter,	Riley,	Yester,
Flynn,	Longo,	Rooney,	Young,
Foor,	Lovett,	Rose, S.,	Kilroy, Speaker

NAYS—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 248, as follows:

An Act authorizing taxpayers in cities of the second class A to inspect the books and records of such cities at any reasonable time and prescribing a procedure for enforcing such right of inspection

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 All fiscal records minute books and documents of cities of the second class A shall be open to the inspection of any taxpayer his her or its agent upon demand therefor but the proper officers charged with the custody of such records books and documents may make reasonable rules and regulations designating the time and place of such inspection

In case any officials or officers shall refuse to permit the inspection of any fiscal record minute book or document the taxpayer may file a petition with the court of common pleas setting forth his reasons for making such inspection and if after hearing on said petition of which hearing the officials of said city shall be given due notice and the opportunity to appear and be heard as provided by law if the court deems such reasons proper it shall order the officer to permit the inspection to be made at a reasonable time and place and shall also order such official or officer to pay the costs of such court proceeding

Section 2 The provisions of this act shall become effective immediately upon final enactment

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows, viz:

YEAS—204

Achterman,	French,	Malloy,	Royer,
Allmond,	Gallagher,	Marks,	Rush,
Auker,	Gates,	Maxwell,	Sarge,
Baker,	Gerard,	McClanaghan	Sarraf,
Balthaser,	Gillan,	McClester,	Scanlon,
Bentley,	Gillette,	McDermott,	Schwab,
Bentzel,	Goodwin,	McDowell,	Serrill,
Boles,	Greenwood,	McFall,	Shaffer,
Boney,	Gross,	McGrath,	Shaw,
Boorse,	Gryskewicz,	McIntosh,	Shepard,
Bower,	Gyger,	McKinney,	Simons,
Bradley,	Habbyshaw,	McLanahan,	Skale,
Bretherick,	Haberlen,	McLane,	Snyder,
Brown,	Haines,	McMillen,	Sollenberger,
Brunner, C. H.,	Hall,	McSurdy,	Sorg,
Brunner, P. A.,	Hamilton,	Melchiorre,	Stambaugh,
Burns,	Hare,	Mihm,	Stank,
Burris,	Harkins,	Modell,	Stine,
Cadwalader,	Harmuth,	Monks,	Stockham,
Chervenak,	Harris,	Mooney,	Tarr,
Chudoff,	Heatherington,	Moran,	Tate,
Cochran,	Helm,	Moul,	Taylor,
Cohen, M. M.,	Hering,	Muir,	Thompson, E. F.,
Cohen, R. E.,	Herman,	Munley,	Thompson, R. L.,
Cook,	Hersch,	Nagel,	Trout,
Cooper,	Hewitt,	Nunemacher,	Turner,
Cordier,	Hirsch,	O'Brien,	Van Allsburg,
Corrigan,	Holland,	O'Connor,	Verona,
Croop,	Huntley,	O'Dare	Vincent,
Cullen,	Imbrie,	O'Mullen,	Vogt,
Dalrymple,	James,	O'Neill,	Voldow,
Dennison,	Jefferson,	Owens,	Voorhees,
DiGenova,	Jones, G. E.,	Petrosky,	Wagner,
Dix,	Jones, P. N.,	Pettit,	Watkins,
Dolon,	Keenan,	Polaski,	Weingartner,
D'Ortona,	Kenehan,	Polen,	Weiss,
Duffy,	Kline,	Powers,	Welsh, E. B.,
Early,	Knoble,	Prosen,	Welsh, M. J.,
Eckels,	Kolankiewicz,	Rank,	Wilkinson,
Elder,	Komorofski,	Rausch,	Williams,
Elliott,	Krise,	Readinger,	Winner,
Ely,	Lee, E. A.,	Reagan,	Wood, L. H.,
Falkenstein,	Lee, T. H.,	Reese, D. P.,	Wood, N.,
Finestone,	Leisey,	Reese, R. E.,	Woodring,
Finnerty,	Leonard,	Regan,	Woodside,
Fisher,	Lesko,	Reynolds,	Wright,
Fiss,	Levy,	Rhea,	Yeakel,
Fleming,	Leydic,	Riley,	Yester,
Fletcher,	Lichtenwalter,	Rooney,	Young,
Flynn,	Longo,	Rose, S.,	Kilroy,
Foor,	Lovett,	Rosenfeld,	Speaker.
	Lyons,		

NAYS—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1833, as follows:

An Act to amend section five of the act approved the twenty-ninth day of September one thousand nine hundred thirty-eight (P. L. 53) entitled "An act relating to institutions of counties cities and institution districts for the care maintenance and treatment of mental patients providing for the transfer of such institutions to the Commonwealth providing for the management

and operation or closing and abandonment thereof and the maintenance of mental patients therein including the collection of maintenance in certain cases providing for the retransfer of certain property to institution districts under certain circumstances conferring and imposing upon the Governor the Department of Welfare the courts of common pleas and counties cities and institution districts certain powers and duties prohibiting cities counties and institution districts from maintaining and operating institutions in whole or in part for the care and treatment of mental patients and repealing inconsistent laws" by further prescribing certain rights of employes and officers of institutions acquired by the Commonwealth

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section five of the act approved the twenty-ninth day of September one thousand nine hundred thirty-eight (P. L. 53) entitled "An act relating to institutions of counties cities and institution districts for the care maintenance and treatment of mental patients providing for the transfer of such institutions to the Commonwealth providing for the management and operation or closing and abandonment thereof and the maintenance of mental patients therein including the collection of maintenance in certain cases providing for the retransfer of certain property to institution districts under certain circumstances conferring and imposing upon the Governor the Department of Welfare the courts of common pleas and counties cities and institution districts certain powers and duties prohibiting cities counties and institution districts from maintaining and operating institutions in whole or in part for the care and treatment of mental patients and repealing inconsistent laws" is hereby amended to read as follows

Section 5 When the Commonwealth through the Department of Welfare assumes the control and management of any institution subject to this act the terms of all officers and employes and the local management of such institution shall cease and terminate The officers and employes of any such institution shall thereupon become employes of the Commonwealth subject to removal by the Secretary of Welfare

Where employes or officers of any such institution are to be removed or furloughed by the Secretary of Welfare in order to curtail administrative expenses or otherwise the Secretary of Welfare shall give due consideration to experience fitness length of service and seniority rights of all officers or employes affected and shall order removals or furloughs only in accordance with the above standards

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows, viz:

YEAS—204

Achterman,	French,	Lyons,	Rosenfeld,
Allmond,	Gallagher,	Malloy,	Royer,
Auker,	Gates,	Marks,	Rush,
Baker,	Gerard,	Maxwell,	Sarge,
Balthaser,	Gillan,	McClanaghan,	Sarraf,
Bentley,	Gillette,	McClester,	Scanlon,
Bentzel,	Goodwin,	McDermott,	Schwab,
Boies,	Greenwood,	McDowell,	Serrill,
Boney,	Gross,	McFall,	Shaffer,
Boorse,	Gryskewicz,	McGrath,	Shaw,
Bower,	Gyger,	McIntosh,	Shepard,
Bradley,	Habbyshaw,	McKinney,	Simons,
Bretherick,	Haberlen,	McLanahan,	Skale,
Brown,	Haines,	McLane,	Snyder,
Brunner, C. H.,	Hall,	McMillen,	Sollenberger,
Brunner, P. A.,	Hamilton,	McSurdy,	Sorg,
Burns,	Hare,	Melchiorre,	Stambaugh,
Burris,	Harkins,	Mihm,	Stank,
Cadwalader,	Harmuth,	Modell,	Stine,
Chervenak,	Harris,	Monks,	Stockham,
Chudoff,	Heatherington,	Mooney,	Tarr,
Cochran,	Helm,	Moran,	Tate,
Cohen, M. M.,	Hering,	Moul,	Taylor,
Cohen, R. E.,	Herman,	Muir,	Thompson, E. F.,
Cook,	Hersch,	Munley,	Thompson, R.,
Cooper,	Hewitt,	Nagel,	Trout,
Cordier,	Hirsch,	Nunemacher,	Turner,
Corrigan,	Holland,	O'Brien,	Van Allsburg,
Croop,	Huntley,	O'Connor,	Verona,
Cullen,	Imbrie,	O'Dare,	Vincent,
Dalrymple,	James,	O'Mullen,	Vogt,
Dennison,	Jefferson,	O'Neill,	Voldow,
DiGenova,	Jones, G. E.,	Owens,	Voorhees,
Dix,	Jones, P. N.,	Petrosky,	Wagner,
Dolon,	Keenan,	Pettit,	Watkins,
D'Ortona,	Kenehan,	Polaski,	Weingartner,
Duffy,	Kline,	Polen,	Weiss,
Early,	Knoble,	Powers,	Welsh, E. B.,
Eckels,	Kolankiewicz,	Prosen,	Welsh, M. J.,
Elder,	Komorofski,	Rank,	Wilkinson,
Elliott,	Krise,	Rausch,	Williams,
Ely,	Lee, E. A.,	Readinger,	Winner,
Falkenstein,	Lee, T. H.,	Reagan,	Wood, L. H.,
Finestone,	Leisey,	Reese, D. P.,	Wood, N.,
Finnerty,	Leonard,	Reese, R. E.,	Woodring,
Fisher,	Lesko,	Regan,	Woodside,
Fiss,	Levy,	Reynolds,	Wright,
Fleming,	Leydic,	Rhea,	Yeakel,
Fletcher,	Lichtenwalter,	Riley,	Yester,
Flynn,	Longo,	Rooney,	Young,
Foor,	Lovett,	Rose, S.,	Kilroy, Speaker

NAYS—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1398, as follows:

An Act to amend the act approved the fifth day of May one thousand nine hundred thirty-three (P. L. 289) entitled "An act relating to non-profit corporations defining and providing for the organization merger consolidation and dissolution of such corporations conferring certain rights powers duties and immunities upon them and their officers and members prescribing the conditions on which such corporations may exercise their powers providing for the inclusion of certain existing corporations of the first class within the provisions of this act prescribing the terms and conditions upon which foreign nonprofit corporations may be admitted or may continue to do business within the Commonwealth conferring powers and imposing duties on the courts of common pleas prothonotaries of such courts recorders of deeds and certain State departments commissions and officers authorizing certain local public officers and State departments to collect fees for services required to be rendered by this act imposing penalties and repealing certain acts and parts of acts relating to corporations" as amended by changing certain provisions of the act relating to corporate names by requiring certain certificates of the payment of taxes and other charges to be filed with the Department of State in certain cases by making certain changes in the scope of the act and by making certain provisions relating to the filing of notices of changes of registered offices

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section four of the act approved the fifth day of May one thousand nine hundred thirty-three (P. L. 289) entitled "An act relating to nonprofit corporations defining and providing for the organization merger consolidation and dissolution of such corporations conferring certain rights powers duties and immunities upon them and their officers and members prescribing the conditions on which such corporations may exercise their powers pro-

viding for the inclusion of certain existing corporations of the first class within the provisions of this act prescribing the terms and conditions upon which foreign nonprofit corporations may be admitted or may continue to do business within the Commonwealth conferring powers and imposing duties on the courts of common pleas prothonotaries of such courts recorders of deeds and certain State departments commissions and officers authorizing certain local public officers and State departments to collect fees for services required to be rendered by this act imposing penalties and repealing certain acts and parts of acts relating to corporations" as last amended by the act approved the twenty-seventh day of June one thousand nine hundred thirty-nine (P. L. 1121) is hereby further amended to read as follows

Section 4 Scope of Act This act does not relate to does not affect and does not apply to

(1) Cooperative associations whether for profit or not for profit

(2) Beneficial benevolent fraternal [and] or fraternal benefit societies having a lodge system and a representative form of government or transacting any type of insurance whatsoever

(3) Any corporation whatsoever organized for any purpose or purposes involving pecuniary profit to its members or shareholders

(4) Any corporation which by the laws of this Commonwealth is subject to the supervision of the Department of Banking the Insurance Department the Pennsylvania [Public] Public Utility Commission or the Water and Power Resources Board Provided however That corporations subject by law to the limited supervision of the Insurance Department may be incorporated under and in accordance with the provisions of this act for the purpose of establishing maintaining and operating a nonprofit hospital plan whereby hospitalization may be provided to subscribers of such plan by any hospital with which such corporations have a contract for such hospitalization or for the purpose of establishing maintaining and operating a nonprofit medical service plan whereby medical services may be provided through any doctor of medicine to subscribers of low income and their dependents

Section 2 Paragraph A of section two hundred two of said act as amended by the act approved the seventeenth day of July one thousand nine hundred thirty-five (P. L. 1130) is hereby further amended to read as follows

A The corporate name may be in any language but must be expressed in English letters or characters The corporate name shall not imply that the corporation is an administrative agency of the Commonwealth or of the United States or is subject to the supervision of the Department of Banking or of the Insurance Department and shall not contain the word "bank" "banking" "banker" "savings" "trust" "deposit" "insurance" "mutual" "assurance" "indemnity" "casualty" "fiduciary" "benefit" "beneficial" ["benevolent"] "public service" "public utility" "building and loan" "surety" "security" "guaranty" "guarantee" "cooperative" "State" or "Commonwealth"

Section 3 Section two hundred four of said act as amended by the act approved the seventeenth day of July one thousand nine hundred thirty-five (P. L. 1130) is hereby further amended to read as follows

Section 204 Registration of Corporate Name The incorporators shall make application to the Department of State for the registration of the proposed corporate name The application shall set forth the name which the incorporators desire to use [and] the address of the proposed registered office of the corporation and a statement of the purpose for which it is to be formed and it shall be signed by at least five incorporators If the Department of State finds that the proposed name is available for corporate use the department shall register the name and shall issue to the incorporators a certificate that the proposed name has been duly registered If the proposed name is not available for corporate use the department shall refuse to register such name and shall forthwith notify the incorporators of this fact The Department of State shall keep a properly indexed record of the registrations and cancellations of registrations provided for in this act

Section 4 Paragraph A of section three hundred sixteen of said act as amended by the act approved the seventeenth day of July one thousand nine hundred thirty-five (P. L. 1130) is hereby further amended to read as follows

Section 316 Registered Office Records A Every nonprofit corporation shall maintain an office in this Commonwealth to be known as its registered office The location and post office address of the registered office shall be stated in the articles as heretofore provided in this act After incorporation the location of the registered office may be changed

(1) From one location to another in the same county by resolution adopted by a majority of all the members including members not entitled by the articles or by-laws to vote On or before the day that such change is made notice of such change and of the post office address of the new registered office shall be filed with and recorded by the recorder of deeds of the county At the same time notice of such change shall also be filed with and recorded by the Secretary of the Commonwealth

(2) From one county to another county by resolution adopted by a majority of all the members including members not entitled by the articles or by-laws to vote On or before the day that such change is made notice of such change and of the post office address of the new registered office shall be filed with and recorded by the recorder of deeds of the county from which and of the county to which the registered office is to be moved At the same time notice of such change shall be filed with and recorded by the Secretary of the Commonwealth In addition a certified copy of the articles of the corporation shall be filed with and recorded by the recorder of deeds of the county in which the registered office is to be located before the corporation shall transact any business in such county

Section 5 Section nine hundred seven of said act as amended by the act approved the seventeenth day of July one thousand nine hundred thirty-five (P. L. 1130) is hereby further amended to read as follows

Section 907 Amended Certificate of Authority A After receiving a certificate of authority a foreign nonprofit corporation may subject to the provisions of this act change its name or be authorized to do in this Commonwealth other or additional business than that authorized by its certificate of authority by filing with the Department of State an application for an amended certificate of authority [and] proof of the advertisement hereinafter required by this section a copy of the proposed amendment as effected in the state or county of its incorporation duly certified by the proper public officer thereof and a certificate or certificates from the proper department or departments of this Commonwealth evidencing payment by the corporation of all taxes bonus and charges as required by law Such application shall be executed under the seal of the corporation signed and verified by two duly authorized officers thereof and shall set forth the changes desired by the corporation

B A foreign nonprofit corporation shall before making application to the Department of State advertise its intention to apply for an amended certificate of authority by publication in a manner similar to that prescribed in this act in the case of the formation of a domestic nonprofit corporation Advertisements shall appear at least three days prior to the day on which application is made to the Department of State and shall set forth briefly

(1) The name of the corporation and of the state or country under the laws of which it is formed

(2) If the application is for permission to do in this Commonwealth other or additional business the character and nature of the business it proposes to do under the amended certificate of authority

(3) If the application is for a change of name the new name under which it proposes to do business

C If the Department of State finds that the provisions of this article have been complied with that the certificate herein required evidencing payment of all taxes or bonus or charges is in proper form and that the applicant corporation is entitled to an amended certificate of authority it shall upon payment of the filing fee forthwith but not prior to the day specified in the advertisement heretofore

required by this section endorse its approval upon the application [and when all fees and charges have been paid as required by law] shall file the application and issue to the applicant corporation an amended certificate of authority setting forth the desired changes The amended certificate of authority shall be recorded in the office of the recorder of deeds of the county in which the original certificate of authority was recorded

Section 6 Paragraph C of section nine hundred fifteen of said act is hereby amended to read as follows

C Upon the filing of such application proof of the advertisement heretofore required by this section a certificate from the proper department or departments of this Commonwealth evidencing payment by the corporation of all taxes or bonus or charges as required by law and the return for cancellation of the corporation's certificate of authority or the filing of proof that it has been lost or destroyed the Department of State if the certificate or certificates herein required evidencing payment of all taxes bonus and charges are in proper form [after all fees and charges have been paid as required by law] shall upon payment of the filing fee cancel the certificate of authority if any and shall issue in duplicate a certificate of withdrawal The Department of State shall return one of such certificates of withdrawal to the corporation or its representative and shall send the other to the recorder of deeds of the county in which the last registered office of the corporation in this Commonwealth is situated who shall record the same without fee therefor Upon the issuance of the certificate of withdrawal the authority of the corporation to do business within this Commonwealth shall cease and determine and no such corporation doing business in this Commonwealth after the issuance of such certificate shall maintain any action in this Commonwealth upon any contract made by it in this Commonwealth subsequent to the issuance of such certificate of withdrawal The issuance of such certificate shall not however affect any action pending at the time thereof or affect any right of action upon any contract made by such corporation in the Commonwealth before the issuance of the certificate Process against the corporation in an action upon any liability or obligation incurred within this Commonwealth before the issuance of such certificate may be served thereafter upon the Secretary of the Commonwealth

Section 7 This act shall become effective immediately upon final enactment

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows, viz:

YEAS—204

Achterman,	French,	Malloy,	Royer,
Allmond,	Gallagher,	Marks,	Rush,
Auker,	Gates,	Maxwell,	Sarge,
Baker,	Gerard,	McClanaghan,	Sarraf,
Balthaser,	Gillan,	McClester	Scanlon,
Bentley,	Gillette,	McDermott,	Schwab,
Bentzel,	Goodwin,	McDowell,	Serrill,
Boies,	Greenwood,	McFall,	Shaffer,
Boney,	Gross,	McGrath,	Shaw,
Boorse,	Gryskewicz,	McIntosh,	Shepard,
Bower,	Gyger,	McKinney	Simons,
Bradley,	Habbyshaw,	McLanahan	Skale,
Bretherick,	Haberlen,	McLane	Snyder,
Brown,	Haines,	McMillen,	Sollenberger,
Brunner, C. H.,	Hall,	McSurdy,	Sorg,
Brunner, P. A.,	Hamilton,	Melchiorre,	Stambaugh,
Burns,	Hare,	Mihm,	Stank,
Burris,	Harkins,	Modell,	Stine,
Cadwalader,	Harmuth,	Monks,	Stockham,
Chervenak,	Harris,	Mooney,	Tarr,
Chudoff,	Heatherington,	Moran,	Tate,
Cochran,	Helm,	Moul,	Taylor,
Cohen, M. M.,	Hering,	Muir,	Thompson, E. F.,
Cohen, R. E.,	Herman,	Munley,	Thompson, R. L.,
Cook,	Hersch,	Nagel,	Trout,
Cooper,	Hewitt,	Nunemacher,	Turner,
Cordier,	Hirsch,	O'Brien,	Van Allsburg,
Corrigan,	Holland,	O'Connor,	Verona,
Croop,	Huntley,	O'Dare,	Vincent,
Cullen,	Imbrie,	O'Mullen,	Vogt,
Dalrymple,	James,	O'Neill,	Voldow,
Dennison,	Jefferson,	Owens,	Voorhees,
DiGenova,	Jones, G. E.,	Petrosky,	Wagner,
Dix,	Jones, P. N.,	Pettit,	Watkins,
Dolon,	Keenan,	Polaski,	Weingartner,
D'Ortona,	Kenehan,	Polen,	Weiss,
Duffy,	Kline,	Powers,	Welsh, E. B.,
Early,	Knoble,	Prosen,	Welsh, M. J.,
Eckels,	Kolankiewicz,	Rank,	Wilkinson,
Elder,	Komorofski,	Rausch,	Williams,
Elliott,	Krise,	Readinger,	Winner,
Ely,	Lee, E. A.,	Reagan,	Wood, L. H.,
Falkenstein,	Lee, T. H.,	Reese, D. P.,	Wood, N.,
Finestone,	Leisey,	Regan,	Woodring,
Finnerty,	Leonard,	Reese, R. E.,	Woodside,
Fisher,	Lesko,	Reynolds,	Wright,
Fiss,	Leydic,	Rhea,	Yeakel,
Fleming,	Lichtenwalter,	Levy,	Yester,
Fletcher,	Longo,	Riley,	Young,
Flynn,	Lovett,	Rooney,	Kilroy,
Foor,	Lyons,	Rose, S.,	Speaker.
		Rosenfeld,	

NAYS—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1400, as follows:

An Act to amend the act approved the fifth day of May one thousand nine hundred thirty-three (P. L. 364) entitled "An act relating to business corporations defining and providing for the organization merger consolidation reorganization winding up and dissolution of such corporations conferring certain rights powers duties and immunities upon them and their officers and shareholders prescribing the conditions on which such corporations may exercise their powers providing for the inclusion of certain existing corporations of the second class within the provisions of this act prescribing the terms and conditions upon which foreign business corporations may be admitted or may continue to do business within the Commonwealth conferring powers and imposing duties on the courts of common pleas and certain State departments commissions and officers authorizing certain State departments boards commissions or officers to collect fees for services required to be rendered by this act imposing penalties and repealing certain acts and parts of acts relating to corporations" as amended by changing certain provisions of the act relating to corporate names and requiring certificates of the payment of taxes and other charges to be filed with the Department of State in certain cases

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Paragraph A of section two hundred two of the act approved the fifth day of May one thousand nine hundred thirty-three (P. L. 364) entitled "An act relating to business corporations defining and providing for the organization merger consolidation reorganization winding up and dissolution of such corporations conferring certain rights powers duties and immunities upon them and their officers and shareholders prescribing the conditions on which such corporations may exercise their powers providing for the inclusion of certain existing corporations of the second class within the provisions of this act prescribing the terms and conditions upon which foreign business corporations may be admitted or may continue to do business within the Commonwealth

conferring powers and imposing duties on the courts of common pleas and certain State departments commissions and officers authorizing certain State departments boards commissions or officers to collect fees for services required to be rendered by this act imposing penalties and repealing certain acts and parts of acts relating to corporations" as amended by the act approved the seventeenth day of July one thousand nine hundred thirty-five (P. L. 1123) is hereby further amended to read as follows

A The corporate name may be in any language but shall be expressed in English letters or characters and shall contain the word "corporation" "company" or "incorporated" or shall end with an abbreviation of one of these words except that the word "company" or the abbreviation "Co" may not be used where that word or abbreviation is immediately preceded by the word "and" or any symbol or substitute therefor unless the word "incorporated" or any abbreviation thereof immediately follows the word "company" or the abbreviation "Co" The corporate name shall not imply that the corporation is an administrative agency of the Commonwealth or of the United States or is subject to the supervision of the Department of Banking or of the Insurance Department and shall not contain the word "bank" "banking" "bankers" "savings" "trust" "deposit" "insurance" "mutual" "assurance" "indemnity" "casualty" "fiduciary" "benefit" "beneficial" "benevolent" "public service" "public utility" "building and loan" "surety" "security" "guaranty" "guarantee" "cooperative" "State" or "Commonwealth"

Section 2 Paragraph (3) of section three hundred twenty of the said act as added by the act approved the twenty-fourth day of June one thousand nine hundred thirty-nine (P. L. 698) is hereby amended to read as follows

(3) A certificate of any amendment to articles of incorporation a certificate of change of registered office a certificate of dissolution a certificate of reduction of stated capital or a certificate of merger or consolidation executed as hereinafter provided and made by such corporation pursuant to the foregoing provisions together with a certificate or certificates from the proper department or departments evidencing payment by the corporation of all bonus taxes and charges as required by law shall be delivered to the Department of State If the Department of State finds that the certificate of amendment change of registered office dissolution reduction of stated capital or of merger or consolidation conforms to law [it shall forthwith endorse its approval thereon and when all bonus fees and charges have been paid as required by law and] that notice of intention to file such certificate has been duly advertised in accordance with the provisions of this act and that the certificate evidencing payment of bonus or taxes or charges is in proper form it shall upon payment of the filing fee forthwith endorse its approval thereon and shall file the certificate and issue to the corporation a certificate of amendment dissolution reduction of stated capital merger or consolidation to which shall be attached a copy of the certificate of [the corporation] incorporation Upon the filing of such certificate by the Department of State the amendment dissolution reduction of stated capital merger or consolidation shall be effective Such certificate shall be made executed and acknowledged as may be directed by such decrees or orders by the trustee or trustees or receiver or receivers appointed in the bankruptcy proceedings (or a majority thereof) or if none be appointed and acting by officers of the corporation or by a master or other representative appointed by the court or judge or referee and shall certify that (a) provision for the making of such certificate agreement or instrument is contained in the plan of reorganization or arrangement or in a decree or order of the court or judge or referee relative thereto and (b) that the plan or arrangement has been confirmed as provided in the National Bankruptcy Act but no final decree has been entered in the bankruptcy proceedings closing the case and discharging the trustee or trustees or receiver or receivers if any

Section 3 Paragraph C of section seven hundred five of said act is hereby amended to read as follows

C The statement shall be delivered to the Department of State either prior to or within thirty days after the date of such redemption and cancellation together with a certificate or certificates from the proper department or departments evidencing payment by the corporation of all bonus taxes and charges as required by law If the Department of State finds that the statement conforms to law and that the certificate evidencing payment of bonus or taxes or charges delivered therewith is in proper form it shall upon payment of the filing fee endorse its approval thereon shall file the statement and shall issue to the corporation or its representative a copy of the approved statement The filing of such statement shall operate as an amendment to the articles of the corporation and shall reduce the number of shares of the class so redeemed which the corporation is authorized to issue by the number of the shares so redeemed and cancelled Nothing contained in this section shall be construed to prohibit a reduction of authorized capital stock or a reduction of stated capital in any other manner permitted by this act

Section 4 Paragraph C of section seven hundred six of said act is hereby amended to read as follows

C The statement shall be [filed with] delivered to the Department of State together with a certificate or certificates from the proper department or departments evidencing payment by the corporation of all bonus taxes and charges as required by law If the Department of State finds that such statement conforms to law and that the certificate evidencing payment of bonus or taxes or charges delivered therewith is in proper form it shall upon payment of the filing fee endorse its approval thereon shall file the statement and shall issue to the corporation or its representative a copy of the approved statement Upon the filing of such statement the reduction shall be effective

Section 5 Section eight hundred eight of said act is hereby amended to read as follows

Section 808 Filing of Articles of Amendment The articles of amendment [and] proof of the advertisement heretofore required in this article and a certificate or certificates from the proper department or departments evidencing payment by the corporation of all bonus taxes and charges as required by law shall be delivered by the corporation or its representative to the Department of State If the Department of State finds that such articles conform to law and that the certificate evidencing payment of bonus or taxes or charges delivered therewith is in proper form it shall upon payment of the filing fee forthwith but not prior to the day specified in the advertisement required by the preceding section endorse its approval thereon and [when all bonus fees taxes and charges have been paid as required by law] shall file the articles and issue to the corporation or its representative a certificate of amendment to which shall be attached a copy of the approved articles

Section 6 Section nine hundred five of said act is hereby amended to read as follows

Section 905 Filing of Articles of Merger or Consolidation The articles of merger or articles of consolidation as the case may be and proof of the advertisement required by the preceding section and a certificate or certificates from the proper department or departments evidencing payment by the corporation of all bonus taxes and charges as required by law shall be delivered to the Department of State If the Department of State finds that such articles conform to law and that the certificate or ceritficates evidencing payment of bonus or taxes or charges delivered therewith is in proper form it shall upon payment of the filing fee forthwith but not prior to the day specified in the advertisement required by the preceding section endorse its approval thereon and [when all bonus fees taxes and charges have been paid as re-

quired by law shall] file the articles and issue to the corporation or its representative a certificate of merger or a certificate of consolidation as the case may be to which shall be attached a copy of the approved articles

Section 7 Section one thousand seven of said act as last amended by the act approved the second day of July one thousand nine hundred thirty-seven (P. L. 2828) is hereby further amended to read as follows

Section 1007 Amended Certificate of Authority

A After receiving a certificate of authority a foreign business corporation may subject to the provisions of this act change its name or be authorized to do in this Commonwealth other or additional business than that authorized by its certificate of authority by filing with the Department of State an application for an amended certificate of authority and proof of the advertisement hereinafter required by this section together with a copy of the proposed amendment as affected in the state or country of its incorporation duly certified by the proper public officer thereof and a certificate or certificates from the proper department or departments of this Commonwealth evidencing payment by the corporation of all bonus taxes and charges as required by law Such application shall be executed under the seal of the corporation signed and verified by two duly authorized officers thereof and shall set forth the changes desired by the corporation

B A foreign business corporation shall before making application to the Department of State advertise its intention to apply for an amended certificate of authority by publication in a manner similar to that prescribed in this act in the case of the formation of a domestic business corporation Advertisements shall appear at least three days prior to the day on which application is made to the Department of State and shall set forth briefly

(1) The name of the corporation and of the state or country under the laws of which it is formed

(2) If the application is for permission to do in this Commonwealth other or additional business the character and nature of the business it proposes to do under the amended certificate of authority

(3) If the application is for a change of name the new name under which it proposes to do business

C If the Department of State finds that the provisions of this article have been complied with that the certificate evidencing payment of bonus or taxes or charges is in proper form and that the applicant corporation is entitled to an amended certificate of authority it shall upon payment of the filing fee forthwith but not prior to the day specified in the advertisement heretofore required by this section endorse its approval upon the application and [when all fees bonus taxes and charges have been paid as required by law shall] file the application and issue to the [application] applicant corporation an amended certificate of authority setting forth the desired changes

Section 8 Section one thousand fifteen of said act is hereby amended to read as follows

Section 1015 Surrender of Certificate of Authority A Any foreign business corporation may withdraw from doing business in this Commonwealth and surrender its certificate of authority by filing with the Department of State an application for a certificate of withdrawal executed under the seal of the corporation and signed and verified by two duly authorized officers thereof which shall set forth

(1) The name of the corporation

(2) The state or country of its [corporation] incorporation

(3) The date on which it received a certificate of authority to do business in the Commonwealth

(4) A statement that it revokes its designation of the Secretary of the Commonwealth as the person on whom process against it may be served in this Commonwealth

(5) A statement that it surrenders its certificate of authority to do business in this Commonwealth

(6) A statement that it consents that process against it in an action or proceeding upon any liability or obligation incurred within this Commonwealth before the issuance of the certificate of withdrawal may be served upon the Secretary of the Commonwealth after the filing of such certificate

(7) A post office address to which the Secretary of the Commonwealth may mail a copy of any process against it that may be served upon him

B A foreign business corporation shall before making application for a certificate of withdrawal advertise its intention to withdraw from doing business in this Commonwealth in a manner similar to that hereinafter required by this act in the case of the voluntary dissolution of a domestic business corporation and shall procure from the proper department or departments a certificate or certificates evidencing payment by the corporation of all bonus taxes and charges payable to the Commonwealth

C Upon the filing of such application proof of the advertisement and certificate or certificates [heretofore required by this section] evidencing payment by the corporation of all bonus taxes and charges due to the Commonwealth and the return for cancellation of the corporation's certicate of authority or the filing of proof that it has been lost or destroyed the Department of State upon payment of the filing fee [after all bonus taxes fees and charges have been paid as required by law] shall cancel the certificate of authority if any and shall issue to the corporation or its representative a certificate of withdrawal Upon the issuance of the certificate of withdrawal the authority of the corporation to do business within this Commonwealth shall cease and determine The issuance of such certificate shall not affect any action pending at the time thereof or affect any right of action upon any contract made by such corporation in the Commonwealth before the issuance of the certificate Process against the corporation in an action upon any liability or obligation incurred within this Commonwealth before the issuance of such certificate may be served thereafter upon the Secretary of the Commonwealth

Section 9 Section one thousand one hundred one of said act is hereby amended to read as follows

Section 1101 Voluntary Dissolution by Incorporators The incorporators of a business corporation which has not commenced business or which has not issued any shares may effect the dissolution of the corporation by filing articles of dissolution with the Department of State The articles of dissolution shall be executed under the seal of the corporation signed and verified by a majority of the incorporators and shall set forth

(1) The name of the corporatin

(2) The address including street and number if any of its registered office

(3) The date of its incorporation

(4) That the corporation has not commenced business and that none of its shares has been issued

(5) That the amount if any actually paid in on subscriptions to its shares less any part thereof disbursed for necessary expenses has been returned to those entitled thereto

(6) That no [debt] debts of the corporation remain unpaid

(7) That all the incorporators elect that the corporation be dissolved

The articles of dissolution shall be delivered to the Department of State together with a certificate or certificates from the proper department or departments evidencing payment by the corporation of all bonus taxes and charges as required by law If the Department of State finds that the articles conform to law and that the certificate delivered therewith evidencing payment of bonus or taxes or charges is in proper form it shall upon payment of the filing fee endorse its approval thereon and [when all bonus taxes fees and charges required by law have been paid] shall file the articles and issue a certificate of dissolution to the incorporators

or their representative to which shall be attached a copy of the approved articles Upon the issuance of the certificate of dissolution the existence of the corporation shall cease

Section 10 Section one thousand one hundred five of said act as amended by the act approved the twenty-fourth day of June one thousand nine hundred thirty-nine (P. L. 698) is hereby further amended to read as follows

Section 1105 Articles of Dissolution When all debts liabilities and obligations of the corporation have been paid and discharged or adequate provision shall have been made therefor and all of the remaining property and assets of the corporation shall have been distributed to its shareholders articles of dissolution shall be executed under the seal of the corporation and signed and verified by two duly authorized officers of the corporation which shall set forth

(1) The name of the corporation

(2) The address including street and number if any of the registered office of the corporation

(3) A statement that the corporation has theretofore delivered to the Department of State a certificate of election to dissolve and the date on which the certificate was filed by the Department of State

(4) A statement that all debts obligations and liabilities of the corporation have been paid and discharged or that adequate provision has been made therefor

(5) A statement that all the remaining property and assets of the corporation have been distributed among its shareholders in accordance with their respective rights and interests

(6) A statement that there are no suits pending against the corporation in any court or that adequate provision has been made for the satisfaction of any judgment or decree which may be obtained against the corporation in each such pending suit

The articles of dissolution [and] proof of the advertisement required by the preceding section and a certificate or certificates from the proper department or departments evidencing payment by the corporation of all bonus taxes and charges as required by law shall be delivered to the Department of State If the Department of State finds that such articles conform to law and that the certificate delivered therewith evidencing payment of bonus or taxes or charges is in proper form it shall upon payment of the filing fee endorse its approval thereon and [if all bonus taxes fees and charges required by law have been paid] shall file the articles and issue to the corporation or its representative a certificate of dissolution to which shall be attached a copy of the approved articles Upon the issuance of the certificate of dissolution the existence of the corporation shall cease

Section 11 This act shall become effective immediately upon final enactment

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows, viz:

YEAS—204

Achterman,	French,	Lyons,	Royer,
Allmond,	Gallagher,	Malloy,	Rush,
Auker,	Gates,	Marks,	Sarge,
Baker,	Gerard,	Maxwell,	Sarraf,
Balthaser,	Gillan,	McClanaghan,	Scanlon,
Bentley,	Gillette,	McClester,	Schwab,
Bentzel,	Goodwin,	McDermott,	Serrill,
Boles,	Greenwood,	McDowell,	Shaffer,
Boney,	Gross,	McFall,	Shaw,
Boorse,	Gryskewicz,	McGrath,	Shepard,
Bower,	Gyger,	McIntosh,	Simons,
Bradley,	Habbyshaw,	McKinney,	Skale,
Bretherick,	Haberlen,	McLanahan,	Snyder,
Brown,	Haines,	McLane,	Sollenberger,
Brunner, C. H.,	Hall,	McMillen,	Sorg,
Brunner, P. A.,	Hamilton,	McSurdy,	Stambaugh,
Burns,	Hare,	Melchiorre,	Stank,
Burris,	Harkins,	Mihm,	Stine,
Cadwalader,	Harmuth,	Modell,	Stockham,
Chervenak,	Harris,	Monks,	Tarr,
Chudoff,	Heatherington,	Mooney,	Tate,
Cochran,	Helm,	Moran,	Taylor,
Cohen, M. M.,	Hering,	Moul,	Thompson, E. F.,
Cohen, R. E.,	Herman,	Muir,	Thompson, R. L.,
Cook,	Hersch,	Munley	Trout,
Cooper,	Hewitt,	Nagel	Turner,
Cordier,	Hirsch,	Nunemacher	VanAllsburg,
Corrigan,	Holland,	O'Brien,	Verona,
Croop,	Huntley,	O'Connor,	Vincent,
Cullen,	Imbrie,	O'Dare,	Vogt,
Dalrymple,	James,	O'Mullen,	Voldow,
Dennison,	Jefferson,	O'Neill,	Voorhees,
DiGenova,	Jones, G. E.,	Owens,	Wagner,
Dix,	Jones, P. N.,	Petrosky,	Watkins,
Dolon,	Keenan,	Pettit,	Weingartner,
D'Ortona,	Kenehan,	Polaski,	Weiss,
Duffy,	Kline,	Polen,	Welsh, E. B.,
Early,	Knoble,	Powers,	Welsh, M. J.,
Eckels,	Kolankiewicz,	Prosen,	Wilkinson,
Elder,	Komorofski,	Rank,	Williams,
Elliott,	Krise,	Rausch,	Winner,
Ely,	Lee, E. A.,	Readinger,	Wood, L. H.,
Falkenstein,	Lee, T. H.,	Reagan,	Wood, N.,
Finestone,	Leisey,	Reese, D. P.,	Woodring,
Finnerty,	Leonard,	Reese, R. E.,	Woodside,
Fisher,	Lesko,	Regan,	Wright,
Fiss,	Levy,	Reynolds,	Yeakel,
Fleming,	Leydic,	Rhea,	Yester,
Fletcher,	Lichtenwalter,	Riley,	Young,
Flynn,	Longo,	Rooney,	Kilroy,
Foor,	Lovett,	Rose, S.,	Speaker.
		Rosenfeld,	

NAYS—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

BILL ON FINAL PASSAGE

Agreeably to order,

The bill having been called up from the postponed calendar by Mr. LOVETT.

The House resumed the consideration on final passage of House Bill No. 1639, as follows:

An Act to further amend the title and the act approved the second day of June one thousand nine hundred and fifteen (P. L. 736) entitled as amended "An act defining the liability of an employer to pay damages for injuries received by an employe in the course of employment establishing an elective schedule of compensation providing procedure for the determination of liability and compensation thereunder and prescribing penalties" by making the schedules of compensation compulsory upon all employers

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The title of the act approved the second day of June one thousand nine hundred and fifteen (P. L. 736) entitled as amended "An act defining the liability of an employer to pay damages for injuries received by an employe in the course of employment establishing an elective schedule of compensation providing procedure for the determination of liability and compensation thereunder and prescribing penalties" as reenacted and amended by the act approved the fourth day of June one thousand nine hundred and thirty-seven (P. L. 1552) is hereby further amended to read as follows

An Act defining the liability of an employer to pay damages for injuries received by an employe in the course of employment establishing [an elective] a compulsory system and schedule of compensation providing

procedure for the determination of liability and compensation thereunder and prescribing penalties

Section 2 The article heading of article two of said act as last reenacted and amended by the act approved the twenty-first day of June one thousand nine hundred and thirty-nine (P. L. 520) is hereby further amended to read as follows

ARTICLE II

Damages by Action at Law Abolished

Section 3. Sections two hundred and one, two hundred and two, and two hundred and three of said act, as last reenacted and amended by the act, approved the twenty-first day of June, one thousand nine hundred and thirty-nine (P. L. 520), are hereby repealed.

Section 4 Section two hundred four of said act as last reenacted and amended by the act approved the twenty-first day of June one thousand nine hundred and thirty-nine (P. L. 520) is hereby further amended to read as follows

Section 204 No agreement composition or release of damages made before the date of any accident [except the agreement defined in article three of this act] shall be valid or shall bar a claim for damages for the injury resulting therefrom and any such agreement [other than that defined in article three herein] is declared to be against the public policy of this Commonwealth The receipt of benefits from any association society or fund shall not bar the recovery of damages by action at law nor the recovery of compensation under article three hereof and any release executed in consideration of such benefits shall be void

Section 5. The article heading of article three, subsection (a) of section three hundred and one, and subsection (a) of section three hundred and two of said act, as last reenacted and amended by the act, approved the twenty-first day of June, one thousand nine hundred and thirty-nine (P. L. 520), are hereby further amended to read as follows:

ARTICLE III

[Elective] Compulsory Compensation

Section 301 (a) [When employer and employe shall by agreement either expressed or implied as hereinafter provided accept the provisions of article three of this act compensation for] In the case of personal injury to or [for] the death of [such] any employe by an accident in the course of his employment compensation shall be paid in all cases by the employer without regard to negligence according to the schedule contained in sections three hundred and six and three hundred and seven of this article provided that no compensation shall be paid when the injury or death is intentionally self inflicted or is caused by the employe's violation of law but the burden of proof of such fact shall be upon the employer

Section 302 [(a) In] The provisions of this act shall apply to every contract of hiring made after [December] [thirty-first one thousand nine hundred and fifteen] the effective date of this act and [in] to every contract of hiring renewed or extended by mutual consent expressed or implied after said date [it shall be conclusively presumed that the parties have accepted the provisions of article three of this act and have agreed to be bound thereby unless there be at the time of the making renewal or extension of such contract an express statement in writing from either party to the other that the provisions of article three of this act are not intended to apply and unless a true copy of such written statement accompanied by proof of service thereof upon the other party setting forth under oath or affirmation the time place and manner of such service be filed with the department within ten days after such service Every] and to every contract of hiring oral written or implied from circumstances now in operation or made or implied on or before [December thirty-first one thousand nine hundred and fifteen shall be conclusively presumed to continue subject to the provisions of article three hereof unless either party shall on or before said date in writing have notified the other party to such contract that the provisions of article three hereof are not intended to apply and unless there shall be filed with the department a true copy of such notice together with proof of service within the time and in the manner hereinabove prescribed Provided however That the provisions of this section shall not be so construed as to impair the obligation of any contract now in force or invalidate any acceptance or rejection of the provisions of article three of the Workmen's Compensation Act heretofore in force but such prior acceptance or rejection shall continue unimpaired under this act until notice is given as provided in section three hundred four hereof In the employment of minors article three shall be presumed to apply unless the said written notice be given by or to the parent or guardian of the minor It shall not be lawful for any officer or agent of this Commonwealth or for any county city borough town or township therein or for any officer or agent thereof or for any other governmental authority created by the laws of this Commonwealth to give such notice of rejection of the provisions of this article to any employe of the Commonwealth or of such governmental agency] the effective date of this act

Section 6 Subsection (b) of section three hundred two sections three hundred three and three hundred four of said act as last re-enacted and amended by the act approved the twenty-first day of June one thousand nine hundred and thirty-nine (P. L. 520) are hereby repealed [the department if satisfied of the applicant's financial ability shall upon the payment of a fee of twenty-five dollars ($25.00) issue to the applicant a permit authorizing such exemption From a refusal of the department to issue such permit an appeal shall lie to the court of common pleas of Dauphin County In any such appeal the only question shall be whether the department abused its discretion in refusing such permit The department shall establish a period of twelve (12) calendar months to begin and end at such times as the department shall prescribe which shall be known as the annual exemption period Unless previously revoked all permits issued under this section shall expire and terminate on the last day of the annual exemption period for which they were issued Permits issued under this act shall be renewed upon the filing of an application and the payment of a renewal fee of twenty-five dollars ($25.00) The department may from time to time require further statements of the financial ability of such employer and if at any time such employer appear no longer able to pay compensation shall revoke its permit granting exemption in which case the employer shall immediately subscribe to the State Workmen's Insurance Fund or insure his ability in any insurance company or mutual association or company as aforesaid] Provided however That all workmen's compensation insurance contracts of any insurance company or mutual association or company previously authorized to insure such liability in this Commonwealth in force on the effective date of]

Section 7. Section five hundred and two of said act, as last reenacted and amended by the act, approved the twenty-first day of June, one thousand nine hundred and thirty-nine (P. L. 520), is hereby further amended to read as follows:

Section 502. If any provision of this act shall be held by any court to be unconstitutional, such judgment shall not affect any other section or provision of this act. [except that articles two and three are hereby declared to be inseparable and as one legislative thought, and if either article be declared by such court void or inoperative in an essential part, so that the whole of such article must fall, the other article shall fall with it and not stand alone.]

Section 8 All parts and parts of acts inconsistent herewith are hereby repealed

Section 9 The provisions of this act shall become effective immediately upon final enactment

On the question,

Shall the bill pass finally?

Mr. WOODSIDE. Mr. Speaker, this bill is the Workmen's Compensation Bill which was defeated by this House some few days ago.

This bill provides for a compulsory workmen's compensation insurance. When the matter was before the House I said very frankly that we felt the older Members of the House who are really interested in the welfare of the working men of Pennsylvania would vote against this bill. We felt that those who were sincerely interested in a good and safe workmen's compensation act would vote against this bill. I think the vote of this House bore out that statement.

The bill provides, as I stated, for a compulsory provision in the workmen's compensation act. I am not going to enter into all the details. It was gone into at great length before and I think it was perfectly evident at that time that the majority of this House, both the Members on this side and a number of the Members on the other side, felt that the provision was dangerous and that it was not for the best interests of the working men of Pennsylvania and was not in the interest of the best workmen's compensation act, and voted it down.

I called attention to the fact that during the 1937 session when the 1937 act was passed that the Democratic administration at that time, along with the Democratic House and the Democratic Senate, felt it would not be to the best interests of the working man to make the workmen's compensation law compulsory. I do not think the situation has changed since that time, and I believe the Members of this House, following their actions when it was before us previously, will vote this bill down.

Mr. LOVETT. Mr. Speaker, I would like to interrogate the gentleman from Dauphin, Mr. Woodside.

The SPEAKER. Will the gentleman from Dauphin permit himself to be interrogated?

Mr. WOODSIDE. I shall, Mr. Speaker.

Mr. LOVETT. Can the gentleman from Dauphin tell me, Mr. Speaker, of any working man that he knows of who would refuse to have compulsory workmen's compensation?

Mr. WOODSIDE. Mr. Speaker, I can tell the gentleman that all working men who thoroughly understand the situation would be opposed to the compulsory provision in the Workmen's Compensation Act.

Mr. LOVETT. Mr. Speaker, could the gentleman name specific names of men that have had it explained to them.

Mr. WOODSIDE. Mr. Speaker, I didn't say any men. The gentleman insists on twisting words. I didn't say that any working man came to me. There wasn't a single working man that came to me and asked about this bill. As a matter of fact, I said those who were truly interested in the working man and who know something about Workmen's Compensation law would not be in favor of this law. I didn't say any of them were coming here to me or to him or to anybody else, one way or the other.

Mr. LOVETT. Mr. Speaker, would the gentleman explain to me why any man who is interested in the working man of Pennsylvania, would make that statement?

Mr. WOODSIDE. Mr. Speaker, will the gentleman tell me why he didn't vote for such a provision in 1937 and why his party and his administration didn't put it in the 1937 Act, which act the gentleman claims is a model for workmen's compensation in Pennsylvania?

Mr. LOVETT. I will be very glad to answer the gentleman, Mr. Speaker. In 1937, had my administration sponsored the bill, I would have been glad to vote for it.

Mr. WOODSIDE. Mr. Speaker, will the gentleman tell me why his party did not have such an amendment?

Mr. LOVETT. Mr. Speaker, I cannot answer for my party.

Mr. WOODSIDE. I think I have answered the gentleman's question, Mr. Speaker.

Mr. LOVETT. Mr. Speaker, I would like the gentleman to explain why compulsory workmen's compensation is so dangerous for the working men of Pennsylvania?

Mr. WOODSIDE. Because, Mr. Speaker, it will defeat the very purpose of the Workmen's Compensation Act. In the first place there is a great fear of all people interested in the Workmen's Compensation Act that the compulsory provision might make the whole Act unconstitutional, and if it doesn't make the whole Act unconstitutional, it will have a bearing on the provision of the Act that might make it unconstitutional and might also have a bearing on certain industries that might be taken from under the Compensation Act.

Mr. LOVETT. May I ask, Mr. Speaker, if Social Security is compulsory?

Mr. WOODSIDE. Well, Mr. Speaker, Social Security is a Federal provision and a State provision and has some compulsory provisions in it. That is an entirely different situation, as the gentleman well knows. It is an entirely different set-up.

Mr. LOVETT. Mr. Speaker, will the gentleman tell me why he raised the question of the constitutionality of workmen's compensation and not of social security and unemployment compensation?

Mr. WOODSIDE. The authority for Social Security and the authority for workmen's compensation are entirely different situations and do not relate to each other at all. As a matter of fact workmen's compensation is created by a separate amendment to the Pennsylvania Constitution, and the interpretation of that Constitutional amendment and the interpretation of the Workmen's Compensation law are entirely different situations from the Unemployment Compensation Law. There is a long, technical argument as to why that is. If the gentleman had followed the debate that was had on this and the other bill some time ago, he would have, I think, have understood the reasons that I am advancing in greater detail than he could by asking me now to take time to give them to him.

Mr. LOVETT. Mr. Speaker, I would like to say to the gentleman that Social Security and Unemployment Insurance take care of the aged and men who are out of work, and Workmen's Compensation takes care of those who are disabled. I would like to ask the gentleman if they are both social questions.

Mr. WOODSIDE. Mr. Speaker, I do not believe that the gentleman completed his question. If he did, the reporter on this side didn't get it on his notes.

Mr. LOVETT. Mr. Speaker, I asked the gentleman if he felt that Social Security and Unemployment Insurance were social questions, and if the Workmen's Compensation wasn't also a social question.

Mr. WOODSIDE. Certainly, they are social questions.

They are social questions, they are economic questions and they are political questions.

Mr. LOVETT. Mr. Speaker, I would like the gentleman to state just what the difference is between the two subjects.

Mr. WOODSIDE. Mr. Speaker, such inquiries are ridiculous.

Mr. LOVETT. Mr. Speaker, I might say to the gentleman on the other side that such statements supposed to be made by working people of the State of Pennsylvania—

Mr. WOODSIDE. I didn't make that statement, Mr. Speaker. I think this is the third or fourth time that I have told the gentleman I did not make such a statement. I said that the people who are interested in the working man wouldn't vote for such a bill.

Mr. LOVETT. Would the gentleman please state, Mr. Speaker, who the people are that are interested in the working people of Pennsylvania?

Mr. WOODSIDE. Well, Mr. Speaker, there are a number of us who are sincerely interested in this House. I do not think that the gentleman on that side who is debating with me is sincere. I think he is interested in the political angle and not actually interested in the welfare of the working men of Pennsylvaia.

Mr. LOVETT. The gentleman is not acquainted with the gentleman on this side, Mr. Speaker; he had better get acquainted. I am not so much interested in politics as I am in the working man of Pennsylvania. I still did not get an answer to my question.

Mr. WOODSIDE. Mr. Speaker, if I would attempt to tell the gentleman all the differences between workmen's compensation, unemployment compensation and old-age pension and aid to the children and blind pensions and all the other elements of the social security law, I could keep the gentleman here from now until next week, and the gentleman well knows it.

Mr. LOVETT. Mr. Speaker, this is the most important question to come before the Legislature in my opinion during this session, and I am perfectly willing to stay here for two weeks or three weeks or several months on a bill of such vital importance to the people of Pennsylvania.

Mr. WOODSIDE. So am I, Mr. Speaker. I am perfectly willing to enter into any intelligent discussion of this matter, but I do not think a discussion of the differences between these two types of legislation is of importance.

Mr. LOVETT. Mr. Speaker, I would like to further interrogate the gentleman from Dauphin.

The SPEAKER. The gentleman from Westmoreland will proceed.

Mr. LOVETT. Mr. Speaker, did the gentleman make the statement that the people who were interested in the working people of the state of Pennsylvania are opposed to compulsory workmen's compensation?

Mr. WOODSIDE. Mr. Speaker, I said that those people who understand the Workmen's Compensation Law and are truly interested in the working men of Pennsylvania are opposed to a compulsory provision in the Workmen's Compensation Law. That is what I said. I have repeated it a dozen times to the gentleman, and I will stand on it.

Mr. LOVETT. Mr. Speaker, may I ask the gentleman from Dauphin another question? If this Bill No. 1639 were to pass both the House and the Senate and be signed by the Governor and the courts declared it unconstitutional, would it have any effect on workmen's compensation in the state of Pennsylvania?

Mr. WOODSIDE. Mr. Speaker, if this bill were passed and became a part of the Workmen's Compensation Law the various companies who were either self insurers or who were under the act could easily go before the Court and I think raise innumerable objections and questions to the entire act which would result possibly in the declaration by the courts that the entire act was unconstitutional, because this bill would then be a part of the law or act. Furthermore the Court might determine that in specific instances, and by that I mean specific parts of the law would be unconstitutional, or that the law would be constitutional as to specific industries. Those are the things which very probably would happen and would constitute a real danger, and I submit they are the reasons why his party did not pass a compulsory workmen's compensation provision when they passed the Act of 1937, and I think they were wise in that respect.

Mr. LOVETT. Mr. Speaker, I would like to further interrogate the gentleman from Dauphin.

Mr. WOODSIDE. Mr. Speaker, I am afraid we will not be able to vote on this bill at this time.

Mr. LOVETT. Mr. Speaker, I would like to say to the gentleman from Dauphin that I am not so much interested in whether we will have to pass the bill over and come back to it, because I am one who I feel at least is interested in the working people of the State of Pennsylvania. I am not so much alarmed because we may have to pass on to some special order of business. I will be glad to come back to this bill after the special order of business is finished.

Mr. Speaker, I would like to ask the gentleman from Dauphin if House Bill No. 1639 was passed by the House and the Senate and signed by the Governor and was declared constitutional by the courts, if he feels that then the working class of people in the state of Pennsylvania had not gained something worth while.

Mr. WOODSIDE. If I understood the gentleman's question it was to the effect if this bill were enacted into law whether the people would not have gained something worth while. I think I answered that question a dozen times. I do not know why the gentleman does not understand me.

Mr. LOVETT. The only answer, Mr. Speaker, I am asking the gentleman to give is yes or no.

Mr. WOODSIDE. Mr. Speaker, I have answered a dozen times, no.

Mr. LOVETT. Then, Mr. Speaker, the gentleman from Dauphin says to this House that regardless of what happens with compulsory workmen's compensation, if this bill is declared constitutional by the courts, that the working class of people still have not gained anything?

Mr. WOODSIDE. Mr. Speaker, maybe I misunderstood the question of the gentleman.

Mr. LOVETT. Mr. Speaker, the gentleman did misunderstand me. If the gentleman from Dauphin would pay attention to the questions I am asking him perhaps he would give me a better answer.

Mr. WOODSIDE. I will try and be reasonable, Mr. Speaker.

Mr. LOVETT. Mr. Speaker, I would be glad to repeat the question which I asked the gentleman from Dauphin.

Mr. WOODSIDE. Mr. Speaker, I want the gentleman to understand that I am answering his questions as a courtesy to him. I do not have to answer. I will continue to answer his questions, however.

Mr. LOVETT. Any time, Mr. Speaker, the gentleman feels that he does not want to answer the question,—

Mr. WOODSIDE. Mr. Speaker, I can sit down, the gentleman does not need to tell me, if I do not care to answer his questions.

Mr. LOVETT. Mr. Speaker, I thank the gentleman from Dauphin. The question that I asked the gentleman with regard to House Bill 1639 was, if this bill was passed by the House and Senate and signed by the Governor and was declared constitutional by the courts,—

SPECIAL ORDER ON THIRD READING AND FINAL PASSAGE

The SPEAKER. Will both gentlemen yield?

The Chair lays before the House the special order of business fixed for this time, House Bill No. 413, Printer's No. 1163, page 1 of today's calendar, on third reading and final passage.

BILL ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 413, as follows:

An Act prohibiting the employment by the Commonwealth or any county city borough incorporated town township school district vocational school dsitrict or institution district thereof or by any authority or any institution supported in whole or in part out of public funds of persons who hereafter advocate or participate in un-American or subversive doctrines as herein defined providing for dismissals under existing laws and permitting appeals to courts of common pleas and appellate courts in all such cases

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The phrase "un-American or subversive doctrines" shall be construed to mean doctrines which teach or advocate the overthrow of the government of the United States or of the Commonwealth of Pennsylvania by revolution or the changing of the form of government of the United States or of the government of Pennsylvania by means not provided for in the Constitution of the United States or the Constitution of the Commonwealth of Pennsylvania

Section 2 No person who hereafter advocates or participates by an overt act or acts in un-American or subversive doctrines shall be permitted to be employed in any capacity by any department board commission or other agency of this Commonwealth or any county city borough incorporated town township school district vocational school district or institution district thereof or any authority or institution which is supported in whole or in part out of public funds Any person so employed shall be dismissed in the same manner as provided for by existing law for dismissals for other causes Provided That all employes shall have the right to appeal by petition to the court of common pleas of the county where he resides which court after hearing all testimony de novo on such notice to the petitioner and to the persons in charge of the agency by which he is employed as the court shall designate shall have power to affirm or reverse the action of such agency as it shall deem proper In the event the employe so dismissed requests a jury trial in the said court of common pleas the court shall order the appeal to be tried before a jury in the same manner provided for by existing law for such trials From the final order of the court of common pleas any party in interest who feels aggrieved by such order may appeal to the Superior or Supreme Court in accordance with the law now governing appeals to such courts All appeals as aforesaid shall operate as a supersedeas of any order At such hearing the burden of proof shall be on the Commonwealth or any political subdivision or authority or institution thereof as aforesaid

Section 3 The provisions of section one of this act shall be applicable to all such employes notwithstanding the fact that such employment may be the result of any contract agreement civil service rule or law which provides for tenure in such employment

Section 4 It is the intention of the General Assembly that if this act cannot take effect in its entirety because of the judgment of any court of competent jurisdiction holding unconstitutional any part or parts thereof the remaining provisions of the act shall be given full force and effect as completely as if the part or parts held unconstitutional had not been included herein

Section 5 All other acts or parts of acts of Assembly in conflict or inconsistent with this act or any part hereof are hereby repealed so far as they are inconsistent herewith

Section 6 This act shall become effective immediately upon final enactment

On the question,

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

Mr. PROSEN. Mr. Speaker, yesterday I arose to discuss these amendments which now appear in House Bill 413, but unfortunately the previous question was moved before the Chair was able to recognize me. I desire to take this opportunity to express my thoughts on this bill.

Mr. Speaker, I would like to interrogate the gentleman from Allegheny, Mr. Brown.

The SPEAKER. Will the gentleman from Allegheny permit himself to be interrogated?

Mr. BROWN. I shall, Mr. Speaker.

Mr. PROSEN. Mr. Speaker, I would like to ask the gentleman from Allegheny, Mr. Brown, whether in his opinion it is un-American for an individual or a group of individuals to persecute a minority on account of his race, religion or color?

Mr. BROWN. Undoubtedly I do feel, Mr. Speaker, that it is un-American.

Mr. PROSEN. Mr. Speaker, I would like to ask the gentleman from Allegheny whether in his opinion the proponents of the Silver Shirt movement are guilty of un-Americanism?

Mr. BROWN. I would say, Mr. Speaker, in my opinion they certainly are.

Mr. PROSEN. Mr. Speaker, I would like to ask the gentleman whether in his opinion the proponents of Klu Klux Klanism are guilty of un-Americanism?

Mr. BROWN. Undoubtedly they are, Mr. Speaker.

Mr. PROSEN. Mr. Speaker, I would like to ask the gentleman whether in his opinion the followers of the Christian Front are guilty of un-Americanism

Mr. BROWN. Undoubtedly they are, Mr. Speaker, in my opinion.

Mr. PROSEN. Mr. Speaker, I would like to ask the gentleman whether in his opinion any of these individuals or groups would be included in the definition of un-Americanism as it appears in House Bill 413?

Mr. BROWN. In my opinion they would not be, Mr. Speaker.

Mr. PROSEN. I thank the gentleman, Mr. Speaker. I believe that my interrogation and the answers of the gentleman from Allegheny have expressed my thoughts on this bill. My thoughts are born of convictions which come from the heart. I am not able to stand here and wave the American flag. Yesterday I intimated that I would vote against this bill. Today my heart still pounds a steady and consecutive "no," but unfortunately this bill has been misnomered a Red bill. My vote against this bill would be remembered for a very long time, but my reasons unfortunately would die very shortly. So, Mr. Speaker, with a very heavy heart I shall vote for this bill.

Mr. PRESLEY N. JONES. Mr. Speaker, as you are all well aware I arose yesterday, being unable at that time to engage in the debate and voted "no" on the amendments. However, after very serious consideration, and in line with the facts that the gentleman who just preceded me on the floor, Mr. Prosen, has brought out, I have decided to vote for the bill. I intended to vote against it, not only in its former status but also as amended, feeling that the amendments submitted by Mr. Turner and the amendments submitted by Mr. Brown and Mr. McClanaghan simply have no place on the statute books of the Commonwealth of Pennsylvania.

Mr. Speaker, it is my sincere conviction that you cannot legislate patriotism,—patriotism is born, nursed and matured through the proper diffusion of knowledge in the Church, the home and the school; through knowledge of the right of free speech, free press, freedom of religion, freedom of assembly and freedom of enterprise. Since time long past when our forefathers hewed the foundation of this great nation we have come to know that in order to carry forward freedom of expression, individualism and true Americanism we must continue to put more sweat into the mortar if we are to build structures that will withstand the elements, the forces of Naziism, Fascism, Communism and all isms not consistent with our "way of life," or Americanism. We all recognize it is "Good to desire to do good and express our views," but to exploit the desire to do good is a disease which has permeated our lives too much, so much in fact that too many, far too many have forgotten their God and their Church. Correctives and restoratives are needed too, but not exactly in this manner of approach, be it Republican or Democratic sponsorship. The Constitution of our United States provides for correctives and restoratives which, when properly advanced and exercised rather dissipate the need for any legislation of the type of House Bill No. 413 or all these flag waving speeches on this floor. I would suggest to all Members to read our Constitution and no doubt it will be a revelation to many Although I have some fears in regard to the use to which this bill may be put, yet I cannot profess the wisdom of Solomon, even though I know full well Americanism begins in the home, and who am I to judge what is un-American. Thus after serious consideration, I have, with a heavy heart decided to vote "aye" on this bill.

Mr. BROWN. Mr. Speaker, I just want to say one word so that the record may show that others of us too have the heavy heart that Mr. Prosen spoke about on the passage of this bill.

In my opinion it is indeed unfortunate and to be regretted that this House of Representatives should undertake to define un-American or subversive doctorines and limit the definition to the two propositions contained in section one of this bill. This legislation was a result of a compromise as we all know, and I hate compromise. The gentleman from Dauphin yesterday said half a loaf is better than no loaf at all. With that I agree. The reason for that Mr. Speaker, is obvious. When we set up a definition in legislation it not only defines that legislation but is used as a definition outside of the legislation to which it might be attached. Therefore when we define un-American and subversive activities in the act we must necessarily and reasonably say that those un-American activities or subversive activities not defined in the act are not un-American and not subversive. I think this is a dangerous precedent, and I regret as much as the gentleman from Philadelphia, Mr. Prosen, that in our definition of what is un-American we did not define those un-American activities that are not absolutely connected with the overthrow of the government, which have at their very roots those things which mean oppression and which mean violence to minorities, such as the organizations that the gentleman from Philadelphia mentioned. It is to be regretted and I sincerely hope that the definition we have given to un-American activities will at some time be broadened and will not be taken as an expression of this House of Representatives as putting our stamp of approval on those organizations or those activities which we all know deep down in our hearts are un-American and are subversive. It is to be regretted that we are bound by this definition.

Mr. TURNER. Mr. Speaker, after the long course that this legislation which is generally embodied in this bill has taken through the House, and after the large number of speeches which I have made on this subject, I do not intend this morning to continue the debate further, because I feel that all I can say or it was possible for me to think to say, has been said in the last few weeks. However, there has come to me since the session last evening information to the effect that my position to some extent was at least misinterpreted by some of the members of the House. Therefore I want to leave the record clear as far as I am concerned and as far as I can at the moment speaking extemporaneously and with a cloud of other matters far more than usual in my mind.

Mr. Speaker, I would like to try to state again what I think. I have just been perusing the Legislative Journal of 1937 from which the gentleman from Allegheny Mr. Harkins read the other day, when he attempted to take me to task because I had favored the insertion in the Teachers Tenure act of a provision for dismissal for seditious teaching. He wondered why during the 1939 session I had not pursued that further, when we were in the majority in this House. I think the gentleman from Dauphin has very well answered some of the things that I did not recall or did not remember in the 1939 session.

I got the Journal this morning and read back over it. If it were not so long I would again read into the record of this session what I said at that time. I think I stated my position there about as well as I could state it today. With the broader knowledge we have gained in the last four years as to the activities of some of these organizations and groups, because of the world situation and the position in which America finds itself I might broaden the statements and carry them still further.

The thing which seems to confuse the issue in the minds of some of the men is that I put so much emphasis on Communism. Perhaps it seems that we were a little wishy-washy on the question of Naziism and Fascism.

I thought by the introduction of the amendments which I offered, in my interpretation and in my understanding of the isms, Communism, Naziism, and Fascism, indicated that I do not believe there is very much fundamental difference. I despise and hate the intolerance of all three of them; I despise their mental attitude; I despise their program, plan and ideal, if you can call it an ideal, by which they think that force makes right, and that you have the right to go out and take whatever you can get. I am certainly opposed to, and I think every American citizen has shuddered at the things that have gone on in Germany and the intolerance and the abolition of religion, at least of religion as we understand it. We know that Communism, Fascism and Naziism cannot exist with religion, because they must feel something that they believe is higher, they must get the people to believe in something other than a Supreme Being in order to sink them down to the level where they will join such groups. Somebody has said that the only difference between Naziism and Fascism is the length of the moustache. I do not believe there is a real political philosophy in Naziism or Facism; it is just a makeshift, something to build up a group of people by a great rabble rouser, who has been able to lead a lot of young people who felt they had been oppressed. He took them and by specious argument, had them feel that they were a superior race, and by holding up to them the pot of gold at the end of the rainbow, they went down, down very far. I do not believe that Germany will always be as she is. I think that Germany, at some time must come back to the plane of common decency, but as far as Naziism is concerned, I hate and despise that as much as anybody in this House. I believe that Communism, Naziism, and Fascism are destructive, that the theories of all these communal governments, all these so-called socialistic forms of government, are destructive of freedom, are destructive of liberty, and are destructive of the very kind of government that we want to have here. However, the most active in our nation has been the Communistic group, and if in my talks and in the things I have said I have put most emphasis upon that, I have placed the emphasis there, not because I believed it was the greatest evil and that the others were less or that I had any sort of weakening towards the others and a greater hatred for Communism, but merely because it was more prevalent. However, within the last few days, it was stated in a Philadelphia paper that the school board had to remove from the Philadelphia schools some text books on Fascism. I do not doubt that our public school superintendents and our school boards, if they were zealous in ascertaining what was in a lot of these text books, could find a lot of things that should be removed, and that would include the tendency, of course, to approve the principle of communal property, which would be destructive of the American form and ideal of government as we have understood it.

I am delighted to say that although I agree with the gentleman from Philadelphia, Mr. Prosen, as I understood him to say, I do not believe this bill has gone far enough. I realize the legislative difficulties, but I also realize it is not touching that which we want to reach and which we can not reach because I believe it can be circumvented by the skillful mind of the people who believe in these isms. However, it is a long step from the situation where we could not get a bill out of Committee and the place where the gentleman from Allegheny wanted us to have it, that they would have had to advocate and participate in overt acts, to the place where we could get the "subversive and un-American teaching." Although the bill does not go all the way and although I say the bill does not reach far enough, I believe with the debates we have had here, and with the publicity that has been in the newspapers it is bound to have its psychological effect upon our school superintendents, our school teachers, our school boards and upon the parents of the children in our schools in Pennsylvania, so that they will be diligent to protect this liberty and to protect this form of government of ours. I hope that out of this will come a greater and better understanding of the problem. I trust there will not come some of the narrowness that has occurred in the debates on this bill. I trust we will be able to demonstrate in this Commonwealth of ours a greater tolerance for all people and greater understanding. Democracy can not exist where intolerance exists because of race, color, or religion. I hope we may be able to step along as the gentleman from Allegheny has asked us to do, with the Bill of Rights. I believe in freedom of speech, I believe in freedom of assembly, I believe in freedom of religion, but I also believe that the government must protect itself, and we are to defend this freedom of speech, freedom of assembly, and freedom of religion that we have, if we are to defend this way of life, if we are to see that this democracy of ours shall go forward, so that our children can enjoy the things which we have enjoyed in the past, then we must be ever on the alert to see that freedom of speech does not become license, to see that our desire to have the Bill of Rights does not make us lean so far toward this group that it would let them undermine this Constitution, undermine this government, and let them bring up our children to a false notion of the kind of government under which they should live.

Mr. SHEPARD. Mr. Speaker, I was listening with a great deal of interest and was hoping that the gentleman from Delaware would make a different speech. I was hoping he would tell us about the speech that he will perhaps make one of these days to the oncoming generations about his attitude on these matters, and he might tell them when he gets them around him one of these days that

"I was a member of the Pennsylvania Legislature, and in 1937 and even earlier I discovered a cancerous growth, a wicked ism eating out the very vitals of our

Commonwealth, subversive teachings in our schools, Communism and all the rest of the isms, and I urged the Democrats in 1937, I pleaded with them to enact a law or to enact an amendment in the Teachers Tenure Law that would wipe out or prevent such subversive doctrines from being taught in our schools. I pleaded, but to no avail. The Democrats at that time ignored my plea.

"But in 1939 the situation was different. I was Speaker of the House. It was my job to appoint all the Chairmen of the various Committees of the House. My party was in undisputed control of all the machinery of legislation in that session of the General Assembly, but somehow or for some reason I forgot all about that cancerous growth that I discovered in 1937 and even earlier. I was busy perhaps with other things; maybe the fixing up of new quarters for the Majority Caucus Room or the new offices for the Speaker, or maybe I did not have a Lou Wilgarde or a Jack Kelly to remind me of this cancerous growth and somehow I forgot all about it. My good friend, the gentleman from Dauphin, Mr. Woodside, and other fellows that were on my team did not call my attention to that cancerous growth and somehow I forgot all about it. But in 1941, after the Democrats won the majority in the House I rediscovered that cancerous growth that I had ignored during the 1939 session, and found it again eating at the very vitals of our Commonwealth.

"Then, Mr. Speaker, after being prodded by Jack Kelly and Louie Wilgarde and others, I began again to importune the Democrats. It may be that I thought that this anti-Red legislation was something to be passed by Democrats only and not by Republicans. When the Republicans are in power that kind of legislation is not good stuff to be dealt with, but when the Republicans are out of power, then it is a good time to harp and yell and demand such legislation. But now the Democrats finally came back into power in the House and I took up the cudgels in defense of democracy; I took up the cudgels to wipe out that cancerous growth. I rediscovered again what I had discovered in 1937 and other times and slept on in 1939. However, the Democrats did not give me as good a bill as I wanted, but they gave me a whole lot better bill than I demanded in 1937. So consequently instead of the Republicans being the saviours of the Commonwealth, instead of my own party reminding me of my solemn duty to the schools and to the children of the Commonwealth, it was the lowly Democrats who had to come forward and save the situation; not as well as I would like to have seen them save it, but they even took a Republican bill and amended it, of course, but they put through some sort of a bill. In 1939 the Democrats introduced three bills to do the same thing, but I ignored them, they did not come out of committee for some reason. I do not know why my Republican brethren would not bring them out of committee. Maybe I did not yell loud enough or maybe I was busy doing other things, but thank God, the Democrats saved the Commonwealth by finally passing some sort of anti-Red legislation."

Mr. Speaker, that is the speech that I thought the gentleman from Delaware could have made and might have made, and Mr. Speaker and members of the House, it would have been a part of the record; it would have been taken directly from the record, and the record only of the gentleman from Delaware, Mr. Turner.

Mr. TURNER. Mr. Speaker I think I said yesterday that always when a person has no argument to refute a logical argument which has been made, the way they do is to abuse and vilify.

It seems to me, Mr. Speaker, that the mental attitude of the gentleman from Philadelphia and some of his colleagues can be best expressed in the manner in which he has just expressed himself in his best pulpit manner. In his best pleading he has tried to say to this House that this whole situation should be blamed on Turner. Well, if the efforts of Turner, with all his failings, has prodded you fellows so far that you have at last gone along and put something on the statute books, then I am willing to be lambasted, I am willing to be villified and abused and cussed by every member of this House, and I will still sit here and take it smilingly.

Mr. Speaker, the gentleman from Philadelphia said that I slept on this matter in 1939. Well, Mr. Speaker, I ought to be permitted to have one little sleep because the gentleman from Philadelphia, Mr. Shepard, has slept steadily ever since he has been in the House. I know Mr. Speaker that the position of the gentleman from Philadelphia hasn't anything to do with the issue, I am ready to admit that, but the gentleman from Philadelphia, Mr. Shepard, got his head raised into the clouds, and therefore, he is likely to get a little shot from some airplane guns.

The SPEAKER. The Rules with respect to engaging in personalities in debate are suspended for the remainder of the session.

Mr. TURNER. Mr. Speaker, I was not speaking on personality; I was talking of the gentleman from Philadelphia, Mr. Shepard.

The SPEAKER. For the information of the gentleman from Delaware, the gentleman from Philadelphia has lots of personality.

Mr. TURNER. Mr. Speaker, I will agree with that, but not displayed in this House.

Mr. Speaker, the gentleman from Philadelphia, Mr. Shepard, is exactly today in the same position he has been all along. I saw in the Journal of 1937 that the amendments I introduced had to do with seditious teaching, and seditious teaching is a little bit further narrowed down than the condition which we are trying to cover today, but even in that instance, although sedition, as admitted by the gentleman from Allegheny, Mr. Brown in the debate in 1937, is an indictible offense, even then the gentleman from Philadelphia, Mr. Shepard, was not willing to put that into the bill because I find that he voted "no" on my amendments offered at that time. The gentleman from Philadelphia, Mr. Shepard, did not make any move in the 1939 session so far as I can recall. I don't now remember of his being on the floor speaking in behalf of any amendments of this kind. In the 1941 session, he says, "At last in this session, you have gotten a bill."

On January 18, I think it was, I introduced a bill to amend the Teachers' Tenure Act and it was not until some time in May or June that I began to get any action on it. Therefore, I think the specious argument of the gentleman from Philadelphia, Mr. Shepard, clearly indicates it would be better for him to go on back to sleep,

because if I slept through this, I at least in my dreams have been able to stir up some of the spirit of Americanism on the other side of the House and at least got something that has to do with the subversive teaching.

Mr. SHEPARD. Mr. Speaker, the gentleman has not yet answered the question about the 1939 session and his lack of activity on behalf of these bills in the 1939 session.

I was here in 1935 and 1937 and I heard the gentleman quite often speak on the floor of the House about these same matters. Maybe it was my presence that caused him to see red at that time, because in 1939 I was not a Member of this House. The gentleman did not see red in 1939. I was re-elected in 1941, and now, Mr. Speaker and Members of the House, the gentleman sees red again. Maybe it is my presence that makes him see red on these bills, or maybe it is because the good Reverend gentleman from Philadelphia, the minister, caused him to get converted by my presence in this House. Maybe that is the reason, or some other reason, I don't know, or maybe he was so asleep in 1939 that he did not notice that I was absent from the House. I don't know why the gentleman accuses me of not being on the floor in 1939; I was not here and could not be allowed the privilege of the floor. The gentleman at that time was Speaker of the House, and he certainly would not have recognized me if I had tried to be recognized. Perhaps I ought to put a red flag on my desk during the session, so he could see me and know when I am present in the House. So I say, Mr. Speaker, if there was anybody that was asleep in this House, it seems to me it was the gentleman from Delaware, who was presiding over the House in 1939, and slept so soundly he did not notice my absence at that time.

The SPEAKER. Now that we are through with bedtime stories let us get down to business.

Mr. TURNER. Mr. Speaker, may I just say to the gentleman from Philadelphia, Mr. Shepard, that I do not know how I missed the fact that he was not here except, perhaps he still is not here. I don't see red when I see him, but I will say to him this, that all I am trying to do is to get the red flag off his lapel and get a red, white, and blue one in its place.

Mr. WOODSIDE. Mr. Speaker, yesterday I cited a situation on the floor of the House that I said would not be covered by this bill. One of the gentlemen on the other side attempted to refute that argument, and again misquoted me. I did not take the time to answer him last night because of the lateness of the hour, but I do wish now to re-state that situation, which I am prefectly satisfied is not covered by this bill.

It is the situation of a school teacher, a public school teacher, if you will, who goes into his or her class in civics or history or any other subject, and says to those students, "The democratic form of government is not the best form of government; it fails in this respect, this respect, and this respect. The Communistic form of government is a much better form of government; it is an improvement over the democratic form of government in this respect and this respect and this respect, and I think that we ought to adopt the Communistic form of government in Pennsylvania, and in the United States. But I do not agree with all the Communists, I do not agree that we ought to accept that form of government by violence, I do not think that we should do it by revolution. I think we should do it by means provided for in the Constitution, I think we ought to adopt a Constitution which would strike out our Bill of Rights and create a dictatorship, that would abolish capitalism and that would create a Communistic form of government."

Now, after all, Mr. Speaker, the real intent of the teacher would be to create in the mind of the student the thought that the Communistic form of government was a better form of government, but in order to protect herself against a violation of this law, he or she would specifically state that this should not be brought about by revolution, but that it should be brought about by means provided for in the Constitution. Mr. Speaker, any teacher who would go into the public schools and teach to the students of the Commonwealth of Pennsylvania that the Communistic form of government was a better form of government than the democratic form of government should not be a teacher paid by the Commonwealth. If somebody wants to go out and shout it on the street corner, that is something different, and if someone wants to tell their buddy that, that is different, but a person should not be permitted to go into the schools of the Commonwealth of Pennsylvania and receive the protection of the Teachers Tenure Act and still teach this subject, by putting in merely that we should not overthrow the government by revolution. I think that is the situation which ought to be met, and it is not met by this bill. As I said yesterday, it is the best thing that has come from that side of the House and we therefore propose to vote for the bill.

Mr. BAKER. To save the time and expense of an expanding Journal, when all we need do is to take the Journal of yesterday and the day before and last week and to save that time and expense I now move the previous question and ask the Members of this House to support me in that motion.

The motion was seconded by Messrs. Brown, Paul A. Brunner, Balthaser, Croop, McIntosh, Kolankiewicz, Verona, DiGenova, Shaw, Reynolds, Polaski, Bradley, Malloy, McLane, Voldow, Herman, Chudoff, Burns, Polen, Tarr and others.

On the question,

Shall the main guestion be now put?

It was agreed to.

On the question recurring,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows, viz:

YEAS—204

Achterman,	French,	Malloy,	Royer,
Allmond,	Gallagher,	Marks,	Rush,
Auker,	Gates,	Maxwell,	Sarge,
Baker,	Gerard,	McClanaghan,	Sarraf,
Balthaser,	Gillan,	McClester,	Scanlon,
Bentley,	Gillette,	McDermott,	Schwab,
Bentzel,	Goodwin,	McDowell,	Serrill,
Boles,	Greenwood,	McFall,	Shaffer,
Boney,	Gross,	McIntosh,	Shaw,
Boorse,	Gryskewicz,	McKinney,	Shepard,
Bower,	Gyger,	McLanahan,	Simons,
Bradley,	Habbyshaw,	McLane,	Skale,
Brown,	Haberlen,	McMillen,	Snyder,
Bretherick,	Haines,	McSurdy,	Sollenberger,
Brunner, C. H.,	Hall,	Melchiorre,	Sorg,
Brunner, P. A.,	Hamilton,	Mihm,	Stambaugh,
Burns,	Hare,	Modell,	Stank,

Burris,	Harkins,	Monks,	Stine,
Cadwalader,	Harmuth,	Mooney,	Stockham,
Chervenak,	Harris,	Moran,	Tarr,
Chudoff,	Heatherington,	Moul,	Tate,
Cochran,	Helm,	Muir,	Taylor,
Cohen, M. M.,	Hering,	Munley	Thompson, E. F.,
Cohen, R. E.,	Herman,	Nagel	Thompson, R. L.,
Cook,	Hersch,	Nunemacher	Trout,
Cooper,	Hewitt,	O'Brien,	Turner,
Cordier,	Hirsch,	O'Connor,	VanAllsburg,
Corrigan,	Holland,	O'Dare,	Verona,
Croop,	Huntley,	O'Mullen,	Vincent,
Cullen,	Imbrie,	O'Neill,	Vogt,
Dalrymple,	James,	Owens,	Voldow,
Dennison,	Jefferson,	Petrosky,	Voorhees,
DiGenova,	Jones, G. E.,	Pettit,	Wagner,
Dix,	Jones, P. N.,	Polaski,	Watkins,
Dolon	Keenan,	Polen,	Weingartner,
D'Ortona,	Kenehan,	Powers,	Weiss,
Duffy,	Kline,	Prosen,	Welsh, E. B.,
Early,	Knoble,	Rank,	Welsh, M. J.,
Eckels,	Kolankiewicz,	Rausch,	Wilkinson,
Elder,	Komorofski,	Readinger,	Williams,
Elliott,	Krise,	Reagan,	Winner,
Ely,	Lee, E. A.,	Reese, D. P.,	Wood, L. H.,
Falkenstein,	Lee, T. H.,	Reese, R. E.,	Wood, N.,
Finestone,	Leisey,	Regan,	Woodring,
Finnerty,	Leonard,	Reynolds,	Woodside,
Fisher,	Lesko,	Rhea,	Wright,
Fiss,	Levy,	Riley,	Yeakel,
Fleming,	Leydic,	Rooney,	Yester,
Fletcher,	Lichtenwalter,	Rose, S.,	Young,
Flynn	Longo,	Rose, W. E.,	Kilroy,
Foor,	Lovett,	Rosenfeld,	Speaker.
	Lyons,		

NAYS—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

REASONS FOR VOTE

Mr. BRETHERICK filed the following reasons for his vote.

Unlike the Democratic Members of the House, I am voting for House Bill 413 with a light heart and a sense of satisfaction in having taken a part in its passage, even in its emasculated form. I feel, with other Members of my party, that the amendments offered by Mr. Turner would have been more effective in terminating the slimy practice in our midst and in driving into the rat holes, where they properly belong, those poor misguided fools who would substitute for Americanism a shoddy counterfeit. There ought to be a law requiring those advocating foreign, un-American "isms" to be examine dby a psychiatrist to determine their mental fitness to be at large.

Mr. GATES filed the following reasons for his vote:

I am voting in support of House Bill No. 413 because I feel that our American Democracy should be protected at all costs. However, I feel that certain self evident truths must be stated before our democracy itself can progress and reach even higher levels.

Many of these people whom we attack have grown biased, intolerant and subversive because of what we ourselves have failed to do. We have allowed workers to be eliminated from industry and made no attempt to rehabilitate them. We have allowed the older worker to be discarded like a worn out shoe, and offered our elderly citizens a mere mess of pottage, instead of an old age pension by which they could retain their self respect and that of their neighbors. We have stigmatized our unemployed so that the term "reliefer" carries with it a sense of approbrium. And when these people become embittered, we offer them nothing but vilification, and make no attempt to remedy their lot or offer them christian understanding and consolation.

Until these causes for economic maladjustment are remedied, no legislation we pass will diminish even slightly these people we have labelled as un-American. Our true function as legislators therefore is and will always remain to extirpate the root of these evils, so that with each era an ever increasing number of all peoples of the earth will reach out and ascribe to this, our our American Democracy.

Mr. O'CONNOR filed the following reasons for his vote:

January 1941 I wrote the State Chairman and the State Secretary of the Communistic Party as follows:

"Replying to your letter of January 14, 1941, with which you enclosed the "Communist Party Legislative Program" and in which you asked me for my comments, I beg to advise you that I am unalterably opposed to and denounce Communism. Therefore I cannot accept your program. I have no more sympathy for the Program of Communists than I have for the political buzzards who fly into our State Capital to tell Members of the Pennsylvania Legislature what bills they must pass and why.

"In my opinion there is no place in Pennsylvania government or politics for Communists. Residents of this great Commonwealth who are Communists by conviction should in my opinion seek residence in a country under a government where Communism is respected. It will be my pleasure to sponsor or fully support proposed legislation in the present session of our Legislature, which will prohibit Communists from enjoying any legal status as a political party.

"I trust I have complied with your request for my comments in a clear understandable manner. As a public servant, representing a constituency second to none in the entire United States—the people of Cambria County, I am pledged to support the principles of the Democratic party, and Organized Labor's legislative program. Communists in my mind cannot improve these."

BILL ON FINAL PASSAGE

CONSIDERATION OF HOUSE BILL No. 1639 RESUMED

The SPEAKER. The Chair lays before the House, House Bill No. 1639, Printer's No. 1055, on page 11 of today's calendar, bill on final passage postponed, consideration of which will now be resumed.

On the question recurring,

Shall the bill pass finally?

Mr. LOVETT. Mr. Speaker, I would like further to interrogate the gentleman from Dauphin, Mr. Woodside, and assure him that there will only be two more questions, due to the fact that he feels the interrogation is so unnecessary.

The SPEAKER. Will the gentleman from Dauphin permit himself to be further interrogated?

Mr. WOODSIDE. Mr. Speaker I shall answer all questions that bear on the subject.

The SPEAKER. The gentleman will proceed.

Mr. LOVETT. Mr. Speaker, the last question I asked the gentleman was if House Bill 1639 was to pass the House and the Senate and be signed by the Governor and declared constitutional by the courts, whether he feels the working people of Pennsylvania would be granted and accorded during this session a great deal of benefit.

Mr. WOODSIDE. Mr. Speaker, my opinion would be that if the entire Workmen's Compensation Act would be unaffected from a constitutional standpoint, the working men of Pennsylvania would receive a theoretical advantage, but the gentleman is assuming in his question that the courts would pass upon this legislation as a separate act, and that is not a fair or correct or proper assumption, in the first place. In the second place, even if that were true, the workingmen of Pennsylvania in my opinion would receive no substantial, practical advantage, or from the present situation practically no advantage.

Mr. LOVETT. Mr. Speaker, since the gentleman on the other side refuses to confine his remarks to yes or no,—

Mr. WOODSIDE. Mr. Speaker, the question cannot be answered yes or no.

Mr. LOVETT. Mr. Speaker, I would like to say that I am not an attorney, but I am informed by our very learned Legislative Reference Bureau men that these bills will stand and fall by themselves and will not affect the workings of the Workmen's Compensation Act.

Mr. WOODSIDE. Mr. Speaker, does the gentleman state that as a question, and does the gentleman want me to explain further my answer?

Mr. LOVETT. Not necessarily, Mr. Speaker, I just wanted to state that to the gentleman on the other side.

Mr. WOODSIDE. Mr. Speaker, am I being interrogated or not?

Mr. LOVETT. Just one more question, Mr. Speaker. The gentleman said that the men who were interested in the laboring people of the state were opposed to this bill. I would like the gentleman to state the names of those men who are interested in labor.

Mr. WOODSIDE. Mr. Speaker, I for one claim to be one of them. I won't speak for any others.

Mr. LOVETT. Mr. Speaker, House Bill 1639 to my mind is one of the most important bills that will come before us in this session. As I said on this floor yesterday, the thing that is going to stop Communism and subversive activities in America is legislation in the interests of the working people and of the underprivileged of our state. If the gentleman on the other side or any labor leader can say to me that he is opposed to compulsory workmens compensation then I want that labor leader or that man who speaks for labor to give me his reasons why he is opposed to it.

The gentleman on the other side stated that the Act of 1937, which the coal companies refused to come under at the time it was enacted, if this law had been in effect at that time, the coal companies would have had to come under the Act of 1937, and to my mind the subversive activities on the part of coal companies at that particular time are the subversive activities that are tearing down democracy in America. That is the reason why I say today I want every man in this House to know that House Bill 1639 is in the interest of the working people of the state of Pennsylvania, regardless of whether some leader on the other side tries to confuse the issue and say that the leaders of labor are opposed to compulsory Workmen's Compensation. I say that statement is untrue. I want the men in this House to know when they vote on this bill that this bill is in the interests of the working people of the state of Pennsylvania and I do not want the issue clouded; I want you to know what you are voting for. That is the reason why I am willing to stay here two or three or four weeks to protect the interests of the working people of the state, so that we can keep Communism out of America.

Mr. Speaker, we have passed a program for farmers, we have passed your program for private interests in the state of Pennsylvania, but we haven't passed your program in the interests of the working people of the State of Pennsylvania. So I say to you I am willing to stay here all summer if it is necessary; that we go over into the Senate of Pennsylvania and demand that they get the bills out of committee and pass this program in the interests of the people of Pennsylvania, and save democracy, and quit kidding the people of the state and giving special privileges to the few and nothing to the masses.

My friends, that is the reason France fell, that is the reason Germany is in the condition it is today. It is for these very reasons, and if you want to save the people, then I say to you, start now and pay attention to legislation of this type. I ask every man in this House to vote for this legislation.

Mr. WOODSIDE. Mr. Speaker, historians tell me that France fell because they had a New Deal but I don't know what that has to do with the problem before the House either way.

I am going to state very briefly the answer to the gentleman and further explain what I meant as to whether or not this bill, if upheld by the courts as being constitutional would inure to the benefit of the working man. In the first place I said practically not, because under the law today practically all of the workmen are under Workmen's Compensation. There are very, very few any more that are not under Workmen's Compensation. As a matter of fact up until 1937 there were practically no men who were not under the Workmen's Compensation law, they were all subjects to the provisions of the Workmen's Compensation law, and rejections by employers were practically unknown. The 1937 law ruined completely that situation, and hundreds of thousands of working men in Pennsylvania, engaged in the most dangerous occupations, who needed workmens compensation most were thrown out of the provisions of the Workmen's Compensation law and were no longer receiving the benefits of the Act.

There is a provision in this bill providing that this, if declared unconstitutional, shall relate to itself and shall be separable from the rest of the act. However, I wish to call to the attention of the Members this fact, and I went into it in rather considerable detail—I regret, Mr. Speaker, that I do not have before me the opinion of the Supreme Court to read the exact language of Justice Maxey. I did read into the record however, a reference to the matter when it was before us which will show what he said in relation to it.

There is the point: if this compulsory provision is

determined by the courts to be a part of the Workmen's Compensation Act, which means they would hold the provision itself constitutional, then they will go into the question with all industries and all types of accidents as to whether or not that provision provides for the taking of property without due process of law. Therefore, the working men will be faced with innumerable suits and will be compelled to defend innumerable actions, and in many instances may find themselves not under the Workmen's Compensation Act. For that reason —I realize that this is rather a technical argument—it seems to me to be perfectly clear that the inserting of this provision in the law would bring very few people under the Workmen's Compensation Act because they are practically all under it now, but there would be the danger of taking a lot of working men from under the Workmen's Compensation Act and therefore be a detriment to them.

Mr. LOVETT. Mr. Speaker, in answer to the argument of the gentleman on the other side, while I am not an attorney, his last statement was that most of the people are now under the Workmen's Compensation Act. Then he said if this bill passes they would not be under the Workmen's Compensation Act. I just want to say to the gentleman on the other side that to my mind, not as an attorney, if this act had been on the statute books in 1937, or if it had been on the statute books at any time, I say to him that every man in the state would automatically come under the Workmen's Compensation Act and they would have to pay compensation.

Mr. GALLAGHER. Mr. Speaker, I believe both political parties in the session of 1941 have agreed that there shall be a more liberal Workmen's Compensation Act in this state. It appears that that pledge is not going to be carried out. Coming from a district that in 1937 did not have workmens compensation because of the refusal of the coal companies to come under the law, we have today in the anthracite region, and I believe in the soft coal region also, men who are working in the mines that are receiving less compensation now and since the 1939 Act has been enacted by this Legislature than they did under the old 1915 law. We have men who work in the mines now who are injured who receive as low as $10 a week in benefits.

We have heard many discussions on this particular bill before us this afternoon and every man who represents a district where there are men and women who work and are covered by compensation, I do not know how they can go back home and tell their constituents that they were in favor of a better Workmen's Compensation Act and vote against this bill. I believe if the enactment of this bill would only cover ten people who are not now covered by Workmen's Compensation that the 1941 Legislature could go back home and feel they had done at least something for their constituents.

Mr. Speaker, I ask the members on both sides of the House to vote in support of this bill.

Mr. PETROSKY. Mr. Speaker, I rise at this time in support of the legislation that is now before this body for its consideration. I am going to appeal to each and every Member on both sides of the House to vote favorably on this measure. Before delving into the merits of the bill may I state to the membership of the House that I resent the statement of the gentleman from Dauphin, Mr. Woodside, in regard to my colleague, the gentleman from Westmoreland, Mr. Lovett, as being one who has not acted in the interests of the laboring people of this Commonwealth in this General Assembly. Mr. Speaker, the record speaks for itself relative to those services that the honorable gentleman from Westmoreland, Mr. Lovett, has rendered to the working people of the state of Pennsylvania.

This piece of legislation that is now before us is a piece of legislation that is going to give those who are deprived today and who will be deprived in the future the necessary benefits in a social cause and should not create any partisanship or any controversy on the floor of this House. We know that today the cost of living has greatly increased, and yet we fail to make any provision to take care of those people who have been disabled in the pursuit of their daily work.

I say to you, Mr. Speaker, this legislation together with legislation which was passed by this House some weeks ago, will increase the benefit of workman's compensation to those unfortunates who have been injured in industry. Coming from the rank and file and being in daily contact with them, I can assure the Members of the House that the working man whom we should represent here in the General Assembly is interested in this legislation and certainly wants you to vote favorably for it so as to enable the passage of this piece of legislation.

I appeal to you for those people who will benefit by this legislation, the majority of the people of our Commonwealth, those unfortunates who have no special body or interests to go down the line for them and request certain bills or certain legislation, to vote favorably on House Bill 1639.

On the question recurring,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken.

Messrs. Moran, Lovett and Tarr asked for a verification of the roll.

The roll was verified and was as follows:

YEAS—82

Achterman,	French,	Lyons,	Polen,
Baker,	Gallagher,	Malloy,	Powers,
Balthaser,	Gates,	Maxwell,	Rausch,
Bentley,	Gerard,	McDermott,	Readinger,
Bentzel,	Goodwin,	McFall,	Reese, R. E.,
Boles,	Gryskewicz,	McLanahan,	Reynolds,
Boney,	Hamilton,	McLane,	Shaffer,
Bradley,	Harkins,	Mihm,	Shaw,
Brown,	Heatherington,	Mooney,	Simons,
Brunner, P. A.,	Herman,	Moran,	Skale,
Burns,	Hirsch,	Moul,	Stine,
Chervenak,	Holland,	Munley	Tarr,
Cochran,	Jefferson,	Nagel	Vincent,
Cohen, M. M.,	Keenan,	Nunemacher	Vogt,
Cohen, R. E.,	Kenehan,	O'Connor,	Weiss,
Croop,	Komorofski,	O'Neill,	Williams,
Dolon,	Leonard,	Owens,	Woodring,
Early,	Lesko,	Petrosky,	Wright,
Elliott,	Levy,	Pettit,	Yester,
Finnerty,	Longo,	Polaski,	Kilroy,
Flynn,	Lovett,		Speaker.

NAYS—90

Auker,	Gillette,	Marks,	Sarraf,
Boorse,	Greenwood,	McClanaghan,	Serrill,
Bower,	Gross,	McClester,	Shepard,
Bretherick,	Habbyshaw,	McKinney,	Snyder,
Brunner, C. H.,	Haines,	McSurdy,	Sollenberger,
Burris,	Hall,	Melchiorre,	Sorg,
Cadwalader,	Hare,	Monks,	Stambaugh,
Chudoff,	Hering,	Muir,	Stockham,
Cook,	Hewitt,	O'Brien,	Tate,
Cooper,	Huntley,	O'Dare,	Thompson, E. F.,
Cordier,	Imbrie,	O'Mullen,	Thompson, R. L.,
Corrigan,	James,	Prosen,	VanAllsburg,

Cullen,	Jones, G. E.,	Rank,	Voldow,
Dennison,	Kline,	Reagan,	Wagner,
DiGenova,	Knoble,	Reese, D. P.,	Watkins,
Dix,	Kolankiewicz,	Rhea,	Weingartner,
Eckels,	Krise,	Riley,	Welsh, E. B.,
Elder,	Lee, E. A.,	Rose, S.,	Wilkinson,
Ely,	Lee, T. H.,	Rose, W. E.,	Winner,
Fiss,	Leisey,	Rosenfeld,	Wood, N.,
Fleming,	Leydic,	Royer,	Woodside,
Gillan,	Lichtenwalter,	Rush,	Yeakel,
		Sarge,	Young,

Less than the majority required by the Constitution having voted in the affirmative, the question was determined in the negative and the bill falls.

REASONS FOR VOTE

Mr. AUKER filed the following reasons for his vote:

While I believe the present Workmen's Compensation Act should be somewhat liberalized as to benefit payments, liberalize the hernia section and the negligence clause section, yet I feel compelled to vote "NO" on this act by reason of my serious doubts on its constitutionality, and the serious repercussions and harm that might be done to the laborers and workers and employes if it were declared unconstitutional thus affecting adversely the entire Workmen's Compensation Act and the benefits to the employees which they now have under the present act.

COMMUNICATIONS FROM THE GOVERNOR

The Secretary to the Governor being introduced, presented a communication in writing from His Excellency the Governor, which was read as follows:

APPROVAL OF HOUSE BILL No. 1315

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, July 10, 1941.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Bill No. 1315, Printer's No. 1044, entitled, "An Act to amend the title and the act approved the seventh day of May one thousand nine hundred thirty-seven (P. L. 589) entitled "An act providing for the taking over by the Commonwealth under certain terms conditions and limitations of certain streets in cities of the first class as State highways and for the improvement construction reconstruction resurfacing and maintenance by the Commonwealth of said streets imposing duties on such cities and on public utility companies using such streets providing that no assessment shall be made upon the Commonwealth in the elimination or reconstruction of any grade crossing thereon authorizing cities persons associations or corporations to enter into agreements with the Commonwealth to bear a portion of the cost of construction regulating the replacement of certain facilities of public utility companies prohibiting the making of any opening in said street after improvement without a permit and providing penalty therefor regulating the maintenance of detours authorizing the increase of city indebtedness in certain cases and appropriating money in the Motor License Fund for the purposes of the act" by adding new sections making certain changes in the designation of certain streets taken over as State highways and adding thereto certain additional streets providing for the taking opening relocation widening or change of grade of such State highways by the Commonwealth at the expense of the Commonwealth and the city or either of them designating the city as agent for the Commonwealth in such taking opening relocation widening or change of grade and the determination of damages arising therefrom authorizing agreements for the taking opening relocation widening change of grade construction reconstruction repair and maintenance of such State highways appropriating money in the Motor License Fund for the purposes of the act as amended."

ARTHUR H. JAMES.

APPROVAL OF HOUSE BILL No. 567

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, July 10, 1941.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Bill No. 567, Printer's No. 933, entitled, "An Act to reenact and amend the title and the act approved the twenty-fourth day of June one thousand nine hundred and thirty-nine (P. L. 748) entitled "An act for the registration and regulation of certain individuals and entities selling contracting to sell or dispose of attempting or offering to dispose of soliciting offers to buy or inducing holders thereof to exchange securities defined herein including securities issued by them or engaging in the business of inducing holders of securities to effect the sale thereof in order to produce funds to pay for other investments sold by them or in the business of buying securities directly from individuals who are not registered thereunder providing for the revocation and suspension of registrations conferring powers and imposing duties on the Pennsylvania Securities Commission and otherwise providing for the administration of this act providing for appeals to the Court of Common pleas of Dauphin County and to the Supreme Court of Pennsylvania conferring jurisdiction upon the several courts of common pleas to issue injunctions against violations of this act and prescribing fees and penalties" by providing for the registration and regulation of persons and entities engaged in the business of investment advisers and of solicitors of investment advisers and for the revocation and suspension of such registrations conferring additional jurisdictions upon the courts of common pleas and further regulating the business of buying and selling securities."

ARTHUR H. JAMES

PERMISSION GRANTED COMMITTEE TO MEET DURING SESSION

Mr. SCANLON asked and obtained permission for the Committee on Professional Licensure to meet during the session of the House.

Mr. FALKENSTEIN asked and obtained permission for the Committee on Public Utilities to meet during the session of the House.

PERMISSION TO ADDRESS HOUSE

Mr. AUKER asked and obtained unaminous consent to address the House.

Mr. Speaker, I have heard inadvertently that the name has been applied to me in various pieces of legislation on which I spoke as being a "squawker." I never have minded, Mr. Speaker, being called names as long as I knew in my heart and soul that what I said and what I was doing was right, and I was conscientious in what I was doing. I still feel and have always felt in my brief legislative career in this House that that is what I have tried to do.

However, Mr. Speaker, I am not rising at this time to make a particular point out of that particular item. I rise just to crow a little bit. In my two years in the House, I do not think I have ever crowed before, but I feel now I have very good reasons to crow.

Early in February there was introduced in this House by the Honorable George Jones and myself, both members

from Blair County, a bill asking for an investigation committee, and I will just read two of the paragraphs so as to refresh the minds of the Members of the House as to what we tried to do in that bill:

"Whereas it is rumored and alleged that the money appropriated by the Commonwealth of Pennsylvania for our public school system is being used in part to foster and incuctate in our children subversive thoughts and beliefs and ideas contrary to our demotic form of government."

Mr. Speaker, we did not say that those conditions exist; we only alleged that they exist by rumor.

The second whereas clause is as follows:

"Whereas a fair and impartial investigation of our school system, the books used and the teaching practiced therein would either quiet such rumors or uncover a malicious situation, therefore, the General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows."

The bill then goes on to set up the investigating committee.

This afternoon we all voted on a bill to try to correct conditions and get at conditions which would have been developed had there been appointed a committee under our bill to find out whether or not such conditions existed. It seems to me, Mr. Speaker, that by our vote on this bill House Bill 413, we have impliedly recognized that such conditions do exist in our public school system of the Commonwealth of Pennsylvania. So, Mr. Speaker, I do feel that I have a little right to crow and that the Honorable Mr. Jones has a right to crow.

Further in the debate on House Bill 413, the various speakers who spoke against the bill and against the various amendments offered by the gentleman from Delaware. Mr. Turner, were very much in fear that we were going witch hunting and were very much against enacting such a bill into law, although by our bill asking for an investigating committee sought to find the very thing that has been enacted into law. All we wanted to find out was whether or not those conditions exist. I feel we have a right to crow, Mr. Speaker, because we more than the gentlemen on the other side of the House, sought and tried to avoid the enactment into law of anything that might in any way hurt any minority group. We wanted to find out first whether these things were true, then have the investigating committee report back to this body, and if this body deemed it advisable, then pass the law.

So I ask the Speaker's pardon, and I ask the pardon of the Members of the House for just crowing a little bit.

Mr. REUBEN E. COHEN. Mr. Speaker, may I make a very friendly suggestion that will conserve a lot of time of the Members on the other side of the House, that all of the Fourth of July orations that were rained out be sent to the desk and be printed in the record.

BILLS SIGNED BY SPEAKER

Bills numbered and entitled as follows having been prepared for presentation to the Governor, and the same being correct, the titles were publicly read as follows:

HOUSE BILL No. 94

An Act to amend section fifteen hundred and nine of the act, approved the eighteenth day of May, one thousand nine hundred and eleven (P. L. 309) entitled "An act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof; providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws, general, special or local or any parts thereof that are or may be inconsistent therewith," by providing that the board of directors of any school district may appropriate funds to pay for medical examinations for tuberculosis for pupils, teachers, janitors or other employees.

HOUSE BILL No. 1013

An Act to repeal section five of the act approved the fourth day of May one thousand nine hundred and five (P. L. 385) entitled "An act creating the Water Supply Commission of Pennsylvania defining its duties fixing the scope of its authority and powers and making an appropriation for the payment of salaries and expenses connected therewith" prohibiting the issuance of letters patent to water companies until approved by the Water Supply Commission.

HOUSE BILL No. 1643

An Act to amend the act approved the ninth day of April one thousand nine hundred and twenty-nine (P. L. 343) entitled "An act relating to the finances of the State government providing for the settlement assessment collection and lien of taxes bonus and all other accounts due the Commonwealth the collection and recovery of fees and other money or property due or belonging to the Commonwealth or any agency thereof including escheated property and the proceeds of its sale the custody and disbursement or other disposition of funds and securities belonging to or in the possession of the Commonwealth and the settlement of claims against the Commonwealth the resettlement of accounts and appeals to the courts refunds of moneys erroneously paid to the Commonwealth auditing the accounts of the Commonwealth and all agencies thereof of all public officers collecting moneys payable to the Commonwealth or any agency thereof and all receipts of appropriations from the Commonwealth and imposing penalties affecting every department board commission and officer of the State government every political subdivision of the State and certain officers of such subdivisions every person association and corporation required to pay assess or collect taxes or to make returns or reports under the laws imposing taxes for State purposes or to pay license fees or other moneys to the Commonwealth or any agency thereof every State depository and every debtor or creditor of the Commonwealth" by providing for the manner of payment of escheator's fees informant's commissions and other lawful charges due from moneys escheated to the Commonwealth and escheatable moneys paid to the Commonwealth without escheat designating the funds to which such moneys shall be credited and making an appropriation.

HOUSE BILL No. 1648

An Act to amend the act, approved the first day of May, one thousand nine hundred and twenty-nine, (P. L. 1005), entitled "An act relating to and regulating tractors and trailers and their operation: providing for their registration and the licensing of certain operators by the Department of Revenue upon payment of prescribed fees; prescribing and limiting the powers of local authorities to deal with the subject matter of this act; conferring powers and imposing duties upon the Department of Revenue, the Department of Highways, peace officers, mayors, burgesses, magistrates, aldermen, justices of the peace, the courts and the clerks thereof, owners of tractors and trailers; providing that records are admissible as evidence; imposing upon owners, counties, cities, boroughs, incorporated towns, and townships, within the Commonwealth, liability for damages caused by the negligent operation of tractors and trailers; imposing penalties; imposing certain costs upon counties; providing for the disposition of fines, forfeitures, fees, and miscellaneous receipts; making an appropriation; and pro-

viding for refunds," as variously amended, by changing registration years, fractions of registration years, operator's license years; extending the time for exemption from fees for transfer of registration to conform with changed registration year; reducing operator's license fee; and giving the secretary power to determine whether certain motor vehicles are of tractor type.

Whereupon,

The SPEAKER, in the presence of the House, signed the same.

CONDOLENCE RESOLUTION

Mr. FISS offered a privileged resolution which was read as follows:

In the House of Representatives, July 10, 1941

The House of Representatives has learned with deep sorrow of the death of the Honorable Harvey A. Surface of Snyder County, on July 8th of this year.

Dr. Surface was born in Waynesville, Ohio, on July 23, 1867, graduated from Sugar Grove Seminary in 1883 and became professor of geology at Ohio State University.

From 1903 to 1917 he was State Zoologist and acquired a national reputation as an authority on zoology, geology and nature study.

Franklin and Marshall College conferred the honorary degree of Doctor of Science upon him in 1908.

Dr. Surface was elected a Member of this House in 1930 and was reelected in 1932 and 1934. All of the Members here who had the good fortune to know Dr. Surface, will feel especially grieved at his passing.

He was professor of zoology at Pennsylvania State College for seven years, and at Cornell University for a considerable time and in 1930 became professor of nature study at Susquehanna University. He was not only preeminent as a scientist, but he was the author of many books on the fauna, flora and horticulture of Pennsylvania.

Dr. Surface did not restrict his studies or activities to the field of science. In public life he was ever active and devoted to the civic betterment of his fellow citizens. As a Member of this House his keen analytical mind was a source of inspiration to his fellow Legislators in their deliberations upon the difficult problems confronting the Commonwealth during the years 1931 to 1937 and his kindly and pleasing personality endeared him to his associates.

Dr. Surface is survived by a widow, Ida M. Surface and two daughters, Mrs. L. A. Cook of Columbus, Ohio, and Mrs. Robert E. Gray of Mechanicsburg, Pennsylvania.

The House of Representatives therefore pauses in its deliberations to pay this slight token of respect to the memory of this distinguished citizen of the Commonwealth, and directs the Chief Clerk of the House to mail a copy of this resolution to the family of the deceased as an evidence of the respect in which he was held by the Members of this House.

On the question,

Will the House adopt the resolution?

The SPEAKER. Dr. Harvey A. Surface, a former member of the House of Representatives for three terms from Snyder County, died July 8, 1941. Funeral services will be held on Friday, July 11 at 2.00 p. m. at Fred K. Sutton's Funeral Home, North Market Street, Selingsgrove, Pennsylvania. The burial will be at Chestnut Hill Cemetery, Mechanicsburg, Pennsylvania, at 3.15 p. m. Friday. Legislative friends of the late Dr. Surface are invited by the family to attend.

On the question recurring,

Will the House adopt the resolution?

It was adopted.

CONDOLENCE RESOLUTION

Messrs. GATES, HELM and BOORSE offered the following resolution and asked and obtained unanimous consent for its immediate consideration.

The resolution was read, considered and adopted:

In the House of Representatives, July 10, 1941.

A grand old man was missing from the Kittanning scene today when on July 2, 1941, Harry C. Luker passed on to his Maker. He would have been 78 on Cctober 8th of this year.

Squire Luker as he was affectionately known by all of the citizens of this Community was the Justice of the Peace for more than seven years. During that time his handling of that post in the minor judiciary was preeminent in both the justice in which he rendered and the humorous manner in which he rendered it. He was also active in all the affairs of his community and devoted most of his time to the improvement and betterment of the lives of all about him.

He is survived by his wife, and his three children: Mrs. Sherwood E. Martin; Mrs. Blake Galfraith; and the Honorable Ben Luker, Assistant Building and Maintenance Superintendent.

Throughout his life he remained of a friendly disposition and his passing is mourned by persons of every walk of life, be it therefore

Resolved, that the House of Representatives notes with great sorrow of the passing of such a distinguished citizen of the community, and be it further

Resolved, that the Chief Clerk of this House mail a copy of this resolution to the family of the deceased as a symbol of the House of Representatives' profound sympathy for them in their great bereavement.

BILLS ON SECOND READING

Mr. ACHTERMAN asked and obtained unanimous consent to call up out of order House Bill No. 1844, (Senate Bill No. 594), page 8, of today's Calendar, bill on second reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 1844, (Senate Bill No. 594), entitled:

An Act to amend the act, approved the twenty-fourth day of June, one thousand nine hundred and thirty-seven (P. L. 2051), entitled "An act relating to public assistance; providing for and regulating assistance to certain classes of persons designated and defined as dependent children, aged persons, blind persons and other persons requiring relief; providing for the administration of this act by the Department of Public Assistance and county boards of assistance hereby created for this purpose; authorizing the Department of Public Assistance to cooperate with, and to accept and disburse moneys received from, the United States Government for assistance to such persons; providing for the liquidation of the State Emergency Relief Boards, Boards of Trustees of the Mothers' Assistance Fund, and Boards of Trustees of Pension Fund for the Blind; and repealing laws relating to mothers' assistance, pensions for the blind, old age assistance, and the State Emergency Relief board," as amended, by redefining assistance to include work relief providing for the establishment of a Board of Review and Appeal to supervise and regulate work relief projects authorizing the Department of Public Assistance with the approval of the Board of Review and Appeal to administer work relief projects subject to certain provisions and conditions making certain acts unlawful and imposing penalties

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Mr. SHEPARD asked and obtained unanimous consent

to call up out of order House Bill No. 1539, on page 2 of today's Calendar, bill on second reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 1539, entitled:

An Act to amend section two of the act approved the second day of July one thousand nine hundred and thirty-five (P. L. 599) entitled "An act relating to motion picture exhibitions and sound motion picture exhibitions together with orchestral or other instrumental musical or mechanical musical accompaniment prelude playing or selection in connection with or incidental thereto on Sunday prohibiting motion picture exhibitions and sound motion picture exhibitions and orchestral or other instrumental musical or mechanical musical accompaniment prelude playing or selection incidental thereto on Sunday during certain hours and also during other hours unless the electors of a municipality approve thereof regulating the employment of persons in conducting such exhibitions on Sunday providing for referendums to ascertain the will of the electors and providing penalties and repealing inconsistent laws" by making it lawful for persons copartnerships associations or corporations to conduct stage manage operate or engage in motion picture exhibitions whether or not there be a charge of admission thereto within a radius of ten miles of any army depot military reservation or military encampment

The first section was read.

On the question,

Will the House agree to the section?

Mr. SHEPARD. Mr. Speaker, I desire to offer the following amendments.

The amendments were read by the Clerk as follows:

Amend Sec. 1 (Sec. 2), page 4, line 4, by striking out the word "or"

Amend Sec. 1 (Sec. 2), page 4, line 4, by inserting after the word "encampment" the following: "naval base or naval encampment"

The amendments were agreed to.

The section was agreed to as amended.

On the question,

Will the House agree to the bill on second reading as amended?

Mr. SHEPARD. Mr. Speaker, I desire to offer the following amendment as a new section.

The amendment was read by the Clerk as follows:

Amend bill, page 4, by inserting after line 13, the following: "Section 2. This act shall become effective immediately upon final enactment."

The amendment was agreed to.

The title was read.

On the question,

Will the House agree to the title?

Mr. SHEPARD. Mr. Speaker, I desire to offer the following amendments.

The amendments were read by the Clerk as follows:

Amend title, page 2, last line of title on page 2, by striking out the word "or"

Amend title, page 2, last line of title on page 2, by inserting after the word "encampment" the following: "naval base or naval encampment"

The amendments were agreed to.

The title was agreed to as amended.

And said bill having been read at length the second time and agreed to as amended,

Ordered, To be transcribed for a third reading.

Mr. HIRSCH asked and obtained unanimous consent to call out of order House Bill No. 1955, on page 3 of today's Calendar, bill on second reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 1955, entitled:

An Act to amend section two hundred and fifty-four of the act approved the second day of May one thousand nine hundred and twenty-five (P. L. 448) entitled "An act relating to fish and amending consolidating and changing the law relating to fish in the inland waters and the boundary lakes and boundary rivers of the Commonwealth" limiting the right of certain lessees or owners of or holders of certain rights in property for fishing purposes to exclude the general public from fishing from such property

The first section was read.

On the question,

Will the House agree to the section?

Mr. BONEY. Mr. Speaker, I desire to offer the following amendment.

The amendment was read by the Clerk as follows:

Amend section 1, page 2, line 12 by striking out the word "owns" and inserting in lieu thereof the following: "has leased or secured or hereafter"

The amendment was agreed to.

The section was agreed to as amended.

The second section was read and agreed to.

The title was read.

On the question,

Will the House agree to the title?

Mr. BONEY. Mr. Speaker, I desire to offer the following amendment.

The amendment was read by the Clerk as follows:

Amend line 8 of title on page 1 by striking out after the word "lessees" the words "or owners of"

The amendment was agreed to.

The title was agreed to as amended.

And said bill having been read at length the second time and agreed to as amended,

Ordered, To be transcribed for a third reading.

BILLS ON THIRD READING

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1733, (Senate Bill No. 262), entitled:

A Supplement to the act approved the twelfth day of June one thousand nine hundred and thirty-nine (P. L. 335) entitled "An act creating a temporary commission to examine report upon and recommend measures to improve the economic cultural health and living conditions of the urban colored population of the State and making an appropriation of the expenses of such commission" by extending the term of such commission until the next regular session of the General Assembly and making an appropriation

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows, viz:

YEAS—204

Achterman,	French,	Lyons,	Rosenfeld,
Allmond,	Gallagher,	Malloy,	Royer,
Auker,	Gates,	Marks,	Rush,
Baker,	Gerard,	Maxwell,	Sarge,
Balthaser,	Gillan,	McClanaghan,	Sarraf,
Bentley,	Gillette,	McClester,	Scanlon,
Bentzel,	Goodwin,	McDermott,	Schwab,
Boles,	Greenwood,	McDowell,	Serrill,
Boney,	Gross,	McFall,	Shaffer,
Boorse,	Gryskewicz,	McIntosh,	Shaw,
Bower,	Gyger,	McKinney,	Shepard,
Bradley,	Habbyshaw,	McLanahan,	Simons,
Bretherick,	Haberlen,	McLane,	Skale,
Brown,	Haines,	McMillen,	Snyder,
Brunner, C. H.,	Hall,	McSurdy,	Sollenberger,
Brunner, P. A.,	Hamilton,	Melchiorre,	Sorg,
Burns,	Hare,	Mihm,	Stambaugh,
Burris,	Harkins,	Modell,	Stank,
Cadwalader,	Harmuth,	Monks,	Stine,
Chervenak,	Harris,	Mooney,	Stockham,
Chudoff,	Heatherington,	Moran,	Tarr,
Cochran,	Helm,	Moul,	Tate,
Cohen, M. M.,	Hering,	Muir,	Taylor,
Cohen, R. E.,	Herman,	Munley,	Thompson, E. F.,
Cook,	Hersch,	Nagel,	Thompson, R. L.,
Cooper,	Hewitt,	Nunemacher,	Trout,
Cordier,	Hirsch,	O'Brien,	Turner,
Corrigan,	Holland,	O'Connor,	VanAllsburg,
Croop,	Huntley,	O'Dare,	Verona,
Cullen,	Imbrie,	O'Mullen,	Vincent,
Dalrymple,	James,	O'Neill,	Vogt,
Dennison,	Jefferson,	Owens,	Voldow,
DiGenova,	Jones, G. E.,	Petrosky,	Voorhees,
Dix,	Jones, P. N.,	Pettit,	Wagner,
Dolon,	Keenan,	Polaski,	Watkins,
D'Ortona,	Kenehan,	Polen,	Weingartner,
Duffy,	Kline,	Powers,	Weiss,
Early,	Knoble,	Prosen,	Welsh, E. B.,
Eckels,	Kolankiewicz,	Rank,	Welsh, M. J.,
Elder,	Komorofski,	Rausch,	Wilkinson,
Elliott,	Krise,	Readinger,	Williams,
Ely,	Lee, A.,	Reagan,	Winner,
Falkenstein,	Lee, T. H.,	Reese, D. P.,	Wood, L. H.,
Finestone,	Leisey,	Reese, R. E.,	Wood, N.,
Finnerty,	Leonard,	Regan,	Woodring,
Fisher,	Lesko,	Reynolds,	Woodside,
Fiss,	Levy,	Rhea,	Wright,
Fleming,	Leydic,	Riley,	Yeakel,
Fletcher,	Lichtenwalter,	Rooney,	Yester,
Flynn,	Longo,	Rose, S.,	Young,
Foor,	Lovett,	Rose, W. E.,	Kilroy, Speaker

NAYS—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return it to the Senate with information that the House has passed it without amendments.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1903, (Senate Bill No. 1173), entitled:

An Act authorizing the Department of Property and Supplies to purchase coal underlying the Cresson State Sanatorium and making an appropriation therefor.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows, viz:

YEAS—204

Achterman,	French,	Lyons,	Rosenfeld,
Allmond,	Gallagher,	Malloy,	Royer,
Auker,	Gates,	Marks,	Sarge,
Baker,	Gerard,	Maxwell,	Sarraf,
Balthaser,	Gillan,	McClanaghan,	Scanlon,
Bentley,	Gillette,	McClester,	Schwab,
Bentzel,	Goodwin,	McDermott,	Serrill,
Boles,	Greenwood,	McDowell,	Shaffer,
Boney,	Gross,	McFall,	Shaw,
Boorse,	Gryskewicz,	McIntosh,	Shepard,
Bower,	Gyger,	McKinney,	Simons,
Bradley,	Habbyshaw,	McLanahan,	Skale,
Bretherick,	Haberlen,	McLane,	Snyder,
Brown,	Haines,	McMillen,	Sollenberger,
Brunner, C. H.,	Hall,	McSurdy,	Sorg,
Brunner, P. A.,	Hamilton,	Melchiorre,	Stambaugh,
Burns,	Hare,	Mihm,	Stank,
Burris,	Harkins,	Modell,	Stine,
Cadwalader,	Harmuth,	Monks,	Stockham,
Chervenak,	Harris,	Mooney,	Tarr,
Chudoff,	Heatherington,	Moran,	Tate,
Cochran,	Helm,	Moul,	Taylor,
Cohen, M. M.,	Hering,	Muir,	Thompson, F.,
Cohen, R. E.,	Herman,	Munley,	Thompson, R.,
Cook,	Hersch,	Nagel,	Trout,
Cooper,	Hewitt,	Nunemacher,	Turner,
Cordier,	Hirsch,	O'Brien,	VanAllsburg,
Corrigan,	Holland,	O'Connor	Verona,
Croop,	Huntley,	O'Dare,	Vincent,
Cullen,	Imbrie,	O'Mullen,	Vogt,
Dalrymple,	James,	O'Neill,	Voldow,
Dennison,	Jefferson,	Owens,	Voorhees,
DiGenova,	Jones, G. E.,	Petrosky,	Wagner,
Dix,	Jones, P. N.,	Pettit,	Watkins,
Dolon,	Keenan,	Polaski,	Weingartner,
D'Ortona,	Fenehan,	Polen,	Weiss,
Duffy,	Kline,	Powers,	Welsh, E. B.,
Early,	Knoble,	Prosen,	Welsh, M. J.,
Eckels,	Kolankiewicz,	Rank,	Wilkinson,
Elder,	Komorofski,	Rausch,	Williams,
Elliott,	Krise,	Readinger,	Winner,
Ely,	Lee, E. A.,	Reagan,	Wood, L. H.,
Falkenstein,	Lee, T. H.,	Reese, D. P.,	Wood, N.,
Finestone,	Leisey,	Reese, R. E.,	Woodring,
Finnerty,	Leonard,	Regan,	Woodside,
Fisher,	Lesko,	Reynolds,	Wright,
Fiss,	Levy,	Rhea,	Yeakel,
Fleming,	Leydic,	Riley,	Yester,
Fletcher,	Lichtenwalter,	Rooney,	Young,
Flynn,	Longo,	Rose, S.,	Kilroy, Speaker
Foor,	Lovett,	Rose, W. E.,	

NAYS—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return it to the Senate with information that the House has passed it without amendments.

BILL PASSED OVER

There being no objection House Bill No. 1754, Senate Bill No. 509, Printer's No. 335, was passed over at the request of Mr. ACHTERMAN.

BILLS ON THIRD READING

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1894, (Senate Bill No. 935), entitled:

An Act to amend sections six hundred four, six hundred five, and six hundred seven and to further amend section two thousand four hundred seven of the act, approved the ninth day of April, one thousand nine hundred and twenty-nine (P. L. 177), entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments, boards, commissions, and officers thereof, including the board of trustees of State Normal Schools, or Teachers Colleges; abolishing, creating, reorganizing or authorizing

the reorganization of certain administrative departments, boards, and commissions; defining the powers and duties of the Governor and other executive and administrative officers, and of the several administrative departments, boards, commissions, and officers; fixing the salaries of the Governor, Lieutenant Governor, and certain other executive and administrative officers, providing for the appointment of certain administrative officers, and of all deputies and other assistants and employes in certain departments, boards, and commissions; and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments, boards and commissions shall be determined," by further defining the duties of the Department of Internal Affairs.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows, viz:

YEAS—204

Achterman,	French,	Lyons,	Rosenfeld,
Allmond,	Gallagher,	Malloy,	Royer,
Auker,	Gates,	Marks,	Rush,
Baker,	Gerard,	Maxwell,	Sarge,
Balthaser,	Gillan,	McClanaghan,	Sarraf,
Bentley,	Gillette,	McClester,	Scanlon,
Bentzel,	Goodwin,	McDermott,	Schwab,
Boies,	Greenwood,	McDowell,	Serrill,
Boney,	Gross,	McFall,	Shaffer,
Boorse,	Gryskewicz,	McIntosh,	Shaw,
Bower,	Gyger,	McKinney,	Shepard,
Bradley,	Habbyshaw,	McLanahan,	Simons,
Bretherick,	Haberlen,	McLane,	Skale,
Brown,	Haines,	McMillen,	Snyder,
Brunner, C. H.,	Hall,	McSurdy,	Sollenberger,
Brunner, P. A.,	Hamilton,	Melchiorre,	Sorg,
Burns,	Hare,	Mihm,	Stambaugh,
Burris,	Harkins,	Modell,	Stank,
Cadwalader,	Harmuth,	Monks,	Stine,
Chervenak,	Harris,	Mooney,	Stockham,
Chudoff,	Heatherington,	Moran,	Tarr,
Cochran,	Helm,	Moul,	Tate,
Cohen, M. M.,	Hering,	Muir,	Taylor,
Cohen, R. E.,	Herman,	Munley,	Thompson, E. F.,
Cook,	Hersch,	Nagel,	Thompson, R. L.,
Cooper,	Hewitt,	Nunemacher,	Trout,
Cordier,	Hirsch,	O'Brien,	Turner,
Corrigan,	Holland,	O'Connor	VanAllsburg,
Croop,	Huntley,	O'Dare,	Verona,
Cullen,	Imbrie,	O'Mullen,	Vincent,
Dalrymple,	James,	O'Neill,	Vogt,
Dennison,	Jefferson,	Owens,	Voldow,
DiGenova,	Jones, G. E.,	Petrosky,	Voorhees,
Dix,	Jones, P. N.,	Pettit,	Wagner,
Dolon,	Keenan,	Polaski,	Watkins,
D'Ortona,	Kenehan,	Polen,	Weingartner,
Duffy,	Kline,	Powers,	Weiss,
Early,	Knoble,	Prosen,	Welsh, E. B.,
Eckels,	Kolankiewicz,	Rank,	Welsh, M. J.,
Elder,	Komorofski,	Rausch,	Wilkinson,
Elliott,	Krise,	Readinger,	Williams,
Ely,	Lee, E. A.,	Reagan,	Winner,
Falkenstein,	Lee, T. H.,	Reese, D. P.,	Wood, L. H.,
Finestone,	Leisey,	Reese, R. E.,	Wood, N.,
Finnerty,	Leonard,	Regan,	Woodring,
Fisher,	Lesko,	Reynolds,	Woodside,
Fiss,	Levy,	Rhea,	Wright,
Fleming,	Leydic,	Riley,	Yeakel,
Fletcher,	Lichtenwalter,	Rooney,	Yester,
Flynn,	Longo,	Rose, S.,	Young,
Foor,	Lovett,	Rose, W. E.,	Kilroy, Speaker

NAYS—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return it to the Senate with information that the House has passed it without amendments.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1674, (Senate Bill No. 374), entitled:

An Act to provide for the settlement of disputes among states with respect to domiciliary death taxes and imposing certain duties upon the Department of Revenue the Attorney General and executors and administrators

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows, viz:

YEAS—204

Achterman,	French,	Malloy,	Royer,
Allmond,	Gallagher,	Marks,	Rush,
Auker,	Gates,	Maxwell,	Sarge,
Baker,	Gerard,	McClanaghan,	Sarraf,
Balthaser,	Gillan,	McClester,	Scanlon,
Bentley,	Gillette,	McDermott,	Schwab,
Bentzel,	Goodwin,	McDowell,	Serrill,
Boney,	Greenwood,	McFall,	Shaffer,
Boies,	Gross,	McIntosh,	Shaw,
Boorse,	Gryskewicz,	McKinney,	Shepard,
Bower,	Gyger,	McLanahan,	Simons,
Bradley,	Habbyshaw,	McLane,	Skale,
Bretherick,	Haberlen,	McMillen,	Snyder,
Brown,	Haines,	McSurdy,	Sollenberger,
Brunner, C. H.,	Hall,	Melchiorre,	Sorg,
Brunner, P. A.,	Hamilton,	Mihm,	Stambaugh,
Burns,	Hare,	Modell,	Stank,
Burris,	Harkins,	Monks,	Stine,
Cadwalader,	Harmuth,	Mooney,	Stockham,
Chervenak,	Harris,	Moran,	Tarr,
Chudoff,	Heatherington,	Moul,	Tate,
Cohen, M. M.,	Helm,	Muir,	Taylor,
Cohen, R. E.,	Hering,	Munley,	Thompson, E. F.,
Cochran,	Herman,	Nagel,	Thompson, R. L.,
Cook,	Hersch,	Nunemacher,	Trout,
Cooper,	Hewitt,	O'Brien,	Turner,
Cordier,	Hirsch,	O'Connor,	Van Allsburg,
Corrigan,	Holland,	O'Dare,	Verona,
Croop,	Huntley,	O'Mullen,	Vincent,
Cullen,	Imbrie,	O'Neill,	Vogt,
Dalrymple,	James,	Owens,	Voldow,
Dennison,	Jefferson,	Petrosky,	Voorhees,
DiGenova,	Jones, G. E.,	Pettit,	Wagner,
Dix,	Jones, P. N.,	Polaski,	Watkins,
Dolon,	Keenan,	Polen,	Weingartner,
D'Ortona,	Kenehan,	Powers,	Weiss,
Duffy,	Kline,	Prosen,	Welsh, E. B.,
Early,	Knoble,	Rank,	Welsh, M. J.,
Eckels,	Kolankiewicz,	Rausch,	Wilkinson,
Elder,	Komorofski,	Readinger,	Williams,
Elliott,	Krise,	Reagan,	Winner,
Ely,	Lee, E. A.,	Reese, D. P.,	Wood, L. H.,
Falkenstein,	Lee, T. H.,	Reese, R. E.,	Wood, N.,
Finestone,	Leisey,	Regan,	Woodring,
Finnerty,	Leonard,	Reynolds,	Woodside,
Fiss,	Lesko,	Rhea,	Wright,
Fisher,	Levy,	Riley,	Yeakel,
Fleming,	Leydic,	Rooney,	Yester,
Fletcher,	Lichtenwalter,	Rose, S.,	Young,
Flynn,	Longo,	Rose, W. E.,	Kilroy,
Foor,	Lovett,	Rosenfeld,	Speaker.
	Lyons,		

NAYS—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return it to the Senate with information that the House has passed it without amendments.

Agreeably to order,

The House proceeded to the third reading and con-

sideration of House Bill No. 1821, (Senate Bill No. 77), entitled:

An Act to further amend section one of the act approved the seventeenth day of June one thousand nine hundred and thirteen (P. L. 507) entitled "An act to provide revenue for State and county purposes and in cities coextensive with counties for city and county purposes imposing taxes upon certain classes of personal property providing for the assessment and collection of the same providing for the duties and compensation of prothonotaries and recorders in connection therewith and modifying existing legislation which provided for raising revenue for State purposes" by exempting assets held by liquidating trustees.

On the question,

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

Mr. ACHTERMAN. Mr. Speaker, I wish to state briefly in connection with this bill that the Conference Committee on House Bill No. 230, dealing with state taxes has agreed on all bills similar in purport and intent to Senate Bill 77, and we, therefore, have no opposition to the bill.

On the question recurring,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows, viz:

YEAS—204

Achterman,	French,	Malloy,	Royer,
Allmond,	Gallagher,	Marks,	Rush,
Auker,	Gates,	Maxwell,	Sarge,
Baker,	Gerard,	McClanaghan,	Sarraf,
Balthaser,	Gillan,	McClester,	Scanlon,
Bentley,	Gillette,	McDermott,	Schwab,
Bentzel,	Goodwin,	McDowell,	Serrill,
Boles,	Greenwood,	McFall,	Shaffer,
Boney,	Gross,	McIntosh,	Shaw,
Boorse,	Gryskewicz,	McKinney,	Shepard,
Bower,	Gyger,	McLanahan,	Simons,
Bradley,	Habbyshaw,	McLane,	Skale,
Bretherick,	Haberlen,	McMillen,	Snyder,
Brown,	Haines,	McSurdy,	Sollenberger,
Brunner, C. H.,	Hall,	Melchiorre,	Sorg,
Brunner, P. A.,	Hamilton,	Mihm,	Stambaugh,
Burns,	Hare,	Modell,	Stank,
Burris,	Harkins,	Monks,	Stine,
Cadwalader,	Harmuth,	Mooney,	Stockham,
Chervenak,	Harris,	Moran,	Tarr,
Chudoff,	Heatherington,	Moul,	Tate,
Cochran,	Helm,	Muir,	Taylor,
Cohen, M. M.,	Hering,	Munley,	Thompson, E. F.,
Cohen, R. E.,	Herman,	Nagel,	Thompson, R. L.,
Cook,	Hersch,	Nunemacher,	Trout,
Cooper,	Hewitt,	O'Brien,	Turner,
Cordier,	Hirsch,	O'Connor,	Van Allsburg,
Corrigan,	Holland,	O'Dare,	Verona,
Croop,	Huntley,	O'Mullen,	Vincent,
Cullen,	Imbrie,	O'Neill,	Vogt,
Dalrymple,	James,	Owens,	Voldow,
Dennison,	Jefferson,	Petrosky,	Voorhees,
DiGenova,	Jones, G. E.,	Pettit,	Wagner,
Dix,	Jones, P. N.,	Polaski,	Watkins,
Dolon,	Keenan,	Polen,	Weingartner,
D'Ortona,	Kenehan,	Powers,	Weiss,
Duffy,	Kline,	Prosen,	Welsh, E. B.,
Early,	Knoble,	Rank,	Welsh, M. J.,
Eckels,	Kolankiewicz,	Rausch,	Wilkinson,
Elder,	Komorofski,	Readinger,	Williams,
Elliott,	Krise,	Reagan,	Winner,
Ely,	Lee, E. A.,	Reese, D. P.,	Wood, L. H.,
Faikenstein,	Lee, T. H.,	Reese, R. E.,	Wood, N.,
Finestone,	Leisey,	Regan,	Woodring,
Finnerty,	Leonard,	Reynolds,	Woodside,
Fisher,	Lesko,	Rhea,	Wright,
Fiss,	Levy,	Riley,	Yeakel,
	Leydic,	Rooney,	Yester,
Fleming,	Lichtenwalter,	Rose, S.,	Young,
Fletcher,	Longo,	Rose, W. E.,	Kilroy,
Flynn,	Lovett,	Rosenfeld,	Speaker.
Foor,	Lyons,		

NAYS—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return it to the Senate with information that the House has passed it without amendments.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1926, (Senate Bill No. 457),

An Act to amend the act approved the twenty-fourth day of June one thousand nine hundred and thirty-seven (P. L. 2051) entitled "An act relating to public assistance providing for and regulating assistance to certain classes of persons designated and defined as dependent children aged persons blind persons and other persons requiring relief providing for the administration of this act by the Department of Public Assistance and county boards of assistance hereby created for this purpose authorizing the Department of Public Assistance to cooperate with and to accept and disburse moneys received from the United States Government for assistance to such persons providing for the liquidation of the State Emergency Relief Board Boards of Trustees of the Mothers' Assistance Fund and Boards of Trustees of Pension Fund for the Blind and repealing laws relating to mothers' assistance pensions for the blind old age assistance and the State Emergency Relief Board" as amended by enabling the Department of Public Assistance to take measures to rehabilitate persons receiving assistance.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows, viz:

YEAS—204

Achterman,	French,	Malloy,	Royer,
Allmond,	Gallagher,	Marks,	Rush,
Auker,	Gates,	Maxwell,	Sarge,
Baker,	Gerard,	McClanaghan,	Sarraf,
Balthaser,	Gillan,	McClester,	Scanlon,
Bentley,	Gillette,	McDermott,	Schwab,
Bentzel,	Goodwin,	McDowell,	Serrill,
Boles,	Greenwood,	McFall,	Shaffer,
Boney,	Gross,	McIntosh,	Shaw,
Boorse,	Gryskewicz,	McKinney,	Shepard,
Bower,	Gyger,	McLanahan,	Simons,
Bradley,	Habbyshaw,	McLane,	Skale,
Bretherick,	Haberlen,	McMillen,	Snyder,
Brown,	Haines,	McSurdy,	Sollenberger,
Brunner, C. H.,	Hall,	Melchiorre,	Sorg,
Brunner, P. A.,	Hamilton,	Mihm,	Stambaugh,
Burns,	Hare,	Modell,	Stank,
Burris,	Harkins,	Monks,	Stine,
Cadwalader,	Harmuth,	Mooney,	Stockham,
Chervenak,	Harris,	Moran,	Tarr,
Chudoff,	Heatherington,	Moul,	Tate,
Cochran,	Helm,	Muir,	Taylor,
Cohen, M. M.,	Hering,	Munley,	Thompson, E. F.,
Cohen, R. E.,	Herman,	Nagel,	Thompson, R. L.,
Cook,	Hersch,	Nunemacher,	Trout,
Cooper,	Hewitt,	O'Brien,	Turner,
Cordier,	Hirsch,	O'Connor,	Van Allsburg,
Corrigan,	Holland,	O'Dare,	Verona,
Croop,	Huntley,	O'Mullen,	Vincent,
Cullen,	Imbrie,	O'Neill,	Vogt,
Dalrymple,	James,	Owens,	Voldow,
Dennison,	Jefferson,	Petrosky,	Voorhees,
DiGenova,	Jones, G. E.,	Pettit,	Wagner,
	Jones, P. N.,	Polaski,	Watkins,

Dix,	Keenan,	Polen,	Weingartner,
Dolon,	Kenehan,	Powers,	Weiss,
D'Ortona,	Kline,	Prosen,	Welsh, E. B.,
Duffy,	Knoble,	Rank,	Welsh, M. J.,
Early,	Kolankiewicz,	Rausch,	Wilkinson,
Eckels,	Komorofski,	Readinger,	Williams,
Elder,	Krise,	Reagan,	Winner,
Elliott,	Lee, E. A.,	Reese, D. P.,	Wood, L. H.,
Ely,	Lee, T. H.,	Reese, R. E.,	Wood, N.,
Falkenstein,	Leisey,	Regan,	Woodring,
Finestone,	Leonard,	Reynolds,	Woodside,
Finnerty,	Lesko,	Rhea,	Wright,
Fisher,	Levy,	Riley,	Yeakel,
Fiss,	Leydic,	Rooney,	Yester,
Fleming,	Lichtenwalter,	Rose, S.,	Young,
Fletcher,	Longo,	Rose, W. E.,	Kilroy,
Flynn,	Lovett,	Rosenfeld,	Speaker.
Foor,	Lyons,		

NAYS—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return it to the Senate with information that the House has passed it without amendments.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1922, (Senate Bill No. 464), entitled:

An Act to amend the act approved the twenty-fourth day of June one thousand nine hundred and thirty-seven (P. L. 2051) entitled "An act relating to public assistance providing for and regulating assistance to certain classes of persons designated and defined as dependent children aged persons blind persons and other persons requiring relief providing for the administration of this act by the Department of Public Assistance and county boards of assistance hereby created for this purpose authorizing the Department of Public Assistance to cooperate with and to accept and disburse moneys received from the United States Government for assistance to such persons providing for the liquidation of the State Emergency Relief Board Boards of Trustees of the Mothers' Assistance Fund and Boards of Trustees of Pension Fund for the Blind and repealing laws relating to Mothers' assistance pensions for the blind old age assistance and the State Emergency Relief Board" as amended by changing the residence requirement for general assistance.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows, viz:

YEAS—204

Achterman,	French,	Lyons,	Rosenfeld,
Allmond,	Gallagher,	Malloy,	Royer,
Auker,	Gates,	Marks,	Rush,
Baker,	Gerard,	Maxwell,	Sarge,
Balthaser,	Gillan,	McClanaghan,	Sarraf,
Bentley,	Gillette,	McClester,	Scanlon,
Bentzel,	Goodwin,	McDermott,	Schwab,
Boles,	Greenwood,	McDowell,	Serrill,
Boney,	Gross,	McFall,	Shaffer,
Boorse,	Gryskewicz,	McIntosh,	Shaw,
Bower,	Gyger,	McKinney,	Shepard,
Bradley,	Habbyshaw,	McLanahan,	Simons,
Bretherick,	Haberlen,	McLane,	Skale,
Brown,	Haines,	McMillen,	Snyder,
Brunner, C. H.,	Hall,	McSurdy,	Sollenberger,
Brunner, P. A.,	Hamilton,	Melchiorre,	Sorg,
Burns,	Hare,	Mihm,	Stambaugh,
Burris,	Harkins,	Modell,	Stank,
Cadwalader,	Harmuth,	Monks,	Stine,
Chervenak,	Harris,	Mooney,	Stockham,
Chudoff,	Heatherington,	Moran,	Tarr,
Cochran,	Helm,	Moul,	Tate,
Cohen, M. M.,	Hering,	Muir,	Taylor,
Cohen, R. E.,	Herman,	Munley,	Thompson, E. F.,
Cook,	Hersch,	Nagel,	Thompson, R. L.,
Cooper,	Hewitt,	Nunemacher,	Trout,
Cordier,	Hirsch,	O'Brien,	Turner,
Corrigan,	Holland,	O'Connor,	VanAllsburg,
Croop,	Huntley,	O'Dare,	Verona,
Cullen,	Imbrie,	O'Mullen,	Vincent,
Dalrymple,	James,	O'Neill,	Vogt,
Dennison,	Jefferson,	Owens,	Voldow,
DiGenova,	Jones, G. E.,	Petrosky,	Voorhees,
Dix,	Jones, P. N.,	Pettit,	Wagner,
Dolon,	Keenan,	Polaski,	Watkins,
D'Ortona,	Kenehan,	Polen,	Weingartner,
Duffy,	Kline,	Powers,	Weiss,
Early,	Knoble,	Prosen,	Welsh, E. B.,
Eckels,	Kolankiewicz,	Rank,	Welsh, M. J.,
Elder,	Komorofski,	Rausch,	Wilkinson,
Elliott,	Krise,	Readinger,	Williams,
Ely,	Lee, A.,	Reagan,	Winner,
Falkenstein,	Lee, T. H.,	Reese, D. P.,	Wood, L. H.,
Finestone,	Leisey,	Reese, R. E.,	Wood, N.,
Finnerty,	Leonard,	Regan,	Woodring,
Fisher,	Lesko,	Reynolds,	Woodside,
Fiss,	Levy,	Rhea,	Wright,
Fleming,	Leydic,	Riley,	Yeakel,
Fletcher,	Lichtenwalter,	Rooney,	Yester,
Flynn,	Longo,	Rose, S.,	Young,
Foor,	Lovett,	Rose, W. E.,	Kilroy,
			Speaker.

NAYS—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return it to the Senate with information that the House has passed it without amendments.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1822, (Senate Bill No. 158), as follows:

An Act making an appropriation to the Department of Military Affairs for the maintenance and education of children of certain soldiers sailors marines female field clerks yeomen (female) and nurses

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The sum of forty thousand dollars ($40,000) or as much thereof as may be necessary is hereby specifically appropriated to the Department of Military Affairs to be used during the fiscal biennium beginning June first one thousand nine hundred forty-one for paying gratuities for the children between the ages of sixteen and twenty-one years of soldiers sailors marines female field clerks yeomen (female) or members of the enlisted nurse corps of the United States who die or have died of Spanish-American war and or World War service connected disabilities as certified from veteran administration records Such children must have lived in the Commonwealth of Pennsylvania for five years immediately preceding the date upon which the application is filed

Section 2 Gratuities shall be paid out of the appropriation made by this act for the account of such children as shall be certified by the State Veterans' Commission (1) as coming within the class described in section one of this act and (2) as attending any State or State-aided educational or training institution of a secondry or college grade or other institution of higher education business school trade school hospital providing training for nurses school or institution providing courses in beauty culture art radio or undertaking or embalming or such other educational training within this Commonwealth as approved by the State Veterans' Commission and (3) as being unable without such gratuity to pursue his or her education or training Payments not to exceed the sum of

two hundred dollars ($200) per school year per child shall be made to such institutions upon the submission by them of proof that bills have been incurred or contracted for matriculation fees and other necessary fees tuition board room rent books and supplies for such children in a definite amount for the school year Such proof shall be submitted to the State Veterans' Commission which shall attach the same to the requisition prepared for payments out of the appropriations made by this act

Where a child within the class described is completing an educational or training course and arrives at the age of twenty-one years before completing the course the gratuity may be paid until the course is completed Provided however That gratuities may not be paid for any child for a longer period than four scholastic years

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows, viz:

YEAS—204

Achterman,	French,	Lyons,	Rosenfeld,
Allmond,	Gallagher,	Malloy,	Royer,
Auker,	Gates,	Marks,	Rush,
Baker,	Gerard,	Maxwell,	Sarge,
Balthaser,	Gillan,	McClanaghan,	Sarraf,
Bentley,	Gillette,	McClester,	Scanlon,
Bentzel,	Goodwin,	McDermott,	Schwab,
Boles,	Greenwood,	McDowell,	Serrill,
Boney,	Gross,	McFall,	Shaffer,
Boorse,	Gryskewicz,	McIntosh,	Shaw,
Bower,	Gyger,	McKinney,	Shepard,
Bradley,	Habbyshaw,	McLanahan,	Simons,
Bretherick,	Haberlen,	McLane,	Skale,
Brown,	Haines,	McMillen,	Snyder,
Brunner, C. H.,	Hall,	McSurdy,	Sollenberger,
Brunner, P. A.,	Hamilton,	Melchiorre,	Sorg,
Burns,	Hare,	Mihm,	Stambaugh,
Burris,	Harkins,	Modell,	Stank,
Cadwalader	Harmuth,	Monks,	Stine,
Chervenak,	Harris,	Mooney,	Stockham,
Chudoff,	Heatherington,	Moran,	Tarr,
Cochran,	Helm,	Moul,	Tate,
Cohen, M. M.,	Hering,	Muir,	Taylor,
Cohen, R. E.,	Herman,	Munley,	Thompson, E. P.,
Cook,	Hersch,	Nagel,	Thompson, R. L.,
Cooper,	Hewitt,	Nunemacher,	Trout,
Cordier,	Hirsch,	O'Brien,	Turner,
Corrigan,	Holland,	O'Connor,	Van Allsburg,
Croop,	Huntley,	O'Dare,	Verona,
Cullen,	Imbrie,	O'Mullen,	Vincent,
Dalrymple,	James,	O'Neill,	Vogt,
Dennison,	Jefferson,	Owens,	Voldow,
DiGenova,	Jones, G. E.,	Petrosky,	Voorhees,
Dix,	Jones, P. N.,	Pettit,	Wagner,
Dolon,	Keenan,	Polaski,	Watkins,
D'Ortona,	Kenehan,	Polen,	Weingartner,
Duffy,	Kline,	Powers,	Weiss,
Early,	Knoble,	Prosen,	Welsh, E. B.,
Eckels,	Kolankiewicz,	Rank	Welsh, M. J.,
Elder,	Komorofski,	Rausch,	Wilkinson,
Elliott,	Krise,	Readinger,	Williams,
Ely,	Lee, E. A.,	Reagan,	Winner,
Falkenstein,	Lee, T. R.,	Reese, D. P.,	Wood, L. R.,
Finestone,	Leisey,	Reese, R. E.,	Wood, N.,
Finnerty,	Leonard,	Regan,	Woodring,
Fisher,	Lesko,	Reynolds,	Woodside,
Fiss,	Levy,	Rhea,	Wright,
Fleming,	Leydic,	Riley,	Yeakel,
Fletcher,	Lichtenwalter,	Rooney,	Yester,
Flynn,	Longo,	Rose, S.,	Young,
Foor,	Lovett,	Rose, W. E.,	Kilroy, Speaker.

NAYS—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return it to the Senate with information that the House has passed it with amendments in which the concurrence of the Senate is requested.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1899, (Senate Bill No. 1029), as follows:

An Act authorizing the Joint State Government Commission to make a thorough study and investigation of the State Employes' Retirement System providing for the employment of necessary clerks and assistants authorizing the subpoenaing of witnesses and records and making an appropriation

The General Assembly of the Comonwealth of Pennsylvania hereby enacts as follows

Whereas Numerous bills have been introduced making amendments to the Acts of Assembly providing for the administration of the State Employes' Retirement System which provide for the admission to the system of employes heretofore refused admission and

Whereas All of the changes made therein since the inception of the system have added to the financial burden placed upon the fund and

Whereas No more changes should be made until after a careful and comprehensive study of the system its condition and the effect thereon of the admission of other groups of employes

Section 1 The Joint State Government Commission of Representatives is hereby directed and authorized to make a thorough study and investigation of the State Employes' Retirement System including its condition and the effect thereon of the further changes and to make a full report of the result of such investigation to the General Assembly of the Commonwealth at the next regular or special session of the General Assembly

Section 2 The said commission shall have power to issue subponeas under the hand and seal of its chairman requesting and commanding any person or persons to appear before them and to answer such questions touching matters properly being inquired into by the commission and to produce such books papers records and documents as the commission may deem necessary Such subpoenas may be served upon any person and shall have the force and effect of subpoenas issued out of the courts of this Commonwealth Each member of said commission shall have power to administer oaths and affirmations to witnesses appearing before the commission Any person who shall wilfully neglect or refuse to testify before said commission or to produce any books papers records or documents shall be subject to the penalties provided by the laws of the Commonwealth in such cases

Section 3 The commission may employ any additional necessary clerks and stenographers in carrying out the provisions of this act and fix their compensation The members of the commission shall receive no compensation for their services but shall be reimbursed for living and traveling expenses necessarily incurred in the performance of their duties

Section 4 The sum of one thousand dollars ($1,000) is hereby specifically appropriated to the said Joint State Government Commission for the purpose of paying the expenses of the members and the salaries and traveling expenses of employes and any other necessary expenses incident to the work of said commission in carrying out the provisions of this act

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows, viz:

YEAS—204

Achterman,	French,	Lyons,	Royer,
Allmond,	Gallagher,	Malloy,	Rush,
Auker,	Gates,	Marks,	Sarge,
Baker,	Gerard,	Maxwell,	Sarraf,
Balthaser,	Gillan,	McClanaghan,	Scanlon,
Bentley,	Gillette,	McClester,	Schwab,
Bentzel,	Goodwin,	McDermott,	Serrill,
Boies,	Greenwood,	McDowell,	Shaffer,
Boney,	Gross,	McFall,	Shaw,
Boorse,	Gryskewicz,	McIntosh,	Shepard,
Bower,	Gyger,	McKinney,	Simons,
Bradley,	Habbyshaw,	McLanahan,	Skale,
Bretherick,	Haberlen,	McLane,	Snyder,
Brown,	Haines,	McMillen,	Sollenberger,
Brunner, C. H.,	Hall,	McSurdy,	Sorg,
Brunner, P. A.,	Hamilton,	Melchiorre,	Stambaugh,
Burns,	Hare,	Mihm,	Stank,
Burris,	Harkins,	Modell,	Stine,
Cadwalader,	Harmuth,	Monks,	Stockham,
Chervenak,	Harris,	Mooney,	Tarr,
Chudoff,	Heatherington,	Moran,	Tate,
Cochran,	Helm,	Moul,	Taylor,
Cohen, M. M.,	Hering,	Muir,	Thompson, E. F.,
Cohen, R. E.,	Herman,	Munley	Thompson, R. L.,
Cook,	Hersch,	Nagel	Trout,
Cooper,	Hewitt,	Nunemacher	Turner,
Cordier,	Hirsch,	O'Brien,	VanAllsburg,
Corrigan,	Holland,	O'Connor,	Verona,
Croop,	Huntley,	O'Dare,	Vincent,
Cullen,	Imbrie,	O'Mullen,	Vogt,
Dalrymple,	James,	O'Neill,	Voldow,
Dennison,	Jefferson,	Owens,	Voorhees,
DiGenova,	Jones, G. E.,	Petrosky,	Wagner,
Dix,	Jones, P. N.,	Pettit,	Watkins,
Dolon,	Keenan,	Polaski,	Weingartner,
D'Ortona,	Kenehan,	Polen,	Weiss,
Duffy,	Kline,	Powers,	Welsh, E. B.,
Early,	Knoble,	Prosen,	Welsh, M. J.,
Eckels,	Kolankiewicz,	Rank,	Wilkinson,
Elder,	Komorofski,	Rausch,	Williams,
Elliott,	Krise,	Readinger,	Winner,
Ely,	Lee, E. A.,	Reagan,	Wood, L. H.,
Falkenstein,	Lee, T. H.,	Reese, D. P.,	Wood, N.,
Finestone,	Leisey,	Reese, R. E.,	Woodring,
Finnerty,	Leonard,	Regan,	Woodside,
Fisher,	Lesko,	Reynolds,	Wright,
Fiss,	Levy,	Rhea,	Yeakel,
Fleming,	Leydic,	Riley,	Yester,
Fletcher,	Lichtenwalter,	Rooney,	Young,
Flynn,	Longo,	Rose, S.,	Kilroy,
Foor,	Lovett,	Rose, W. E.,	
		Rosenfeld,	Speaker.

NAYS—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return it to the Senate with information that the House has passed it with amendments in which the concurrence of the Senate is requested.

BILLS PASSED OVER

There being no objection House Bill No. 1734, Senate Bill No. 618, Printer's No. 577, was passed over at the request of Mr. ACHTERMAN.

There being no objection House Bill No. 1732, Senate Bill No. 619, Printer's No. 578, was passed over at the request of Mr. ACHTERMAN.

BILLS ON THIRD READING

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1806, (Senate Bill No. 801), entitled:

An Act to validate and confirm certain contracts, heretofore entered into by boards of school directors, where there is no evidence of fraud or conspiracy, and to authorize, ratify, confirm, and validate payments on such contracts by the school district.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows, viz:

YEAS—204

Achterman,	French,	Malloy,	Royer,
Allmond,	Gallagher,	Marks,	Rush,
Auker,	Gates,	Maxwell,	Sarge,
Baker,	Gerard,	McClanaghan,	Sarraf,
Balthaser,	Gillan,	McClester,	Scanlon,
Bentley,	Gillette,	McDermott,	Schwab,
Bentzel,	Goodwin,	McDowell,	Serrill,
Boies,	Greenwood,	McFall,	Shaffer,
Boney,	Gross,	McIntosh,	Shaw,
Boorse,	Gryskewicz,	McKinney,	Shepard,
Bower,	Gyger,	McLanahan,	Simons,
Bradley,	Habbyshaw,	McLane,	Skale,
Bretherick,	Haberlen,	McMillen,	Snyder,
Brown,	Haines,	McSurdy,	Sollenberger,
Brunner, C. H.,	Hall,	Melchiorre,	Sorg,
Brunner, P. A.,	Hamilton,	Mihm,	Stambaugh,
Burns,	Hare,	Modell,	Stank,
Burris,	Harkins,	Monks,	Stine,
Cadwalader,	Harmuth,	Mooney,	Stockham,
Chervenak,	Harris,	Moran,	Tarr,
Chudoff,	Heatherington,	Moul,	Tate,
Cochran	Helm,	Muir,	Taylor,
Cohen, M. M.,	Hering,	Munley,	Thompson, E. F.,
Cohen, R. E.,	Herman,	Nagel,	Thompson, R. L.,
Cook,	Hersch,	Nunemacher,	Trout,
Cooper,	Hewitt,	O'Brien,	Turner,
Cordier,	Hirsch,	O'Connor,	Van Allsburg,
Corrigan,	Holland,	O'Dare,	Verona,
Croop,	Huntley,	O'Mullen,	Vincent,
Cullen,	Imbrie,	O'Neill,	Vogt,
Dalrymple,	James,	Owens,	Voldow,
Dennison,	Jefferson,	Petrosky,	Voorhees,
DiGenova,	Jones, G. E.,	Pettit,	Wagner,
Dix,	Jones, P. N.,	Polaski,	Watkins,
Dolon,	Keenan,	Polen,	Weingartner,
D'Ortona,	Kenehan,	Powers,	Weiss,
Duffy,	Kline,	Prosen,	Welsh, E. B.,
Early,	Knoble,	Rank,	Welsh, M. J.,
Eckels,	Kolankiewicz,	Rausch,	Wilkinson,
Elder,	Komorofski,	Readinger,	Williams,
Elliott,	Krise,	Reagan,	Winner,
Ely,	Lee, E. A.,	Reese, D. P.,	Wood, L. H.,
Falkenstein,	Lee, T. H.,	Reese, R. E.,	Wood, N.,
Finestone,	Leisey,	Regan,	Woodring,
Finnerty,	Leonard,	Reynolds,	Woodside,
Fisher,	Lesko,	Rhea,	Wright,
Fiss,	Levy,	Riley,	Yeakel,
Fleming,	Leydic,	Rooney,	Yester,
Fletcher,	Lichtenwalter,	Rose, S.,	Young,
Flynn,	Longo,	Rose, W. E.,	Kilroy,
Foor,	Lovett,	Rosenfeld,	Speaker.
	Lyons,		

NAYS—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return it to the Senate with information that the House passed it without amendments.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1962, (Senate Bill No. 1297), entitled:

An Act to validate and quiet the title to real estate in this Commonwealth conveyed to any person partnership or corporation authorized to hold such real estate by any alderman justice of the peace or magistrate where such

alderman justice of the peace or magistrate has made acknowledgment of such conveyance before himself and is now deceased.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows, viz:

YEAS—204

Achterman,	Gallagher,	Lyons,	Rosenfeld,
Allmond,	Gates,	Malloy,	Royer,
Auker,	Gerard,	Marks,	Rush,
Baker,	Gillan,	Maxwell,	Sarge,
Balthaser,	Gillette,	McClanaghan	Sarraf,
Bentzel,	Goodwin,	McClester	Scanlon,
Bentley,	Greenwood,	McDermott	Schwab,
Boies,	Gross,	McDowell	Serrill,
Boney,	Gryskewicz,	McFall	Shaffer,
Boorse,	Gyger,	McIntosh	Shaw,
Bower,	Habbyshaw,	McKinney	Shepard,
Bradley,	Haberlen,	McLanahan	Simons,
Bretherick,	Haines,	McLane,	Skale,
Brown,	Hall,	McMillen,	Snyder,
Brunner, C. H.,	Hamilton,	McSurdy,	Sollenberger,
Brunner, P. A.,	Hare,	Melchiorre,	Sorg,
Burns,	Harkins,	Mihm,	Stambaugh,
Burris,	Harmuth,	Modell,	Stank,
Cadwalader,	Harris,	Monks,	Stine,
Chervenak,	Heatherington,	Mooney,	Stockham,
Chudoff,	Helm,	Moran,	Tarr,
Cochran,	Hering,	Moul,	Tate,
Cohen, M. M.,	Herman,	Muir,	Taylor,
Cohen, R. E.,	Hersch,	Munley,	Thompson, E. F.,
Cook,	Hewitt,	Nagel,	Thompson, R. L.,
Cooper,	Hirsch,	Nunemacher,	Trout,
Cordier,	Holland,	O'Brien,	Turner,
Corrigan,	Huntley,	O'Connor,	VanAllsburg,
Croop,	Imbrie,	O'Dare,	Verona,
Cullen,	James,	O'Mullen,	Vincent,
Dalrymple,	Jefferson,	O'Neill,	Vogt,
Dennison,	Jones, G. E.,	Owens,	Voldow,
DiGenova,	Jones, P. N.,	Petrosky,	Voorhees,
Dix,	Keenan,	Pettit,	Wagner,
Dolon,	Kenehan,	Polaski,	Watkins,
D'Ortona,	Kline,	Polen,	Weingartner,
Duffy,	Knoble,	Powers,	Weiss,
Eckels,	Kolankiewicz,	Prosen,	Welsh, E. B.,
Elder,	Komorofski,	Rank,	Welsh, M. J.,
Elliott,	Krise,	Rausch,	Wilkinson,
Ely,	Lee, E. A.,	Readinger,	Williams,
Falkenstein,	Lee, T. H.,	Reagan,	Winner,
Finestone,	Leisey,	Reese, D. P.,	Wood, L. H.,
Finnerty,	Leonard,	Reese, R. E.,	Wood, N.,
Fisher,	Lesko,	Regan,	Woodring,
Fiss,	Levy,	Reynolds,	Woodside,
Fleming,	Leydic,	Rhea,	Wright,
Fletcher,	Lichtenwalter,	Riley,	Yeakel,
Flynn,	Longo,	Rooney,	Yester,
Foor,	Lovett,	Rose, S.,	Young,
French,		Rose, W. E.,	Kilroy, Speaker.

NAYS—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return it to the Senate with information that the House has passed it without amendments.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1958, (Senate Bill No. 178), entitled:

An Act to amend paragraph four of subsection (a) of section forty-one of the act approved the seventh day of June one thousand nine hundred seventeen (P. L. 447) entitled as amended "An act relating to the administration and distribution of the estates of decedents and of minors and of trust estates including the appointment bonds rights powers duties liabilities accounts discharge and removal of executors administrators guardians and trustees herein designated as fiduciaries the administration and distribution of the estates of presumed decedents widow's and children's exemptions debts of decedents rents of real estate as assets for payment thereof the lien thereof sales and mortgages of real estate for the payment thereof judgments and executions therefor and the discharge of real estate from the lien thereof contracts of decedents for the sale or purchase of real estate legacies including legacies charged on land the discharge of residuary estates and of real estate from the lien of legacies and other charges the appraisement of real estate devised at a valuation the ascertainment of the curtilage of dwelling houses or other buildings devised the abatement and survival of actions and the substitution of executors and administrators therein the survival of causes of action and suits thereupon by zation of corporations to carry on the business of decedents or again fiduciaries investments by fiduciaries the organization of corporations to carry on the business of decedents the audit and review of accounts of fiduciaries refunding bonds transcripts to the court of common pleas of balances due by fiduciaries the rights powers and liabilities of nonresident and foreign fiduciaries the appointment bonds rights powers duties and liabilities of trustees durante absentia the recording and registration of decrees reports and other proceedings and the fees therefor appeals in certain cases and also generally dealing with the jurisdiction powers and procedure of the orphans' court in all matters relating to fiduciaries concerned with the estates of decedents" by validating deeds heretofore accepted by fiduciaries holding mortgages in certain cases

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows, viz:

YEAS—204

Achterman,	French,	Lyons,	Rosenfeld,
Allmond,	Gallagher,	Malloy,	Royer,
Auker,	Gates,	Marks,	Rush,
Baker,	Gerard,	Maxwell,	Sarge,
Balthaser,	Gillan,	McClanaghan	Sarraf,
Bentley,	Gillette,	McClester,	Scanlon,
Bentzel,	Goodwin,	McDermott,	Schwab,
Boies,	Greenwood,	McDowell	Serrill,
Boney,	Gross,	McFall,	Shaffer,
Boorse,	Gryskewicz,	McIntosh	Shaw,
Bower,	Gyger,	McKinney,	Shepard,
Bradley,	Habbyshaw,	McLanahan,	Simons,
Bretherick,	Haberlen,	McLane,	Skale,
Brown,	Haines,	McMillen,	Snyder,
Brunner, C. H.,	Hall,	McSurdy,	Sollenberger,
Brunner, P. A.,	Hamilton,	Melchiorre,	Sorg,
Burns,	Hare,	Mihm,	Stambaugh,
Burris,	Harkins,	Modell,	Stank,
Cadwalader,	Harmuth,	Monks,	Stine,
Chervenak,	Harris,	Mooney,	Stockham,
Chudoff,	Heatherington,	Moran,	Tarr,
Cochran,	Helm,	Moul,	Tate,
Cohen, M. M.,	Hering,	Muir,	Taylor,
Cohen, R. E.,	Herman,	Munley,	Thompson, E. F.,
Cook,	Hersch,	Nagel,	Thompson, R. L.,
Cooper,	Hewitt,	Nunemacher,	Trout,
Cordier,	Hirsch,	O'Brien,	Turner,
Corrigan,	Holland,	O'Connor,	VanAllsburg,
Croop,	Huntley,	O'Dare,	Verona,
Cullen,	Imbrie,	O'Mullen,	Vincent,
Dalrymple,	James,	O'Neill,	Vogt,
Dennison,	Jefferson,	Owens,	Voldow,
DiGenova,	Jones, G. E.,	Petrosky,	Voorhees,
Dix,	Jones, P. N.,	Pettit,	Wagner,
Dolon,	Keenan,	Polaski,	Watkins,
D'Ortona,	Kenehan,	Polen,	Weingartner,
Duffy,	Kline,	Powers,	Weiss,
Early,	Knoble,	Prosen,	Welsh, E. B.,
Eckels,	Kolankiewicz,	Rank,	Welsh, M. J.,
Elder,	Komorofski,	Rausch,	Wilkinson,
Elliott,	Krise,	Readinger,	Williams,

Ely,	Lee, E. A.,	Reagan,	Winner,
Falkenstein,	Lee, T. H.,	Reese, D. P.,	Wood, L. H.,
Finestone,	Leisey,	Reese, R. E.,	Wood, N.,
Finnerty,	Leonard,	Regan,	Woodring,
Fisher,	Lesko,	Reynolds,	Woodside,
Fiss,	Levy,	Rhea,	Wright,
Fleming,	Leydic,	Riley,	Yeakel,
Fletcher,	Lichtenwalter,	Rooney,	Yester,
Flynn,	Longo,	Rose, S.,	Young,
Foor,	Lovett,	Rose, W. E.,	Kilroy, Speaker

NAYS—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return it to the Senate with information that the House has passed it without amendments.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1933, (Senate Bill No. 726), entitled:

An Act to provide for two additional law judges of the Court of Common Pleas of the Fifth Judicial District

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows, viz:

YEAS—203

Achterman,	French,	Lyons,	Royer,
Allmond,	Gallagher,	Malloy,	Rush,
Auker,	Gates,	Marks,	Sarge,
Baker,	Gerard,	Maxwell,	Sarraf,
Balthaser,	Gillan,	McClanaghan	Scanlon,
Bentley,	Gillette,	McClester,	Schwab,
Bentzel,	Goodwin,	McDermott	Serrill,
Boles,	Greenwood,	McDowell	Shaffer,
Boney,	Gross,	McFall,	Shaw,
Boorse,	Gryskewicz,	McIntosh	Shepard,
Bower,	Gyger,	McKinney,	Simons,
Bradley,	Habbyshaw,	McLanahan,	Skale,
Bretherick,	Haberlen,	McLane,	Snyder,
Brown,	Haines,	McMillen,	Sollenberger,
Brunner, C. H.,	Hall,	McSurdy,	Sorg,
Brunner, P. A.,	Hamilton,	Melchiorre,	Stambaugh,
Burns,	Hare,	Mihm,	Stank,
Burris,	Harkins,	Modell,	Stine,
Cadwalader,	Harmuth,	Monks,	Stockham,
Chervenak,	Harris,	Mooney,	Tarr,
Chudoff,	Heatherington,	Moran,	Tate,
Cochran,	Helm,	Moul,	Taylor,
Cohen, M. M.,	Hering,	Muir,	Thompson, E. F.,
Cohen, R. E.,	Herman,	Munley,	Thompson, R. L.,
Cook,	Hersch,	Nagel,	Trout,
Cooper,	Hewitt,	Nunemacher	Turner,
Cordier,	Hirsch,	O'Brien,	Van Allsburg,
Corrigan,	Holland,	O'Dare,	Verona,
Croop,	Huntley,	O'Mullen,	Vincent,
Cullen,	Imbrie,	O'Neill,	Vogt,
Dalrymple,	James,	Owens,	Voldow,
Dennison,	Jefferson,	Petrosky,	Voorhees,
DiGenova,	Jones, G. E.,	Pettit,	Wagner,
Dix,	Jones, P. N.,	Polaski,	Watkins,
Dolon,	Keenan,	Polen,	Weingartner,
D'Ortona,	Kenehan,	Powers,	Weiss,
Duffy,	Kline,	Prosen,	Welsh, E. E.,
Early,	Knoble,	Rank,	Welsh, M. J.,
Eckels,	Kolankiewicz,	Rausch,	Wilkinson,
Elder,	Komorofski,	Readinger,	Williams,
Elliott,	Krise,	Reagan,	Winner,
Ely,	Lee, E. A.,	Reese, D. P.,	Wood, L. H.,
Falkenstein,	Lee, T. H.,	Reese, R. E.,	Wood, N.,
Finestone,	Leisey,	Regan,	Woodring,
Finnerty,	Leonard,	Reynolds,	Woodside,
Fisher,	Lesko,	Rhea,	Wright,
Fiss,	Levy,	Riley,	Yeakel,
Fleming,	Leydic,	Rooney,	Yester,
Fletcher,	Lichtenwalter,	Rose, S.,	Young,
Flynn,	Longo,	Rose, W. E.,	Kilroy,
Foor,	Lovett	Rosenfeld,	Speaker.

NAYS—1

O'Connor,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return it to the Senate with information that the House has passed it without amendments.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1775, (Senate Bill No. 46), as follows:

An Act to amend the title of and to add section one hundred fifty and one-tenth to the act approved the second day of May one thousand nine hundred and twenty-nine (P. L. 1278) entitled "An act relating to counties of the second third fourth fifth sixth seventh and eighth classes and revising amending and consolidating the laws relating thereto" authorizing the county treasurer in counties of the first second third fourth fifth sixth seventh and eighth classes to appoint a solicitor and providing for his salary payable out of the treasury from which the county treasurer is paid

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The title of the act approved the second day of May one thousand nine hundred and twenty-nine (P. L. 1278) entitled "An act relating to counties of the second third fourth fifth sixth seventh and eighth classes and revising amending and consolidating the laws relating thereto" is hereby amended to read as follows

An Act relating to counties of the first second third fourth fifth sixth seventh and eighth classes and revising amending and consolidating the laws relating thereto

Section 2 Said act is hereby amended by adding thereto after section one hundred and fifty a new section to read as follows

Section 150.1 Solicitor to the Treasurer The treasurer of any county of the first second third fourth fifth sixth seventh and eighth classes may designate and appoint one person learned in the law to act as his solicitor at an annual salary payable out of the treasury from which the county treasurer is paid such salary to be fixed by the salary board and in those counties where there is no salary board by the county commissioners except that in counties of the first class such salary shall be fixed by the county treasurer Provided however That such salary shall not exceed the following amounts In counties of the first class four thousand two hundred dollars ($4,200) in counties of the second class four thousand two hundred dollars ($4,200) in counties of the third class three thousand dollars ($3,000) in counties of the fourth class one thousand dollars ($1,000) in counties of the fifth class eight hundred dollars ($800) in counties of the sixth class six hundred dollars ($600) in counties of the seventh class four hundred dollars ($400) and in counties of the eighth class three hundred dollars ($300) Such solicitor shall advise the treasurer upon all such legal matters as may be submitted to him and shall conduct any litigation desired by the county treasurer He shall hold office at the pleasure of the treasurer

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows, viz:

YEAS—179

Achterman,	Gates,	Lyons,	Rose, S.,
Allmond,	Gerard,	Malloy,	Rose, W. E.,
Baker,	Gillan,	Marks,	Rosenfeld,
Balthaser,	Gillette,	Maxwell,	Royer,
Bentley,	Goodwin,	McClanaghan	Rush,
Bentzel,	Greenwood,	McDermott	Sarraf,
Boles,	Gross,	McDowell,	Scanlon,
Boney,	Gryskewicz,	McFall,	Schwab,
Boorse,	Gyger,	McIntosh	Serrill,
Bower,	Habbyshaw,	McKinney,	Shaffer,
Bradley,	Haberlen,	McLanahan,	Shaw,
Bretherick,	Haines,	McLane,	Shepard,
Brown,	Hall,	McSurdy,	Simons,
Brunner, C. H.,	Hamilton,	Melchiorre,	Skale,
Brunner, P. A.,	Harkins,	Mihm,	Snyder,
Burns,	Harmuth,	Modell,	Sorg,
Burris,	Harris,	Monks,	Stambaugh,
Cadwalader,	Heatherington,	Mooney,	Stank,
Chudoff,	Helm,	Moran,	Tarr,
Cochran,	Hering,	Moul,	Tate,
Cohen, R. E.,	Herman,	Muir,	Taylor,
Cook,	Hersch,	Munley,	Thompson, E. F.,
Cooper,	Hewitt,	Nagel,	Thompson, R. L.,
Corrigan,	Hirsch,	Nunemacher	Trout,
Croop,	Holland,	O'Brien,	Turner,
Cullen,	Huntley,	O'Connor,	Verona,
Dalrymple,	Imbrie,	O'Dare,	Vincent,
DiGenova,	Jefferson,	O'Mullen,	Voldow,
Dolon,	Jones, G. E.,	O'Neill,	Voorhees,
D'Ortona,	Keenan,	Petrosky,	Watkins,
Duffy,	Kenehan,	Pettit,	Welsh, E. B.,
Early,	Kline,	Polaski,	Welsh, M. J.,
Eckels,	Knoble,	Polen,	Wilkinson,
Elder,	Kolankiewicz,	Powers,	Williams,
Elliott,	Komorofski,	Prosen,	Winner,
Falkenstein,	Krise,	Rank,	Wood, L. H.,
Finestone,	Lee, E. A.,	Readinger,	Wood, N.,
Finnerty,	Lee, T. H.,	Reagan,	Woodring,
Fisher,	Leisey,	Reese, D. P.,	Woodside,
Fiss,	Leonard,	Reese, R. E.,	Wright,
Fleming,	Lesko,	Regan,	Yeakel,
Fletcher,	Levy,	Reynolds,	Yester,
Flynn,	Leydic,	Rhea,	Young,
Foor,	Lichtenwalter,	Riley,	Kilroy,
Gallagher,	Longo,	Rooney,	Speaker.

NAYS—25

Auker,	French,	McMillen,	Stockham,
Chervenak,	Hare,	Owens,	VanAllsburg,
Cohen, M. M.,	James,	Rausch,	Vogt,
Cordier,	Jones, P. N.,	Sarge,	Wagner,
Dennison,	Lovett,	Sollenberger,	Weingartner,
Dix,	McClester,	Stine,	Weiss,
Ely,			

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return it to the Senate with information that the House has passed it with amendments in which the concurrence of the Senate is requested.

BILLS PASSED OVER

There being no objection House Bill No. 1949, Senate Bill No. 1283, Printer's No. 519, and House Bill No. 1830, Senate Bill No. 1041, Printer's No. 400, were passed over at the request of Mr. ACHTERMAN.

BILLS ON THIRD READING

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1947, (Senate Bill No. 526), entitled:

A Supplement to the act approved the first day of June one thousand nine hundred and thirty-three (P. L. 1172) entitled "An act establishing certain streets in boroughs and incorporated towns as State highways and providing for their construction and maintenance at the expense of the Commonwealth" establishing an additional route in the boroughs of South Langhorne Langhorne Manor and Langhorne Bucks County.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows, viz:

YEAS—204

Achterman,	French,	Lyons,	Rosenfeld,
Allmond,	Gallagher,	Malloy,	Royer,
Auker,	Gates,	Marks,	Rush,
Baker,	Gerard,	Maxwell,	Sarge,
Balthaser,	Gillan,	McClanaghan	Sarraf,
Bentley,	Gillette,	McClester,	Scanlon,
Bentzel,	Goodwin,	McDermott,	Schwab,
Boles,	Greenwood,	McDowell,	Serrill,
Boney,	Gross,	McFall,	Shaffer,
Boorse,	Gryskewicz,	McIntosh	Shaw,
Bower,	Gyger,	McKinney,	Shepard,
Bradley,	Habbyshaw,	McLanahan,	Simons,
Bretherick,	Haberlen,	McLane,	Skale,
Brown,	Haines,	McMillen,	Snyder,
Brunner, C. H.,	Hall,	McSurdy,	Sollenberger,
Brunner, P. A.,	Hamilton,	Melchiorre,	Sorg,
Burns,	Hare,	Mihm,	Stambaugh,
Burris,	Harkins,	Modell,	Stank,
Cadwalader,	Harmuth,	Monks,	Stine,
Chervenak,	Harris,	Mooney,	Stockham,
Chudoff,	Heatherington,	Moran,	Tarr,
Cochran,	Helm,	Moul,	Tate,
Cohen, M. M.,	Hering,	Muir,	Taylor,
Cohen, R. E.,	Herman,	Munley,	Thompson, E. F.,
Cook,	Hersch,	Nagel,	Thompson, R. L.,
Cooper,	Hewitt,	Nunemacher,	Trout,
Cordier,	Hirsch,	O'Brien,	Turner,
Corrigan,	Holland,	O'Connor,	VanAllsburg,
Croop,	Huntley,	O'Dare,	Verona,
Cullen,	Imbrie,	O'Mullen,	Vincent,
Dalrymple,	James,	O'Neill,	Vogt,
Dennison,	Jefferson,	Owens,	Voldow,
DiGenova,	Jones, G. E.,	Petrosky,	Voorhees,
Dix,	Jones, P. N.,	Pettit,	Wagner,
Dolon,	Keenan,	Polaski,	Watkins,
D'Ortona,	Kenehan,	Polen,	Weingartner,
Duffy,	Kline,	Powers,	Weiss,
Early,	Knoble,	Prosen,	Welsh, E. B.,
Eckels,	Kolankiewicz,	Rank,	Welsh, M. J.,
Elder,	Komorofski,	Rausch,	Wilkinson,
Elliott,	Krise,	Readinger,	Williams,
Ely,	Lee, E. A.,	Reagan,	Winner,
Falkenstein,	Lee, T. H.,	Reese, D. P.,	Wood, L. H.,
Finestone,	Leisey,	Reese, R. E.,	Wood, N.,
Finnerty,	Leonard,	Regan,	Woodring,
Fisher,	Lesko,	Reynolds,	Woodside,
Fiss,	Levy,	Rhea,	Wright,
Fleming,	Leydic,	Riley,	Yeakel,
Fletcher,	Lichtenwalter,	Rooney,	Yester,
Flynn,	Longo,	Rose, S.,	Young,
Foor,	Lovett,	Rose, W. E.,	Kilroy,
			Speaker.

NAYS—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return it to the Senate with information that the House has passed it without amendment.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1948, (Senate Bill No. 656), entitled:

A Supplement to the act approved the first day of June one thousand nine hundred and thirty-three (P. L. 1172) entitled "An act establishing certain streets in boroughs

and incorporated towns as State highways and providing for their construction and maintenance at the expense of the Commonwealth" establishing an additional route in the borough of Sellersville Bucks County.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows, viz:

YEAS—204

Achterman,	French,	Lyons,	Rosenfeld,
Allmond,	Gallagher,	Malloy,	Royer,
Auker,	Gates,	Marks,	Rush,
Baker,	Gerard,	Maxwell,	Sarge,
Balthaser,	Gillan,	McClanaghan	Sarraf,
Bentley,	Gillette,	McClester	Scanlon,
Bentzel,	Goodwin,	McDermott	Serrill,
Boles,	Greenwood,	McDowell	Shaffer,
Boney,	Gross,	McFall	Shaw,
Boorse,	Gryskewicz,	McIntosh	Shepard,
Bower,	Gyger,	McKinney	Simons,
Bradley,	Habbyshaw,	McLanahan	Skale,
Bretherick,	Haberlen,	McLane,	Snyder,
Brown,	Haines,	McMillen,	Sollenberger,
Brunner, C. H.,	Hall,	McSurdy,	Sorg,
Brunner, P. A.,	Hamilton,	Melchiorre,	Stambaugh,
Burns,	Hare,	Mihm,	Stank,
Burris,	Harkins,	Modell,	Stine,
Cadwalader,	Harmuth,	Monks,	Stockham,
Chervenak,	Harris,	Mooney,	Tarr,
Chudoff,	Heatherington,	Moran,	Tate,
Cochran,	Helm,	Moul,	Taylor,
Cohen, M. M.,	Hering,	Muir,	Thompson, E. F.,
Cohen, R. E.,	Herman,	Munley	Thompson, R. L.,
Cook,	Hersch,	Nagel	Trout,
Cooper,	Hewitt,	Nunemacher	Turner,
Cordier,	Hirsch,	O'Brien,	VanAllsburg,
Corrigan,	Holland,	O'Connor,	Verona,
Croop,	Huntley,	O'Dare,	Vincent,
Cullen,	Imbrie,	O'Mullen,	Vogt,
Dalrymple,	James,	O'Neill,	Voldow,
Dennison,	Jefferson,	Owens,	Voorhees,
DiGenova,	Jones, G. E.,	Petrosky,	Wagner,
Dix,	Jones, P. N.,	Pettit,	Watkins,
Dolon,	Keenan,	Polaski,	Weingartner,
D'Ortona,	Kenehan,	Polen,	Weiss,
Duffy,	Kline,	Powers,	Welsh, E. B.,
Early,	Knoble,	Prosen,	Welsh, M. J.,
Eckels,	Kolankiewicz,	Rank,	Wilkinson,
Elder,	Komorofski,	Rausch,	Williams,
Elliott,	Krise,	Readinger,	Winner,
Ely,	Lee, E. A.,	Reagan,	Wood, L. H.,
Falkenstein,	Lee, T. H.,	Reese, D. P.,	Wood, N.,
Finestone,	Leisey,	Reese, R. E.,	Woodring,
Finnerty,	Leonard,	Regan,	Woodside,
Fisher,	Lesko,	Reynolds,	Wright,
Fiss,	Levy,	Rhea,	Yeakel,
Fleming,	Leydic,	Riley,	Yester,
Fletcher,	Lichtenwalter,	Rooney,	Young,
Flynn,	Longo,	Rose, S.,	Kilroy,
Foor,	Lovett,	Rose, W. E.,	Speaker.

NAYS—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return it to the Senate with information that the House has passed it without amendment.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1929, (Senate Bill No. 1098), as follows:

An Act relating to the sale transfer assignment and pledge accounts receivable and requiring the assignor of accounts receivable

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1. Whenever any person who sells assigns transfers or pledges accounts receivable makes or causes to be made concurrently with such sales assignments transfers or pledges a record thereof upon the books of account or other records maintained by him evidencing or showing such indebtedness the name of the person to whom such accounts receivable have been sold assigned transferred or pledged in such manner as will disclose upon an inspection of such books of account or other records the fact and the date of such sales assignments transfers or pledges then such sales assignments transfers or pledges shall be valid in law as and enforceable against all subsequent purchasers assignees transferees pledgees execution attaching or other creditors notwithstanding the fact that notice of such sales assignments transfers or pledges has not been given to the person or persons indebted or obligated to pay the said accounts receivable Provided that where a principal debtor without notice or knowledge of any other outstanding sale assignment transfer or pledge constituting a prior legal claim upon him makes full or partial payment of his debt in good faith to either his creditor or any vendee assignee transferee or pledgee of his creditor then his debt and his obligation shall be extinguished or reduced as the case may be.

Section 2. Notification to the principal debtor of the fact that on account owing by such principal debtor has been sold assigned transferred or pledged shall be sufficient to make such sale assignment transfer or pledge valid in law as and enforceable against all subbsequent purchasers assignees transferees pledgees execution attaching or other creditors notwithstanding the fact that a record of such sale assignment transfer or pledge is not made upon the books of account or other records of the seller assignor transferor or pledgor.

Section 3. The term "accounts receivable" as used in this act shall include any indebtedness due or to become due and not evidenced by a judgment or a written instrument.

Section 4. The provisions of this act shall become effective immediately upon final enactment.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows, viz:

YEAS—204

Achterman,	French,	Lyons,	Royer,
Allmond,	Gallagher,	Malloy,	Rush,
Auker,	Gates,	Marks,	Sarge,
Baker,	Gerard,	Maxwell,	Sarraf,
Balthaser,	Gillan,	McClanaghan	Scanlon,
Bentley,	Gillette,	McClester	Schwab,
Bentzel,	Goodwin,	McDermott	Serrill,
Boles,	Greenwood,	McDowell	Shaffer,
Boney,	Gross,	McFall	Shaw,
Boorse,	Gryskewicz,	McIntosh	Shepard,
Bower,	Gyger,	McKinney	Simons,
Bradley,	Habbyshaw,	McLanahan	Skale,
Bretherick,	Haberlen,	McLane,	Snyder,
Brown,	Haines,	McMillen,	Sollenberger,
Brunner, C. H.,	Hall,	McSurdy,	Sorg,
Brunner, P. A.,	Hamilton,	Melchiorre,	Stambaugh,
Burns,	Hare,	Mihm,	Stank,
Burris,	Harkins,	Modell,	Stine,
Cadwalader,	Harmuth,	Monks,	Stockham,
Chervenak,	Harris,	Mooney,	Tarr,
Chudoff,	Heatherington,	Moran,	Tate,
Cochran,	Helm,	Moul,	Taylor,
Cohen, M. M.,	Hering,	Muir,	Thompson, E. F.,
Cohen, R. E.,	Herman,	Munley,	Thompson, R. L.,
Cook,	Hersch,	Nagel,	Trout,
Cooper,	Hewitt,	Nunemacher,	Turner,
Cordier,	Hirsch,	O'Brien,	VanAllsburg,
Corrigan,	Holland,	O'Connor,	Verona,

Croop,	Huntley,	O'Dare,	Vincent,
Cullen,	Imbrie,	O'Mullen,	Vogt,
Dalrymple,	James,	O'Neill,	Voldow,
Dennison,	Jefferson,	Owens,	Voorhees,
DiGenova,	Jones, G. E.,	Petrosky,	Wagner,
Dix,	Jones, P. N.,	Pettit,	Watkins,
Dolon,	Keenan,	Polaski,	Weingartner,
D'Ortona,	Kenehan,	Polen,	Weiss,
Duffy,	Kline,	Powers,	Welsh, E. B.,
Early,	Knoble,	Prosen,	Welsh, M. J.,
Eckels,	Kolankiewicz,	Rank,	Wilkinson,
Elder,	Komorofski,	Rausch,	Williams,
Elliott,	Krise,	Readinger,	Winner,
Ely,	Lee, E. A.,	Reagan,	Wood, L. H.,
Falkenstein,	Lee, T. H.,	Reese, D. P.,	Wood, N.,
Finestone,	Leisey,	Reese, R. E.,	Woodring,
Finnerty,	Leonard,	Regan,	Woodside,
Fisher,	Lesko,	Reynolds,	Wright,
Fiss,	Levy,	Rhea,	Yeakel,
Fleming,	Leydic,	Riley,	Yester,
Fletcher,	Lichtenwalter,	Rooney,	Young,
Flynn,	Longo,	Rose, S.,	Kilroy,
Foor,	Lovett,	Rosenfeld,	Speaker.

NAYS—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return it to the Senate with information that the House has passed it with amendments in which the concurrence of the Senate is requested.

BILL ON FINAL PASSAGE

Agreeably to order,

The House proceeded to the consideration on final passage of House Bill No. 1008, (Senate Bill No. 377), as follows:

An Act validating certain proceedings and elections of counties cities boroughs school districts or other municipalities or incorporated districts had and held pursuant to the provisions of an act approved the twentieth day of April one thousand eight hundred seventy-four (P. L. 65) entitled "An act to regulate the manner of increasing the indebtedness of municipalities to provide for the redemption of the same and to impose penalties for the illegal increase thereof" and the amendments and supplements thereto and validating bonds issued or authorized to be issued in pursuance of such proceedings and elections

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 All proceedings and elections heretofore had and held by any county city borough township school district or other municipality or incorporated district within this Commonwealth to increase its indebtedness under the method of procedure specified by the provisions of the act approved the twentieth day of April one thousand eight hundred seventy-four (P. L. 65) entitled "An act to regulate the manner of increasing the indebtedness of municipalities to provide for the redemption of the same and to impose penalties for the illegal increase thereof" and the acts amendatory thereof and supplementary thereto where the majority of votes cast at such election was in favor of the increase of indebtedness and where the purpose of the proposed increase of indebtedness is to provide for the construction of sanitary and surface sewers and the improvement of the public streets and alleys by the aid and assistance of labor and material furnished in whole or in part by the State or Federal governments and for the presecution carrying on and financing any projects receiving State or Federal approval by whatever name the local agency may be styled or denominated be and the same are hereby ratified confirmed and made valid notwithstanding the authorities of such county city borough township school district or other municipality or incorporated district either did not or by separate and independent action did not prior to the ordinance or vote in pursuance of which notice of election was given to the electors signify their desire for such increase of indebtedness or did not in the words of the act and amendments and supplements aforesaid authorizing such increase signify their desire for such increase of indebtedness and notwithstanding the authorities of such county city borough township school district or other municipality or incorporated district signified their desire for such increase of indebtedness by a resolution instead of by an ordinance as required by the act its amendments and supplements and notwithstanding such resolution or ordinance was not advertised as is required by law for the advertisement of ordinances and notwithstanding that the notice of such election stated the amount of the last assessed valuation of the taxable property in such county city borough township school district or other municipality or incorporated district to have been the assessed valuation of another county city borough township school district or other municipality or incorporated district which is coextensive therewith the assessed valuation in both such districts having been based upon the same or substantially the same taxable property and being the same or substantially the same in amount in both of such coextensive districts and notwithstanding failure to post such election notice as required by law and notwithstanding that a primary election had intervened between the date of the adoption by the proper authorities of the ordinance or resolution expressing the desire to increase the indebtedness and the date of the special election at which such increase of indebtedness was approved by the electors and notwithstanding the ordinance expressing such desire of the proper authorities of said county city borough township school district or other municipality or incorporated district for the increase of indebtedness may have been advertised concurrently with the said notice of election though more than thirty days intervened between the date of the first advertisement and publication of said notice of election and the date of said election and notwithstanding the ballots used at said election were not certified by the county commissioners or did not bear their facsimile signature or did not contain a brief statement of the purpose of the proposed increase of indebtedness or were not printed on the official ballot after the list of candidates but were printed on separate ballots at a general election or were printed on a party ballot at a primary election and notwithstanding that the electors at any such election attached stickers to the ballots cast at said election on which stickers were written or printed preferences for sites of buildings or other matters and notwithstanding full complete and proper return of the votes was not made to the proper court or counted by the court and notwithstanding that a record showing the results was not made and certified by the clerk of said court to the proper authorities of such district or municipality and notwithstanding any defect informality or vagueness of expression in the language of the ordinance or resolution fixing the time for holding such election and notwithstanding any defect or informality in the manner of holding mode of conducting or giving notice of such election or in form of the ballot and notwithstanding any mistake in stating the amount or percentage of existing debt or the percentage of the proposed increase or the amount of the last preceding assessed valuation and notwithstanding any patent error of orthography or of numerical statement on any or all of the ballots and notwithstanding any discrepancy between the amount of the proposed increase of indebtedness as contained in the published and posted advertisements and in the printed ballots

All of the bonds securities and obligations issued or to be issued in pursuance of every such election are hereby made valid and binding obligations of every such county city borough township school district or other municipality of incorporated district Provided That all the other requirements of law concerning such procedure election and issue bonds have been complied with And provided further That the provisions of this act shall not apply in any instance where the validity of such election or any issue of bonds or other security based thereon has been made the subject of litigation in any court of

the Commonwealth prior to the approval of this act nor to any litigation in any court of this Commonwealth instituted prior to the passage of this act and still pending and undetermined

Section 2 This act shall become effective immediately upon final enactment

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows, viz:

YEAS—204

Achterman,	French,	Lyons,	Rosenfeld,
Allmond,	Gallagher,	Malloy,	Royer,
Auker,	Gates,	Marks,	Rush,
Baker,	Gerard,	Maxwell,	Sarge,
Balthaser,	Gillan,	McClanaghan	Sarraf,
Bentley,	Gillette,	McClester	Scanlon,
Bentzel,	Goodwin,	McDermott	Schwab,
Boies,	Greenwood,	McDowell	Serrill,
Boney,	Gross,	McFall	Shaffer,
Boorse,	Gryskewicz,	McIntosh	Shaw,
Bower,	Gyger,	McKinney	Shepard,
Bradley,	Habbyshaw,	McLanahan	Simons,
Bretherick,	Haberlen,	McLane,	Skale,
Brown,	Haines,	McMillen,	Snyder,
Brunner, C. H.,	Hall,	McSurdy,	Sollenberger,
Brunner, P. A.,	Hamilton,	Melchiorre,	Sorg,
Burns,	Hare,	Mihm,	Stambaugh,
Burris,	Harkins,	Modell,	Stank,
Cadwalader,	Harmuth,	Monks,	Stine,
Chervenak,	Harris,	Mooney,	Stockham,
Chudoff,	Heatherington,	Moran,	Tarr,
Cochran,	Helm,	Moul,	Tate,
Cohen, M. M.,	Hering,	Muir,	Taylor,
Cohen, R. E.,	Herman,	Munley,	Thompson, E. F.,
Cook,	Hersch,	Nagel,	Thompson, R. L.,
Cooper,	Hewitt,	Nunemacher,	Trout,
Cordier,	Hirsch,	O'Brien,	Turner,
Corrigan,	Holland,	O'Connor,	VanAllsburg,
Croop,	Huntley,	O'Dare,	Verona,
Cullen,	Imbrie,	O'Mullen,	Vincent,
Dalrymple,	James,	O'Neill,	Vogt,
Dennison,	Jefferson,	Owens,	Voldow,
DiGenova,	Jones, G. E.,	Petrosky,	Voorhees,
Dix,	Jones, P. N.,	Pettit,	Wagner,
Dolon,	Keenan,	Polaski,	Watkins,
D'Ortona,	Kenehan,	Polen,	Weingartner,
Duffy,	Kline,	Powers,	Weiss,
Early,	Knoble,	Prosen,	Welsh, E. B.,
Eckels,	Kolankiewicz,	Rank,	Welsh, M. J.,
Elder,	Komorofski,	Rausch,	Wilkinson,
Elliott,	Krise,	Readinger,	Williams,
Ely,	Lee, E. A.,	Reagan,	Winner,
Falkenstein,	Lee, T. H.,	Reese, D. P.,	Wood, L. H.,
Finestone,	Leisey,	Reese, R. E.,	Wood, N.,
Finnerty,	Leonard,	Regan,	Woodring,
Fisher,	Lesko,	Reynolds,	Woodside,
Fiss,	Levy,	Rhea,	Wright,
Fleming,	Leydic,	Riley,	Yeakel,
Fletcher,	Lichtenwalter,	Rooney,	Yester,
Flynn,	Longo,	Rose, S.,	Young,
Foor,	Lovett,	Rose, W. E.,	Kilroy, Speaker.

NAYS—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return it to the Senate with information that the House has passed it with amendments in which the concurrence of the Senate is requested.

PERMISSION GRANTED COMMITTEE TO MEET DURING SESSION

Mr. READINGER asked and obtained permission for the Committee on State Government to meet during the session of the House.

SENATE MESSAGE

APPOINTMENT OF CONFERENCE COMMITTEE ON SENATE BILL No. 561

The Clerk of the Senate being introduced, informed that the Senate insists on its non-concurrence in the amendments made and insisted upon by the House of Representatives to Senate Bill No. 561, entitled:

An Act to amend the act approved the thirtieth day of March one thousand nine hundred thirty-seven (P. L. 115) entitled "An act to provide for the permanent personal registration of electors in cities of the first class as a condition of their right to vote at elections and primaries and their enrollment as members of political parties as a further condition of their right to vote at primaries prescribing certain procedures for the conduct of elections and primaries and the challenge and proof of qualifications of electors and prescribing the powers and duties of citizens parties bodies of electors registration commissions commissioners registrars inspectors of registration and other appointees of registration commission election officers municipal officers departments and bureaus police officers courts judges prothonotaries sheriffs county commissioners peace officers county treasurers county controllers registrars of vital statistics real estate brokers rental agents certain public service companies persons firms and corporations operating vehicles for moving furniture and household goods and boards of school directors and imposing penalties" as amended by amplifying and changing the powers and duties of the commission its employes and commissioners further regulating and changing the provisions of said act relating to the appointment and removal of registrars and the powers privileges rights and duties of registrars watchers election officers and electors revising and changing the provisions of said act relating to the times places and manner of registering electors and their enrollment as members of political parties change of party enrollment cancellation of registrations preparation and distribution of street lists appeals to the commission and to courts and the procedure thereon providing for appeals by the commission to appellate courts changing certain provisions of said act relating to removal notices providing for the manner of reckoning time imposing additional duties on certain city officers clarifying and coordinating certain provisions of said act and imposing additional penalties.

And has appointed Messrs. Farrel, Kephart and Stiefel a committee of conference to confer with a similar committee of the House of Representatives (if the House of Representatives shall appoint such committee) on the subject of the differences existing between the two Houses in relation to said bill.

Mr. ACHTERMAN. Mr. Speaker, I move that the House insist upon its amendments non-concurred in by the Senate to Senate Bill No. 561, and that a Committee of Conference be appointed.

The motion was agreed to.

APPOINTMENT OF COMMITTEE OF CONFERENCE ON SENATE BILL No. 561

The SPEAKER. The Chair appoints as a Committee of Conference on said bill, Messrs. ROSENFELD, SCANLON and THOMAS H. LEE.

Ordered, That the Clerk inform the Senate accordingly.

SENATE MESSAGE

AMENDED HOUSE BILL RETURNED FOR CONCURRENCE

The Clerk of the Senate being introduced, returned bill

from the House of Representatives numbered and entitled as follows:

HOUSE BILL No. 99.

An Act to amend section two of the act approved the twenty-fourth day of June one thousand nine hundred thirty-nine (P. L. 806) entitled "An act limiting the number of licenses for the retail sale of liquor malt or brewed beverages or malt and brewed beverages to be issued by the Pennsylvania Liquor Control Board defining hotels and prescribing the accommodations required of hotels in certain municipalities" by exempting clubs from such limitation

With the information that the Senate has passed the same with amendments, in which the concurrence of the House of Representatives is requested.

The SPEAKER. The Clerk will read the amendments.

The Clerk read the amendments as follows:

Amend the title, page 1, line 1, by striking out the word "section" and inserting in lieu thereof the words "sections one and"; also same page, line 9 of the title, by inserting after the word "exempting" the word "certain"; also at the end of same line, by inserting after the word "limitation" the following: "and by providing that retail dispensers' licenses may be exchanged or surrendered for liquor licenses without violating the limits upon the number of licenses imposed by such act and authorizing the Pennsylvania Liquor Control Board to effect such exchange or substitution upon compliance with certain conditions."

Amend Section 1, page 1, line 1, by striking out after the figure "1" the word "Section" and inserting in lieu thereof the words "Sections one and"; also on page 2, line 5, by striking out the word "is" and inserting in lieu thereof the word "are"; also same page, by inserting between lines 6 and 7 the following:

"Section 1 The word "hotel" as used in this act shall mean any reputable place operated by a responsible person of good reputation where the public may for a consideration obtain sleeping accommodations and having

(a) In municipalities [having] with a population of less than one thousand [shall have] at least six permanent bedrooms for the use of guests

(b) In municipalities [having] with a population of one thousand and more but less than three thousand inhabitants [shall have] at least ten permanent bedrooms for the use of guests

(c) In municipalities [having] with a population of three thousand and more but less than one hundred thousand inhabitants [shall have] at least twelve permanent bedrooms for the use of guests and

(d) In municipalities [having] with a population of one hundred thousand and more inhabitants [shall have] at least fifteen permanent bedrooms for the use of guests All such hotels shall have a public dining room or rooms operated by the same management accommodating at least thirty persons at one time and a kitchen apart from the dining room or rooms in which food is regularly prepared for the public

The word "person" shall mean every natural person association or corporation

The word "municipality" shall mean any city borough incorporated town or township

The term "legitimate-purpose club" shall mean a club maintained and operated not for profit by a bona fide charitable fraternal beneficial war veteran's firemen's or social organization a country club or a society or lodge where the Pennsylvania Liquor Control Board or any administrative bureau of the Commonwealth of Pennsylvania succeeding or superseding it for the purpose of granting supervising and revoking licenses for the sale of intoxicating beverages shall have found as a fact that the structure of such club with respect to its purpose constitution by-laws membership membership meetings and schedules of dues as well as the physical operation of such club clearly indicates that the dominant purpose of the same is and will be other than the exercise of the license privilege and that the latter is and will be clearly incidental to the function and operation of such club

The term "Country club" shall mean a club not for profit which has connected therewith as part of its property a golf course of not less than nine holes of a length of not less than twenty-five hundred yards and which has facilities for serving meals to its members and their guests"; also same page, line 13, by inserting after the word "hotels" the words "and legitimate-purpose clubs"; also same line by inserting light-faced brackets before and after the word "and"; also same page, line 14, by striking out the word "clubs"; also same page, line 27, by inserting after the word "hotels" the words "and legitimate-purpose clubs"; also on page 3, at the end of line 2, by inserting after the word "exceeded" the following: "Notwithstanding any of the foregoing provisions of this act any hotel eating place or restaurant holding a retail dispenser's license under the provisions of the "Beverage License Law" approved the third day of May one thousand nine hundred and thirty-three (P. L. 252) as reenacted and amended by the act approved the sixteenth day of une one thousand nine hundred and thirty-seven (P. L. 1827) its amendments and supplements shall upon application to the Pennsylvania Liquor Control Board and surrender of the retail dispenser's license be granted a liquor license under the provisions of the "Pennsylvania Liquor Control Act" approved the twenty-ninth day of November one thousand nine hundred and thirty-three (P. L. 15 1933-34) as reenacted and amended by the act approved the sixteenth day of June one thousand nine hundred and thirty-seven (P. L. 1762) its amendments and supplements Every licensee surrendering a retail dispenser's license issued under the "Beverage License Law" for a liquor license issued under the "Pennsylvania Liquor Control Act" shall furnish bond as required by section four hundred and six of the latter act The fee for a liquor license thus issued in exchange for a retail dispenser's license shall be the difference between the amount which the applicant paid for such retail dispenser's license under the "Beverage License Law" and the fee prescribed by the "Pennsylvania Liquor Control Act" for the issuance of a liquor license Provided That no liquor license shall be thus issued in any locality where the electors by local and no liquor license shall be thus issued where the appli option have voted against the granting of liquor licenses cant or the licensed premises do not comply with the requirements of the "Pennsylvania Liquor Control Act"

After a liquor license has been issued to any applicant as hereinbefore provided such applicant shall be entitled to the same privileges and subject to the same restrictions as other holders of liquor licenses

Section 2 This act shall become effective immediately upon final enactment

On the question,

Will the House concur in the amendments made by the Senate?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows, viz:

YEAS—204

Achterman,	French,	Lyons,	Rose, W. E.,
Allmond,	Gallagher,	Malloy,	Rosenfeld,
Auker,	Gates,	Marks,	Royer,
Baker,	Gerard,	Maxwell,	Rush,
Balthaser,	Gillan,	McClanaghan	Sarge,
Bentley,	Gillette,	McClester,	Sarraf,
Bentzel,	Goodwin,	McClanaghan	Scanlon,
Boles,	Greenwood,	McDermott	Schwab,
Boney,	Gross,	McDowell	Serrill,
Boorse,	Gryskewicz,	McFall	Shaffer,
Bower,	Gyger,	McIntosh	Shaw,
Bradley,	Habbyshaw,	McKinney,	Shepard,
Bretherick,	Haberlen,	McLanahan	Simons,
Brown,	Haines,	McLane,	Skale,
Brunner, C. H.,	Hall,	McMillen,	Snyder,
Brunner, P. A.,	Hamilton,	McSurdy,	Sollenberger,
Burns,	Hare,	Melchiorre,	Sorg,
Burris,	Harkins,	Mihm,	Stambaugh,
Cadwalader,	Harmuth,	Modell,	Stank,

Chervenak,	Harris,	Monks,	Stine,
Chudoff,	Heatherington,	Mooney,	Stockham,
Cochran,	Helm,	Moran,	Tarr,
Cohen, M. M.,	Hering,	Moul,	Tate,
Cohen, R. E.,	Herman,	Muir,	Taylor,
Cook,	Hersch,	Munley,	Thompson, E. F.,
Cooper,	Hewitt,	Nagel	Thompson, R. L.,
Cordier,	Hirsch,	Nunemacher	Trout,
Corrigan,	Holland,	O'Brien,	Turner,
Croop.	Huntley,	O'Connor,	Van Allsburg,
Cullen,	Imbrie,	O'Dare,	Verona,
Dalrymple,	James,	O'Mullen,	Vincent,
Dennison,	Jefferson,	O'Neill,	Vogt,
DiGenova,	Jones, G. E.,	Owens,	Voldow,
Dix,	Jones, P. N.,	Petrosky,	Voorhees,
Dolon,	Keenan.	Pettit,	Wagner,
D'Ortona,	Kenehan,	Polaski,	Watkins,
Duffy,	Kline,	Polen,	Weingartner,
Early,	Knoble,	Powers,	Weiss,
Eckels,	Kolankiewicz,	Prosen,	Welsh, E. B.,
Elder,	Komorofski,	Rank,	Welsh, M. J.,
Elliott,	Krise,	Rausch,	Wilkinson,
Ely,	Lee, E. A.,	Readinger,	Williams,
Falkenstein,	Lee, T. H.,	Reagan,	Winner,
Finestone,	Leisey,	Reese, D. P.,	Wood, L. H.,
Finnerty,	Leonard,	Reese, R. E.,	Wood, N.,
Fisher,	Lesko,	Regan,	Woodring,
Fiss,	Levy,	Reynolds,	Woodside,
Fleming,	Leydic,	Rhea,	Wright,
Fletcher,	Lichtenwalter,	Riley,	Yeakel,
Flynn,	Longo,	Rooney,	Yester,
Foor,	Lovett	Rose, S.,	Young,
			Kilroy, Speaker

NAYS—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative and the amendments were concurred in.

Ordered, That the Clerk inform the Senate accordingly.

SENATE MESSAGES

SENATE INSISTS ON AMENDMENTS NON-CONCURRED IN BY HOUSE

The Clerk of the Senate being introduced, informed that the Senate has insisted upon its amendments, nonconcurred in by the House of Representatives, to House Bill No. 1176, entitled:

An Act making an appropriation out of the Motor License Fund to the Department of Highways for allocation to and expenditure in the second class townships of the Commonwealth for maintenance construction reconstruction resurfacing or improvement of township roads and bridges during the calendar years one thousand nine hundred forty-two and one thousand nine hundred forty-three permitting the use of the funds for maintenance and repair of township roads and bridges under certain conditions and providing for the method of payment to townships

Mr. ACHTERMAN. Mr. Speaker, I move that the House insist on its non-concurrence in the amendments made and insisted upon by the Senate and that a Committee of Conference be appointed.

The motion was agreed to.

APPOINTMENT OF COMMITTEE OF CONFERENCE ON HOUSE BILL No. 1176

The SPEAKER. The Chair appoints as a Committee of Conference on said bill, Messrs. ACHTERMAN, READINGER and FISS.

Ordered, That the Clerk inform the Senate accordingly.

SENATE INSISTS ON AMENDMENTS NON-CONCURRED IN BY HOUSE

The Clerk of the Senate being introduced, informed that the Senate has insisted upon its amendments, nonconcurred in by the House of Representatives, to House Bill No. 1465, entitled:

An Act to amend the act approved the twenty-ninth day of April one thousand nine hundred thirty-seven (P. L. 487) entitled "An act to provide for the permanent personal registration of electors in boroughs towns and townships as a condition of their right to vote at elections and primaries and their enrollment as members of political parties as a further condition of their right to vote at primaries prescribing certain procedure for the conduct of elections and primaries and the challenge and proof of qualifications of electors requiring the county commissioners of the various counties to act as a registration commission therefor and prescribing the powers and duties of citizens parties political bodies registration commissions commissioners registrars inspectors of registration and other appointees of registration commissions county election boards election officers municipal officers departments and bureaus police officers courts judges prothonotaries sheriffs county commissioners peace officers county treasurers county controllers registrars of vital statistics certain public utility corporations real estate brokers rental agents and boards of school directors and imposing penalties" as amended by requiring and providing for the registration of persons in military service before they shall be entitled to vote at any election

Mr. ACHTERMAN. Mr. Speaker, I move that the House insist on its non-concurrence in the amendments made and insisted upon by the Senate and that a Committee of Conference be appointed.

The motion was agreed to.

APPOINTMENT OF COMMITTEE OF CONFERENCE ON HOUSE BILL No. 1465

The SPEAKER. The Chair appoints as a Committee of Conference on said bill, Messrs. MIHM, MAXWELL and WEINGARTNER.

Ordered, That the Clerk inform the Senate accordingly.

SENATE INSISTS ON AMENDMENTS NON-CONCURRED IN BY HOUSE

The Clerk of the Senate being introduced, informed that the Senate has insisted upon its amendments, nonconcurred in by the House of Representatives, to House Bill No. 1466, entitled:

An Act to amend the act approved the third day of June one thousand nine hundred and thirty-seven (P. L. 1333) entitled "An act concerning elections including general municipal special and primary elections the nomination of candidates primary and election expenses and election contests creating and defining membership of county boards of elections imposing duties upon the Secretary of the Commonwealth courts county boards of elections county commissioners imposing penalties for violation of the act and codifying revising and consolidating the laws relating thereto and repealing certain acts and parts of acts relating to elections" by changing the procedure for and regulating voting in elections by persons in actual military service conferring powers and imposing duties upon the Secretary of the Commonwealth courts county boards of elections and county commissioners providing for reimbursement of counties for actual expenses incurred for canvassing the vote of electors in actual military service

Mr. ACHTERMAN. Mr. Speaker, I move that the House insist on its non-concurrence in the amendments

made and insisted upon by the Senate and that a Committee of Conference be appointed.

The motion was agreed to.

APPOINTMENT OF COMMITTEE OF CONFERENCE ON HOUSE BILL No. 1466

The SPEAKER. The Chair appoints as a Committee of Conference on said bill, Messrs. MIHM, MAXWELL and WEINGARTNER.

Ordered, That the Clerk inform the Senate accordingly.

SENATE INSISTS ON AMENDMENTS NON-CONCURRED IN BY HOUSE

The Clerk of the Senate being introduced, informed that the Senate has insisted upon its amendments, non-concurred in by the House of Representatives, to House Bill No. 1467, entitled:

An Act to amend the act, approved the first day of June, one thousand nine hundred thirty-seven (P. L. 1132), entitled, "An act to provide for the permanent personal registration of electors in cities of the second class A as a condition of their right to vote at elections and primaries, and their enrollment as members of political parties as a further condition of their right to vote at primaries; prescribing certain procedure for the conduct of elections and primaries and the challenge and proof of qualifications of electors; and prescribing the powers and duties of citizens, parties, political bodies, registration commissions, commissioners, registrars, inspectors of registration and other appointees of registration commission, county election boards, election officers, municipal officers, departments and bureaus, police officers, courts, judges, prothonotaries, sheriffs, county commissioners, peace officers, county treasurers, county controllers, registrars of vital statistics, certain public utility corporations, real estate brokers, rental agents, and boards of school directors; and imposing penalties," as amended, by requiring and providing for the registration of persons in military service to entitle them to vote at any election.

Mr. ACHTERMAN. Mr. Speaker, I move that the House insist on its non-concurrence in the amendments made and insisted upon by the Senate and that a Committee of Conference be appointed.

The motion was agreed to.

APPOINTMENT OF COMMITTEE OF CONFERENCE ON HOUSE BILL No. 1467

The SPEAKER. The Chair appoints as a Committee of Conference on said bill, Messrs. MIHM, MAXWELL and WEINGARTNER.

Ordered, That the Clerk inform the Senate accordingly.

SENATE INSISTS ON AMENDMENTS NON-CONCURRED IN BY HOUSE

The Clerk of the Senate being introduced, informed that the Senate has insisted upon its amendments, non-concurred in by the House of Representatives, to House Bill No. 1468, entitled:

An Act to amend the act, approved the twenty-fifth day of May, one thousand nine hundred thirty-seven (P. L. 814) entitled, "An act to provide for the permanent personal registration of electors in cities of the second class as a condition of their right to vote at elections and primaries, and their enrollment as members of political parties as a further condition of their right to vote at primaries; prescribing certain procedure for the conduct of elections and primaries and the challenge and proof of qualifications of electors; and prescribing the powers and duties of citizens, parties, political bodies, registration commissions, commissioners, registrars, inspectors of registration and other appointees of registration commissions, county election boards, election officers, municipal officers, departments and bureaus, police officers, courts, judges, prothonotaries, sheriffs, county commissioners, peace officers, county treasurers, county controllers, registrars of vital statistics, certain public utility corporations, real estate brokers, rental agents, and boards of school directors; and imposing penalties," as amended, by requiring and providing for the registration of persons in military service to entitle them to vote at any election.

Mr. ACHTERMAN. Mr. Speaker, I move that the House insist on its non-concurrence in the amendments made and insisted upon by the Senate and that a Committee of Conference be appointed.

The motion was agreed to.

APPOINTMENT OF COMMITTEE OF CONFERENCE ON HOUSE BILL No. 1468

The SPEAKER. The Chair appoints as a Committee of Conference on said bill, Messrs. MIHM, MAXWELL and WEINGARTNER.

Ordered, That the Clerk inform the Senate accordingly.

SENATE INSISTS ON AMENDMENTS NON-CONCURRED IN BY HOUSE

The Clerk of the Senate being introduced, informed that the Senate has insisted upon its amendments, non-concurred in by the House of Representatives, to House Bill No. 1469, entitled:

An Act to amend the act, approved the twenty-fifth day of May, one thousand nine hundred thirty-seven (P. L. 849) entitled, "An act to provide for the permanent personal registration of electors in cities of the third class as a condition of their right to vote at elections and primaries, and their enrollment as members of political parties as a further condition of their right to vote at primaries; prescribing certain procedure for the conduct of elections and primaries and the challenge and proof of qualifications of electors; and prescribing the powers and duties of citizens, parties, political bodies, registration commissions, commissioners, registrars, inspectors of registration and other appointees of registration commissions, county election boards, election officers, municipal officers, departments and bureaus, police officers, courts, judges, prothonotaries, sheriffs, county commissioners peace officers, county treasurers, county controllers, registrars of vital statistics, certain public utility corporations, real estate brokers, rental agents, and boards of school directors; imposing penalties; and repealing existing legislation," as amended, by requiring and providing for the registration of persons in military service to entitle them to vote at any election.

Mr. ACHTERMAN. Mr. Speaker, I move that the House insist on its non-concurrence in the amendments made and insisted upon by the Senate and that a Committee of Conference be appointed.

The motion was agreed to.

APPOINTMENT OF COMMITTEE OF CONFERENCE ON HOUSE BILL No. 1469

The SPEAKER. The Chair appoints as a Committee

of Conference on said bill, Messrs. MIHM, MAXWELL and WEINGARTNER.

Ordered, That the Clerk inform the Senate accordingly.

SENATE INSISTS ON AMENDMENTS NON-CONCURRED IN BY HOUSE

The Clerk of the Senate being introduced, informed that the Senate has insisted upon its amendments, non-concurred in by the House of Representatives, to House Bill No. 1526, entitled:

An Act to amend section two hundred seven of the act approved the twenty-fourth day of June one thousand nine hundred and thirty-one (P. L. 1206) entitled "An act concerning townships of the first class amending revising consolidating and changing the law relating thereto" further prescribing method by which second class townships may be classified as first class townships and providing for the costs and holding of special elections for that purpose

Mr. ACHTERMAN. Mr. Speaker, I move that the House insist on its non-concurrence in the amendments made and insisted upon by the Senate and that a Committee of Conference be appointed.

The motion was agreed to.

APPOINTMENT OF COMMITTEE OF CONFERENCE ON HOUSE BILL No. 1526

The SPEAKER. The Chair appoints as a Committee of Conference on said bills, Messrs. HEATHERINGTON, WILLIAMS and RONALD L. THOMPSON.

Ordered, That the Clerk inform the Senate accordingly.

PERMISSION GRANTED COMMITTEE TO MEET DURING SESSION

Mr. HARKINS asked and obtained permission for the Committee on Education to meet during the session of the House.

SENATE MESSAGES

AMENDED HOUSE BILL RETURNED FOR CONCURRENCE

The Clerk of the Senate being introduced, returned bill from the House of Representatives numbered and entitled as follows:

HOUSE BILL No. 139.

An Act to amend section one of the act which became effective on the seventh day of July, one thousand eight hundred and seventy-nine (P. L. 194), entitled "An act to enlarge the jurisdiction of justices of peace, and regulating the fees of constables making sales under this act," further enlarging the jurisdiction of justices of the peace and extending the provisions of said act to aldermen.

With the information that the Senate has passed the same with amendments, in which the concurrence of the House of Representatives is requested.

The SPEAKER. The Clerk will read the amendments.

The Clerk read the amendments as follows:

Amend Section 1, page 2, at the end of line 4, by striking out the light-faced brackets before and after the word "magistrates".

On the question,

Will the House concur in the amendments made by the Senate?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows, viz:

YEAS—204

Achterman,	Gallagher,	Malloy,	Royer,
Allmond,	Gates,	Marks,	Rush,
Auker,	Gerard,	Maxwell,	Sarge,
Baker,	Gillan,	McClanaghan	Sarraf,
Balthaser,	Gillette,	McClester	Scanlon,
Bentley,	Goodwin,	McDermott	Schwab,
Bentzel,	Greenwood,	McDowell	Serrill,
Boies,	Gross,	McFall	Shaffer,
Boney,	Gryskewicz,	McIntosh	Shaw,
Boorse,	Gyger,	McKinney,	Shepard,
Bower,	Habbyshaw,	McLanahan	Simons,
Bradley,	Haberlen,	McLane,	Skale,
Bretherick,	Haines,	McMillen,	Snyder,
Brown,	Hall,	McSurdy,	Sollenberger,
Brunner, C. H.,	Hamilton,	Melchiorre,	Sorg,
Brunner, P. A.,	Hare,	Mihm,	Stambaugh,
Burns,	Harkins,	Modell,	Stank,
Burris,	Harmuth,	Monks,	Stine,
Cadwalader,	Harris,	Mooney,	Stockham,
Chervenak,	Heatherington,	Moran,	Tarr,
Chudoff,	Helm,	Moul,	Tate,
Cochran,	Hering,	Muir,	Taylor,
Cohen, M. M.,	Herman,	Munley,	Thompson, E. F.
Cohen, R. E.,	Hersch,	Nagel,	Thompson, R. L.,
Cook,	Hewitt,	Nunemacher,	Trout,
Cooper,	Hirsch,	O'Brien,	Turner,
Cordier,	Holland,	O'Connor,	VanAllsburg,
Corrigan,	Huntley,	O'Dare,	Verona,
Croop,	Imbrie,	O'Mullen,	Vincent,
Cullen,	James,	O'Neill,	Vogt,
Dalrymple,	Jefferson,	Owens,	Voldow,
Dennison,	Jones, G. E.,	Petrosky,	Voorhees,
DiGenova,	Jones, P. N.,	Pettit,	Wagner,
Dix,	Keenan,	Polaski,	Watkins,
Dolon,	Kenehan,	Polen,	Weingartner,
D'Ortona,	Kline,	Powers,	Weiss,
Duffy,	Knoble,	Prosen,	Welsh, E. B.,
Early,	Kolankiewicz,	Rank,	Welsh, M. J.,
Eckels,	Komorofski,	Rausch,	Wilkinson,
Elder,	Krise,	Readinger,	Williams,
Elliott,	Lee, E. A.,	Reagan,	Winner,
Ely,	Lee, T. H.,	Reese, D. P.,	Wood, L. H.,
Falkenstein,	Leisey,	Reese, R. E.,	Wood, N.,
Finestone,	Leonard,	Regan,	Woodring,
Finnerty,	Lesko,	Reynolds,	Woodside,
Fleming,	Levy,	Rhea,	Wright,
Fisher,	Leydic,	Riley,	Yeakel,
Fiss,	Lichtenwalter,	Rooney,	Yester,
Flynn,	Longo,	Rose, S.,	Young,
Foor,	Lovett,	Rose, W. E.,	Kilroy,
French,	Lyons,	Rosenfeld,	Speaker.
Fletcher,			

NAYS—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative and the amendments were concurred in.

Ordered, That the Clerk inform the Senate accordingly.

AMENDED HOUSE BILL RETURNED FOR CONCURRENCE

The Clerk of the Senate being introduced, returned bill from the House of Representatives numbered and entitled as follows:

HOUSE BILL No. 710.

An Act to enable tax collectors and receivers of taxes to make return to the county commissioners of unpaid taxes assessed on seated lands for certain years and validating the liens of such taxes

With the information that the Senate has passed the same with amendments, in which the concurrence of the House of Representatives is requested.

The SPEAKER. The Clerk will read the amendments.

The Clerk read the amendments as follows:

Amend Section 1, page 1, by striking out in lines 6 to 10 inclusive the following: "one thousand nine hundred and twenty-nine one thousand nine hundred and thirty one thousand nine hundred and thirty-one one thousand nine hundred and thirty-two one thousand nine hundred and thirty-three one thousand nine hundred and thirty-four one"; also on page 2 by striking out in lines 1 to 3 inclusive the following: "thousand nine hundred and thirty-five one thousand nine hundred and thirty-six one thousand nine hundred and thirty-seven"; also same page, at the end of line 3, by striking out the word "or"; also same page, line 4, by inserting after the word "thirty-nine" the words "or one thousand nine hundred and forty"; also same page, line 20, by inserting after the word "which" the words "was entered prior to the tax lien or which."

On the question,

Will the House concur in the amendments made by the Senate?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows, viz:

YEAS—204

Achterman,	French,	Malloy,	Royer,
Allmond,	Gallagher,	Marks,	Rush,
Auker,	Gates,	Maxwell,	Sarge,
Baker,	Gerard,	McClanaghan,	Sarraf,
Balthaser,	Gillan,	McClester,	Scanlon,
Bentley,	Gillette,	McDermott,	Schwab,
Bentzel,	Goodwin,	McDowell,	Serrill,
Boles,	Greenwood,	McFall,	Shaffer,
Boney,	Gross,	McIntosh,	Shaw,
Boorse,	Gryskewicz,	McKinney,	Shepard,
Bower,	Gyger,	McLanahan,	Simons,
Bradley,	Habbyshaw,	McLane,	Skale,
Bretherick,	Haberlen,	McMillen,	Snyder,
Brown,	Haines,	McSurdy,	Sollenberger,
Brunner, C. H.,	Hall,	Melchiorre,	Sorg,
Brunner, P. A.,	Hamilton,	Mihm,	Stambaugh,
Burns,	Hare,	Modell,	Stank,
Burris,	Harkins,	Monks,	Stine,
Cadwalader,	Harmuth,	Mooney,	Stockham,
Chervenak,	Harris,	Moran,	Tarr,
Chudoff,	Heatherington,	Moul,	Tate,
Cochran,	Helm,	Muir,	Taylor,
Cohen, R. E.,	Hering,	Munley,	Thompson, E. F.,
Cohen, M. M.,	Herman,	Nagel,	Thompson, R. L.,
Cook,	Hersch,	Nunemacher,	Trout,
Cooper,	Hewitt,	O'Brien,	Turner,
Cordier,	Hirsch,	O'Connor,	Van Allsburg,
Corrigan,	Holland,	O'Dare,	Verona,
Croop,	Huntley,	O'Mullen,	Vincent,
Cullen,	Imbrie,	O'Neill,	Vogt,
Dalrymple,	James,	Owens,	Voldow,
Dennison,	Jefferson,	Petrosky,	Voorhees,
DiGenova,	Jones, G. E.,	Pettit,	Wagner,
Dix,	Jones, P. N.,	Polaski,	Watkins,
Dolon,	Keenan,	Polen,	Weingartner,
D'Ortona,	Kenehan,	Powers,	Weiss,
Duffy,	Kline,	Prosen,	Welsh, E. B.,
Early,	Knoble,	Rank,	Welsh, M. J.,
Eckels,	Kolankiewicz,	Rausch,	Wilkinson,
Elder,	Komorofski,	Readinger,	Williams,
Elliott,	Krise,	Reagan,	Winner,
Ely,	Lee, E. A.,	Reese, D. P.,	Wood, L. H.,
Falkenstein,	Lee, T. H.,	Reese, R. E.,	Wood, N.,
Finestone,	Leisey,	Regan,	Woodring,
Finnerty,	Leonard,	Reynolds,	Woodside,
Fisher,	Lesko,	Rhea,	Wright,
Fiss,	Levy,	Riley,	Yeakel,
Fleming,	Leydic,	Rooney,	Yester,
Fletcher,	Lichtenwalter,	Rose, S.,	Young,
Flynn,	Longo,	Rose, W. E.,	Kilroy,
Foor,	Lovett,	Rosenfeld,	Speaker.
	Lyons,		

NAYS—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative and the amendments were concurred in.

Ordered, That the Clerk inform the Senate accordingly.

AMENDED HOUSE BILL RETURNED FOR CONCURRENCE

The Clerk of the Senate being introduced, returned bill from the House of Representatives numbered and entitled as follows:

HOUSE BILL No. 1621.

An Act to add section forty-three to the act approved the twentieth day of June one thousand nine hundred and nineteen (P. L. 521) entiled "An act providing for the imposition and collection of certain taxes upon the transfer of property passing from a decedent who was a resident of this Commonwealth at the time of his death and of property within this Commonwealth of a decedent who was a non-resident of the Commonwealth at the time of his death and making it unlawful for any corporation of this Commonwealth or national banking association located therein to transfer the stock of such corporation or banking association standing in the name of any such decedent until the tax on the transfer thereof has been paid and providing penalties and citing certain acts for repeal" authorizing compromise of tax claims in cases where there is a dispute as to the domicile of the decedent

With the information that the Senate has passed the same with amendments, in which the concurrence of the House of Representatives is requested.

The SPEAKER. The Clerk will read the amendments.

The Clerk read the amendments as follows:

Amend Section 1, page 2, line 21, by inserting after the word "states" the words "and the facts are such as to give rise to a reasonable doubt as to the domicile of the decedent"; also same line by inserting after the word "may" the words "with the approval of the Department of Justice"; also on page 3, at the end of line 16, by inserting after the word "amount" the following:

"A copy of any such agreement shall be filed in the office of the proper register of wills and any existing appraisement shall be deemed modified according to said agreement In the event no appraisement has been made and filed prior to said agreement the Department of Revenue shall direct an appraisement to be made and filed in the office of the proper register of wills in accordance with said agreement."

On the question,

Will the House concur in the amendments made by the Senate?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows, viz:

YEAS—204

Achterman,	French,	Malloy,	Royer,
Allmond,	Gallagher,	Marks,	Rush,
Auker,	Gates,	Maxwell,	Sarge,
Baker,	Gerard,	McClanaghan,	Sarraf,
Balthaser,	Gillan,	McClester,	Scanlon,
Bentley,	Gillette,	McDermott,	Schwab,
Bentzel,	Goodwin,	McDowell,	Serrill,
Boles,	Greenwood,	McFall,	Shaffer,
Boney,	Gross,	McIntosh,	Shaw,
Boorse,	Gryskewicz,	McKinney,	Shepard,
Bower,	Gyger,	McLanahan,	Simons,
Bradley,	Habbyshaw,	McLane,	Skale,
Bretherick,	Haberlen,	McMillen,	Snyder,
Brown,	Haines,	McSurdy,	Sollenberger,
Brunner, C. H.,	Hall,	Melchiorre,	Sorg,
Brunner, P. A.,	Hamilton,	Mihm,	Stambaugh,
Burns,	Hare,	Modell,	Stank,
Burris,	Harkins,	Monks,	Stine,
Cadwalader,	Harmuth,	Mooney,	Stockham,
Chervenak,	Harris,	Moran,	Tarr,
Chudoff,	Heatherington,	Moul,	Tate,
Cochran,	Helm,	Muir,	Taylor,
Cohen, M. M.,	Hering,	Munley,	Thompson, E. F.,
Cohen, R. E.,	Herman,	Nagel,	Thompson, R. L.,
Cook,	Hersch,	Nunemacher,	Trout,

Cooper,	Hewitt,	O'Brien,	Turner,
Cordier,	Hirsch,	O'Connor,	Van Allsburg,
Corrigan,	Holland,	O'Dare,	Verona,
Croop,	Huntley,	O'Mullen,	Vincent,
Cullen,	Imbrie,	O'Neill,	Vogt,
Dalrymple,	James,	Owens,	Voldow,
Dennison,	Jefferson,	Petrosky,	Voorhees,
DiGenova,	Jones, G. E.,	Pettit,	Wagner,
Dix,	Jones, P. N.,	Polaski,	Watkins,
Dolon,	Keenan,	Polen,	Weingartner,
D'Ortona,	Kenehan,	Powers,	Weiss,
Duffy,	Kline,	Prosen,	Welsh, E. B.,
Early,	Knoble,	Rank,	Welsh, M. J.,
Eckels,	Kolankiewicz,	Rausch,	Wilkinson,
Elder,	Komorofski,	Readinger,	Williams,
Elliott,	Krise,	Reagan,	Winner,
Ely,	Lee, E. A.,	Reese, D. P.,	Wood, L. H.,
Falkenstein,	Lee, T. H.,	Reese, R. E.,	Wood, N.,
Finestone,	Leisey,	Regan,	Woodring,
Finnerty,	Leonard,	Reynolds,	Woodside,
Fisher,	Lesko,	Rhea,	Wright,
Fiss,	Levy,	Riley,	Yeakel,
Fleming,	Leydic,	Rooney,	Yester,
Fletcher,	Lichtenwalter,	Rose, S.,	Young,
Flynn,	Longo,	Rose, W. E.,	Kilroy,
Foor,	Lovett,	Rosenfeld,	Speaker.
	Lyons,		

NAYS—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative and the amendments were concurred in.

Ordered, That the Clerk inform the Senate accordingly.

AMENDED HOUSE BILL RETURNED FOR CONCURRENCE

The Clerk of the Senate being introduced, returned bill from the House of Representatives numbered and entitled as follows:

HOUSE BILL No. 1771.

An Act requiring clerks of courts to forward to the Department of Health a certificate of decrees in divorce annulment of marriage adoption and annulment of adoption proceedings providing for the registration of such certificates by the said department the issuance of certified copies thereof and fixing fees and penalties.

With the information that the Senate has passed the same with amendments, in which the concurrence of the House of Representatives is requested.

The SPEAKER. The Clerk will read the amendments.

The Clerk read the amendments as follows:

Amend the title, page 1, line 1, by inserting after the word "Requiring" the words "prothonotaries and".

Amend Section 1, page 1, line 3, by inserting after the word "the" and before the word "clerk" the words "prothonotary or the"; also same page, at the beginning of line 8, by inserting before the word "clerk" the words "prothonotary or"; also on page 2, at the end of line 2, by inserting after the word "Health" the words "and shall note on each certificate whether or not all the costs incident to the proceedings had in connection therewith have been paid."

Amend Section 2, page 2, line 6, by inserting after the word "Every" the words "prothonotary or".

Amend Section 3, page 2, line 15, by inserting after the word "act" the words "unless it shall appear on the certificate furnished to the Department of Health that all the costs in the proceedings in said court incident thereto have not been paid."

Amend Section 4, page 2, line 18, by inserting after the word "Any" the words "prothonotary or".

On the question,

Will the House concur in the amendments made by the Senate?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows, viz:

YEAS—204

Achterman,	French,	Lyons,	Rosenfeld,
Allmond,	Gallagher,	Malloy,	Royer,
Auker,	Gates,	Marks,	Rush,
Baker,	Gerard,	Maxwell,	Serge,
Balthaser,	Gillan,	McClanaghan,	Sarraf,
Bentley,	Gillette,	McClester,	Scanlon,
Bentzel,	Goodwin,	McDermott,	Schwab,
Boles,	Greenwood,	McDowell,	Serrill,
Boney,	Gross,	McFall,	Shaffer,
Boorse,	Gryskewicz,	McIntosh,	Shaw,
Bower,	Gyger,	McKinney,	Shepard,
Bradley,	Habbyshaw,	McLanahan,	Simons,
Bretherick,	Haberlen,	McLane,	Skale,
Brown,	Haines,	McMillen,	Snyder,
Brunner, C. H.,	Hall,	McSurdy,	Sollenberger,
Brunner, P. A.,	Hamilton,	Melchiorre,	Sorg,
Burns,	Hare,	Mihm,	Stambaugh,
Burris,	Harkins,	Modell,	Stank,
Cadwalader,	Harmuth,	Monks,	Stine,
Chervenak,	Harris,	Mooney,	Stockham,
Chudoff,	Heatherington,	Moran,	Tarr,
Cochran,	Helm,	Moul,	Tate,
Cohen, M. M.,	Hering,	Muir,	Taylor,
Cohen, R. E.,	Herman,	Munley,	Thompson, E. F.,
Cook,	Hersch,	Nagel,	Thompson, R. L.,
Cooper,	Hewitt,	Nunemacher,	Trout,
Cordier,	Hirsch,	O'Brien,	Turner,
Corrigan,	Holland,	O'Connor,	Van Allsburg,
Croop,	Huntley,	O'Dare,	Verona,
Cullen,	Imbrie,	O'Mullen,	Vincent,
Dalrymple,	James,	O'Neill,	Vogt,
Dennison,	Jefferson,	Owens,	Voldow,
DiGenova,	Jones, G. E.,	Petrosky,	Voorhees,
Dix,	Jones, P. N.,	Pettit,	Wagner,
Dolon,	Keenan,	Polaski,	Watkins,
D'Ortona,	Kenehan,	Polen,	Weingartner,
Duffy,	Kline,	Powers,	Weiss,
Early,	Knoble,	Prosen,	Welsh, E. B.,
Eckels,	Kolankiewicz,	Rank,	Welsh, M. J.,
Elder,	Komorofski,	Rausch,	Wilkinson,
Elliott,	Krise,	Readinger,	Williams,
Ely,	Lee, E. A.,	Reagan,	Winner,
Falkenstein,	Lee, T. H.,	Reese, D. P.,	Wood, L. H.,
Finestone,	Leisey,	Reese, R. E.,	Wood, N.,
Finnerty,	Leonard,	Regan,	Woodring,
Fisher,	Lesko,	Reynolds,	Woodside,
Fiss,	Levy,	Rhea,	Wright,
Fleming,	Leydic,	Riley,	Yeakel,
Fletcher,	Lichtenwalter,	Rooney,	Yester,
Flynn,	Longo,	Rose, S.,	Young,
Foor,	Lovett,	Rose, W. E.,	Kilroy,
			Speaker.

NAYS—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative and the amendments were concurred in.

Ordered, That the Clerk inform the Senate accordingly.

AMENDED SENATE BILL RECALLED FROM THE GOVERNOR RETURNED FOR CONCURRENCE

The Clerk of the Senate being introduced, presented for concurrence bill numbered and entitled as follows:

SENATE BILL No. 345.

An Act to amend subsection (a) of section sixteen of the act approved the seventh day of June one thousand nine hundred and seventeen (P. L. 415) entitled "An act relating to the qualification jurisdiction powers and duties of registers of wills and regulating proceedings before said registers and the costs thereof the effects of their acts and appeals therefrom" decreasing the period within which appeals may be taken from decrees of registers of wills probating or refusing to probate wills

Said bill having been recalled from the Governor for amendment, the vote had on final passage and third reading

reconsidered in the Senate and the bill amended, in which amendments the concurrence of the House of Representatives is requested.

The SPEAKER. The Clerk will read the amendments.

The Clerk read the amendments as follows:

Amend the title, page 1, line 1, by inserting after the word "sixteen" the words "and sub-section (a) of section twenty-one"; also same page, line 10 of the title, by inserting after the word "wills" the words "and from all judicial acts and proceedings of the several registers including all decisions granting an issue devisavit vel non".

Amend the bill, page 2, by inserting between lines 16 and 17 the following new section:

Section 2 Subsection (a) of section twenty-one of the act approved the seventh day of June one thousand nine hundred and seventeen (P. L. 415), entitled "An act relating to the qualification jurisdiction powers and duties of registers of wills and regulating proceedings before the said registers and the costs thereof the effects of their acts and appeals therefrom" is hereby amended to read as follows

Section 21 (a) From all the judicial acts and proceedings of the several registers including all decisions granting an issue devisavit vel non in a contest concerning the validity of a will appeals may be taken to the Orphans' Court of the respective county within the term of [two] one [years] year Provided that any party entitled to appeal may be cited by such court to show cause why he should not appeal within six months from the date of such citation and on the failure of such party to show cause said court may make an order limiting the time for such appeal by said party to said period of six months

Amend Section 2, page 2, line 17, by striking out after the word "Section" the figure "2" and inserting in lieu thereof the figure "3".

On the question,

Will the House concur in the amendments made by the Senate?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows, viz:

YEAS—204

Achterman,	French,	Lyons,	Rosenfeld,
Allmond,	Gallagher,	Malloy,	Royer,
Auker,	Gates.	Marks,	Rush,
Baker,	Gerard,	Maxwell,	Sarge,
Balthaser,	Gillan,	McClanaghan,	Sarraf,
Bentley,	Gillette,	McClester,	Scanlon,
Bentzel,	Goodwin.	McDermott,	Schwab,
Boles,	Greenwood,	McDowell,	Serrill,
Boney,	Gross,	McFall,	Shaffer,
Boorse,	Gryskewicz,	McIntosh,	Shaw
Bower,	Gyger,	McKinney,	Shepard,
Bradley,	Habbyshaw,	McLanahan,	Simons,
Bretherick,	Haberlen,	McLane,	Skale,
Brown,	Haines,	McMillen,	Snyder,
Brunner, C. H.,	Hall,	McSurdy,	Sollenberger,
Brunner, P. A.,	Hamilton,	Melchiorre,	Sorg,
Burns,	Hare.	Mihm,	Stambaugh,
Burris,	Harkins,	Modell,	Stank,
Cadwalader,	Harmuth,	Monks.	Stine.
Chervenak,	Harris,	Mooney,	Stockham
Chudoff,	Heatherington,	Moran,	Tarr,
Cochran,	Helm,	Moul,	Tate,
Cohen, M. M.,	Hering,	Muir,	Taylor,
Cohen, R. E.,	Herman,	Munley,	Thompson, E. F.
Cook,	Hersch,	Nagel,	Thompson, R. L.,
Cooper,	Hewitt,	Nunemacher,	Trout,
Cordier,	Hirsch,	O'Brien,	Turner,
Corrigan,	Holland,	O'Connor,	VanAllsburg,
Croop,	Huntley,	O'Dare,	Verona,
Cullen,	Imbrie,	O'Mullen,	Vincent,
Dalrymple,	James,	O'Neill,	Vogt,
Dennison,	Jefferson,	Owens,	Voldow,
DiGenova,	Jones, G. E.,	Petrosky,	Voorhees,
Dix	Jones, P. N.,	Pettit,	Wagner,
Dolon,	Keenan,	Polaski,	Watkins,
D'Ortona,	Kenehan,	Polen,	Weingartner,
Duffy,	Kline,	Powers,	Weiss,
Early,	Knoble,	Prosen,	Welsh, E. B.,
Eckels,	Kozankiewicz,	Rank,	Welsh, M. J.,
Elder,	Komorofski,	Rausch,	Wilkinson,
Elliott,	Krise,	Readinger,	Williams,
Ely,	Lee, E. A.,	Reagan,	Winner,
Falkenstein,	Lee, T. H.,	Reese, D. P.,	Wood, L. H.,
Finestone,	Leisey,	Reese, R. E.,	Wood, N.,
Finnerty,	Leonard,	Regan,	Woodring,
Fisher,	Lesko,	Reynolds,	Woodside,
Fiss,	Levy,	Rhea,	Wright,
Fleming,	Leydic,	Riley,	Yeakel,
Fletcher,	Lichtenwalter,	Rooney,	Yester,
Flynn,	Longo,	Rose, S.,	Young,
Foor,	Lovett,	Rose, W. E.,	Kilroy, Speaker.

NAYS—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative and the amendments were concurred in.

Ordered, That the Clerk inform the Senate accordingly.

AMENDED HOUSE BILL RETURNED FOR CONCURRENCE

The Clerk of the Senate being introduced, returned bill from the House of Representatives numbered and entitled as follows:

HOUSE BILL No. 957.

An Act to amend the act, approved the fourth day of June, one thousand nine hundred and thirty-seven (P. L. 1625), entitled "An act providing for the creation, maintenance and operation of a county employes retirement system in counties of the third class; and imposing certain charges on counties, extending and further regulating such retirement systems.

With the information that the Senate has passed the same with amendments, in which the concurrence of the House of Representatives is requested.

The SPEAKER. The Clerk will read the amendments.

The Clerk read the amendments as follows:

Amend Section 2, page 4, line 17, by striking out the following: "[may] shall" and inserting in lieu thereof the word "may".

On the question,

Will the House concur in the amendments made by the Senate?

Mr. ACHTERMAN. Mr. Speaker, I move that the House non-concur in the amendments made by the Senate.

The motion was agreed to.

Ordered, That the Clerk inform the Senate accordingly.

AMENDED SENATE BILL NON-CONCURRED IN BY SENATE

The Clerk of the Senate being introduced, informed that the Senate has nonconcurred in the amendments made by the House of Representatives to Senate Bill numbered and entitled as follows:

SENATE BILL No. 51.

An Act authorizing and empowering school districts with the consent and approval of the Superintendent of Public Instruction to furnish food including milk to undernourished and poor school children in their districts and providing that the acceptance and distribution of surplus commodities furnished by the Federal Government shall not be affected or limited thereby

Mr. ACHTERMAN. Mr. Speaker, I move that the House insist upon its amendments non-concurred in by the Senate.

The motion was agreed to.

Ordered, That the Clerk inform the Senate accordingly.

BILLS SIGNED BY SPEAKER

Bills numbered and entitled as follows having been prepared for presentation to the Governor, and the same being correct, the titles were publicly read as follows:

SENATE BILL No. 352.

An Act providing for the creation, maintenance and operation of a county employes retirement system in counties of the fifth class imposing certain charges on counties and prescribing penalties

SENATE BILL No. 418.

An Act requiring the Governor of the Commonwealth to issue a proclamation setting apart September thirteenth of each year as Commodore John Barry Day

SENATE BILL No. 566.

An Act to amend clause (b) of section twenty-seven of the act approved the seventh day of June one thousand nine hundred and seventeen (P. L. 447) entitled "An act relating to the administration and distribution of the estates of decedents and of minors and of trust estates including the appointment bonds rights powers duties liabilities accounts discharge and removal of executors administrators guardians and trustees herein designated as fiduciaries the administration and distribution of the estates of presumed decedents widow's and children's exemptions debts of decedents rents of real estate as assets for payment thereof the lien thereof sales and mortgages of real estate for the payment thereof judgments and executions therefor and the discharge of real estate from the lien thereof contracts of decedents for the sale or purchase of real estate legacies including legacies charged on land the discharge of residuary estates and of real estate from the lien of legacies and other charges the appraisement of real estate devised at a valuation the ascertainment of the curtilage of dwelling houses or other buildings devised the abatement and survival of actions and the substitution of executors and administrators therein and suits against fiduciaries investments by fiduciaries the organization of corporations to carry on the business of decedents the audit and review of accounts of fiduciaries refunding bonds transcripts to the court of common pleas of balances due by fiduciaries the rights powers and liabilities of nonresident and foreign fiduciaries the appointment bonds rights powers duties and liabilities of trustees durante absentia the recording and registration of decrees reports and other proceedings and the fees therefor appeals in certain cases and also generally dealing with the jurisdiction powers and procedure of the orphans' court in all matters relating to fiduciaries concerned with the estates of decedents by further regulating the discharge of charges on real estate

Whereupon,

The SPEAKER, in the presence of the House, signed the same.

PERMISSION GRANTED COMMITTEE TO MEET DURING SESSION

Mr. SKALE asked and obtained permission for the Committee on Banking to meet during the session of the House.

REPORTS FROM COMMITTEES

Mr. McFALL, from the Committee on State Government, reported as committed, House Bill No. 1945, (Senate Bill No. 1259), entitled:

An Act to amend article twenty of the act, approved the ninth day of April, one thousand nine hundred twenty-nine (P. L. 177), entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments, boards, commissions, and officers thereof, including the boards of trustees of State Normal Schools, or Teachers Colleges; abolishing, creating, reorganizing or authorizing the reorganization of certain administrative departments, boards, commissions; defining the powers and duties of the Governor and other executive and administrative officers, and of the several administrative departments, boards, commissions, and officers; fixing the salaries of the Governor, Lieutenant Governor, and certain other executive and administrative officers; providing for the appointment of certain administrative officers, and of all deputies and other assistants and employes in certain departments, boards, and commissions; and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments, boards, and commissions shall be determined," by authorizing the Department of Highways to construct, repair and maintain certain facilities of airports.

Mr. WEISS, from the Committee on State Government, reported as committed, House Bill No. 1901, (Senate Bill No. 1087), entitled:

An Act authorizing the Secretary of Property and Supplies to sell and convey certain tracts of coal lands in Hempfield Township, Westmoreland County, Pennsylvania

Mr. SARRAF, from the Committee on Professional Licensure, reported as committed, House Bill No. 1860, (Senate Bill No. 575), entitled:

An Act to further amend sections 1, 2 and 7 of the act approved the third day of June, one thousand nine hundred and eleven (P. L. 639), entitled as amended "An act relating to the right to practice medicine and surgery in the Commonwealth of Pennsylvania; and providing a Bureau of Medical Education and Licensure as a bureau of the Department of Public Instruction, and means and methods whereby the right to practice medicine and surgery and any of its branches may be obtained, and exemptions therefrom; and providing for an appropriation to carry out the provisions of said act, and providing for revocation and suspension of licenses by said bureau; and providing penalties for violations thereof, and repealing all acts or parts of acts inconsistent therewith," by defining certain terms; imposing certain additional duties upon the State Board of Medical Education and Licensure; making provisions for graduate students from other states, territories and Canada, and providing for automatic suspension of registration in case of mental incompetency.

Mr. O'CONNOR, from the Committee on Education reported as committed, House Bill No. 1776, (Senate Bill No. 56), entitled:

An Act providing for the observance of a Bill of Rights Week in the public schools of this Commonwealth.

Mr. HERMAN, from the Committee on Banking reported as committed House Bill No. 1745, (Senate Bill No. 839), entitled:

An Act to further amend section 7 of the act, approved the fifth day of May, one thousand nine hundred twenty-one (P. L. 374), entitled "An act providing for the licensing and regulation of corporations, copartnerships, associations, and individuals, engaged in the business of receiving payments or contributions to be held or used in any plan of accumulation or investment, or of issuing, negotiating, offering for sale, or selling any certificates, securities, contracts, or other choses in actions evidenced by writing on the partial payment or instalment plan, or

of assuming fixed obligations, or issuing, in connection therewith, a contract based on payments being made upon instalments or single payments, under which all or part of the total amount received is to be repaid at some future time, with or without profit; and imposing penalties," requiring corporations and persons licensed under said act to deposit additional security with the Commission for the fulfillment of their contracts.

Mr. PROSEN, from the Committee on State Government reported as committed House Bill No. 1944, (Senate Bill No. 1257), entitled:

An Act to amend section one of the act, approved the twenty-fifth day of May, one thousand nine hundred thirty-three (P. L. 1016), entitled "An act relating to aeronautics; providing for the maintenance and operation of intermediate landing fields and air navigation facilities by the Commonwealth alone or in cooperation with the United States Government or political subdivisions of the Commonwealth; providing for the execution of leases or the issuance of licenses to the United States Government or to political subdivisions of the Commonwealth for the maintenance of navigation facilities on intermediate landing fields of the Commonwealth; conferring powers and duties on the Department of Revenue with respect thereto; and repealing certain acts and parts of acts," by extending the powers of the department in relation to air transport facilities.

Mr. McKINNEY, from the Committee on State Government, re-reported as committed, House Bill No. 1752, (Senate Bill No. 1016), entitled:

An Act providing that the Commonwealth of Pennsylvania enter into the interstate compact to conserve oil and gas with other States of the United States of America, which are signatories thereto.

Mr. HARKINS, from the Committee on Education, re-reported as committed, House Bill No. 1445, (Senate Bill No. 302) entitled:

An Act to further amend section one thousand four hundred sixteen of the act approved the eighteenth day of May, one thousand nine hundred and eleven (P. L. 309), entitled "An act to establish a public school system in the Commonwealth of Pennsylvania, together with the provisions by which it shall be administered, and prescribing penalties for the violation thereof; providing revenue to establish and maintain the same, and the method of collecting such revenue; and repealing all laws general, special or local, or any parts thereof, that are or may be inconsistent therewith," changing the qualifications of certain children for exemption from compulsory attendance provisions.

BILL RE-REFERRED

Mr. GALLAGHER, returned from the Committee on Elections with the request that it be re-referred to the Committee on Judiciary General House Bill No. 1608, Senate Bill No. 545) entitled:

An Act relating to the summoning and service of jurors (except grand jurors) in the civil and criminal courts of the several counties of the Commonwealth except counties of the first class.

The SPEAKER. The bill is re-referred to the Committee on Judiciary General.

BILLS ON FIRST READING

Pursuant to unanimous consent heretofore granted the following bills were read the first time.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1945, (Senate Bill No. 1259), entitled:

An Act to amend article twenty of the act, approved the ninth day of April, one thousand nine hundred twenty-nine (P. L. 177), entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments, boards, commissions, and officers thereof, including the boards of trustees of State Normal Schools or Teachers Colleges; abolishing, creating, reorganizing or authorizing the reorganization of certain administrative departments, boards, and commissions; defining the powers and duties of the Governor and other executive and administrative officers, and of the several administrative departments, boards, commissions, and officers; fixing the salaries of the Governor, Lieutenant-Governor, and certain other executive and administrative officers; providing for the appointment of certain administrative officers, and of all deputies and other assistants and employes in certain departments, boards, and commissions; and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments, boards, and commissions shall be determined," by authorizing the Department of Highways to construct, repair and maintain certain facilities of airports.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1901, (Senate Bill No. 1087), entitled:

An Act authorizing the Secretary of Property and Supplies to sell and convey certain tracts of coal lands in Hempfield Township, Westmoreland County, Pennsylvania.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1860, (Senate Bill No. 575), entitled:

An Act to further amend sections 1, 2 and 7 of the act approved the third day of June, one thousand nine hundred and eleven (P. L. 639) entitled as amended "An act relating to the right to practice medicine and surgery in the Commonwealth of Pennsylvania and providing a Bureau of Medical Education and Licensure as a bureau of the Department of Public Instruction and means and methods whereby the right to practice medicine and surgery and any of its branches may be obtained and exemptions therefrom and providing for an appropriation to carry out the provisions of said act and providing for revocation and suspension of licenses by said bureau and providing penalties for violations thereof and repealing all acts or parts of acts inconsistent therewith" by defining certain terms, imposing certain additional duties upon the State Board of Medical Education and Licensure; making provision for graduate students from other states, territories and Canada and providing for automatic suspension of registration in case of mental incompetency.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1776, (Senate Bill No. 56), entitled:

An Act providing for the observance of a Bill of Rights Week in the public schools of this Commonwealth.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1745, (Senate Bill No. 839), entitled:

An Act to further amend Section 7 of the act, approved the fifth day of May, one thousand nine hundred twenty-one (P. L. 374), entitled "An act providing for the licensing and regulation of corporations, copartnerships, associations, and individuals, engaged in the business of receiving payments or contributions to be held or used in any plan of accumulation or investment, or of issuing, negotiating, offering for sale, or selling any certificates, securities, contracts, or other choses in actions evidenced by writing on the partial payment or installment plan, or of assuming fixed obligations, or issuing, in connection therewith, a contract based on payments being made upon installments or single payments, under which all or part of the total amount received is to be repaid at some future time, with or without profit; and imposing penalties," requiring corporations and persons licensed under said act to deposit additional security with the Commission for the fulfillment of their contracts.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1944, (Senate Bill No. 1257), entitled:

An Act to amend section one of the act, approved the twenty-fifth day of May, one thousand nine hundred thirty-three (P. L. 1016), entitled "An act relating to aeronautics; providing for the maintenance and operation of intermediate landing fields and air navigation facilities by the Commonwealth alone or in cooperation with the United States Government or political subdivisions of the Commonwealth; providing for the execution of leases or the issuance of licenses to the United States Government or to political subdivisions of the Commonwealth for the maintenance of navigation facilities on intermediate landing fields of the Commonwealth; conferring powers and duties on the Department of Revenue with respect thereto; and repealing certain acts and parts of acts," by extending the powers of the department in relation to air transport facilities.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1752, (Senate Bill No. 1016), entitled:

An Act providing that the Commonwealth of Pennsylvania enter into the interstate compact to conserve oil and gas with other States of the United States of America which are signatories thereto.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

QUESTION OF INFORMATION

Mr. WOODSIDE. Mr. Speaker, I rise to a question of information.

The SPEAKER. The gentleman from Dauphin will state his question of information.

Mr. WOODSIDE. Mr. Speaker, is the order of business reports of committees?

The SPEAKER. It is.

Mr. WOODSIDE. Will the Speaker call that fact to the attention of the gentleman from Monroe, Mr. Achterman? Mr. Speaker, I desire to interrogate the gentleman from Monroe, Mr. Achterman. I believe the gentleman from Monroe is endorsing bills.

Mr. ACHTERMAN. Mr. Speaker, does the gentleman from Dauphin wish to interrogate me?

Mr. WOODSIDE. I do, Mr. Speaker.

The SPEAKER. The gentleman from Dauphin will proceed.

Mr. WOODSIDE. Mr. Speaker, the gentleman from Dauphin would like to know whether the gentleman from Monroe is aware of the fact that we are now under the order of business of reports from committees.

Mr. ACHTERMAN. In due time, Mr. Speaker, we will come to the order of business of reports from committees.

Mr. WOODSIDE. I ask the gentleman, Mr. Speaker, whether he now realizes that we are on that order of business?

Mr. ACHTERMAN. In due course of time I will make a report for the gentleman.

Mr. WOODSIDE. Mr. Speaker, I would like to know from the gentleman whether he intends to report under this order of business the Tax Anticipation Note Bill.

Mr. ACHTERMAN. Mr. Speaker, for the satisfaction of the gentleman I am about to report several other conference reports.

Mr. WOODSIDE. Under this order of business?

Mr. ACHTERMAN. Under this order of business, Mr. Speaker.

REPORTS OF COMMITTEE OF CONFERENCE ON HOUSE BILLS Nos. 230, 234 and 663

Mr. ACHTERMAN. Mr. Speaker, I desire to submit the reports of the Committee of Conference on House Bills 230, 234 and 663.

The SPEAKER. The reports will lie over for printing under the rules.

BILL ON FINAL PASSAGE RECALLED FROM GOVERNOR

Mr. DENNISON asked and obtained unanimous consent to call up out of order House Bill No. 1513, Printer's No. 1088, entitled:

An Act to further amend section three of the act approved the twenty-second day of June, one thousand nine hundred thirty-five (P. L. 414), entitled, as amended, "An act to provide revenue for State purposes; imposing taxes upon certain classes of personal property, providing for the assessment, collection, and lien of the same, and the distribution of the proceeds thereof; imposing duties on executors, administrators, registers of wills, recorders of deeds, prothonotaries, and court clerks, and on persons, copartnerships, associations, banks, national banks, trust companies, and other corporations receiving deposits of money, and on certain corporations and limited partnerships, conferring powers and imposing duties on certain State officers and departments; imposing penalties; and making an appropriation," by exempting assets held by liquidating trustees.

on page 10, of today's calendar, bill on final passage recalled from the Governor.

RECONSIDERATION OF VOTE

Mr. DENNISON. Mr. Speaker, I move that the vote by which this bill passed finally be reconsidered.

Mr. HELM. Mr. Speaker, I second the motion.

The SPEAKER. How did the gentleman from Jefferstrong, Mr. Dennison, vote on the final passage of this bill.

Mr. DENNISON. Mr. Speaker, I voted in the majority.

The SPEAKER. How did the gentleman from Armstrong, Mr. Helm, vote on the final passage of this bill?

Mr. HELM. Mr. Speaker, I voted in the majority.

On the question,

Will the House agree to the motion?

It was agreed to.

Mr. DENNISON. Mr. Speaker, I move that the vote by which this bill passed third reading be reconsidered.

The motion was agreed to.

On the question recurring,

Will the House agree to the bill on third reading?

Mr. DENNISON. Mr. Speaker, I ask unanimous consent to offer amendments at this time.

The SPEAKER. The amendments will be read by the Clerk for information.

The Clerk read the amendments as follows:

Amend title, page 1, at the end of the said title, by adding after the word "trustees" at the end of the last line of the said title, the following:

"exempting casualty insurance corporations not having capital stock imposing the tax upon personal property held and managed in this Commonwealth owned held or possessed by residents as trustees agents or attorneys-in-fact jointly with one or more trustees agents or attorneys-infact domiciled in another state and imposing the tax upon equitable interests of residents in personal property held and managed in another state where the legal title to such personal property is held by more than one trustee agent or attorney-in-fact one or more of whom are domiciled in another state and one or more of whom are domiciled within this Commonwealth."

Amend Sect. 1, page 2, line 26, by inserting after the words "attorney-in-fact" and before the word "or" the following:

"or by any resident as trustee agent or attorney-in-fact jointly with one or more trustees agents or attorneys-in-fact domiciled in another state where such personal property is held and managed in this Commonwealth."

Amend Sect. 1, page 3, line 11 after the word "state" and before the word "and" the following:

"or where the legal title to such personal property is vested in more than one trustee agent or attorney-in-fact one or more of whom are domiciled in another state and one or more of whom are domiciled within this Commonwealth and such personal property is held and managed in another state.

Amend Sec. 1, page 6, line 3, by inserting after the word "life" and before the word "or" the following: "casualty."

The SPEAKER. Will the House give unanimous consent to the offering of amendments at this time? Is there objection? The Chair hears none.

On the question,

Will the House agree to the amendments?

On the question,

Will the House agree to the bill on third reading as amended?

It was agreed to.

Ordered, that the bill as amended lie over for printing.

SENATE MESSAGES

RESOLUTION NON-CONCURRED IN BY SENATE

The Clerk of the Senate being introduced, informed that the Senate has non-concurred in the resolution from the House of Representatives, as follows:

In the House of Representatives, July 10, 1941.

Resolved, (if the Senate concur), That House Bill No. 820, Printer's No. 1070, entitled "An Act to amend section one of the act approved the second day of may one thousand eight hundred and ninety-nine (P. L. 184) entitled "An act to provide revenue by imposing a mercantile license tax on vendors of or dealers in goods wares and merchandise and providing for the colletion of said tax" as amended exempting from the mercantile license tax so much of the business of manufacturers and mechanics as comprises the vending of goods of their manufacture from their factories and workshops,

be recalled from the Governor for the purpose of amendment.

SENATE BILL FOR CONCURRENCE

The Clerk of the Senate being introduced, presented for concurrence bill numbered and entitled as follows:

SENATE BILL No. 598 (HOUSE BILL No. 1984)

An Act to add section two thousand two and one-tenth to the act approved the eighteenth day of May one thousand nine hundred eleven (P. L. 309) entitled "An act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administerd and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith" providing for cooperation of State Teachers Colleges at the request of the State Council of Defense with other agencies in furthering national defense programs and activities.

Referred to the Committee on State Government

AMENDED RESOLUTION RETURNED FOR CONCURRENCE

The Clerk of the Senate being introduced returned resolution from the House of Representatives as follows:

In the House of Representatives, May 20, 1941.

Whereas The Polish Army Veterans Association of America is an organization of veterans composed of the Polish Army who enlisted as volunteers in 1917 and 1918 from the United States for service with the Polish forces in France and in Poland and

Whereas By special permission of the State and War Departments and by proclamation of President Woodrow Wilson the Polish Military Commission was authorized to recruit from among the Poles in the United States volunteers for the army after this country entered as a participant in the World War on the side of the Allies and

Whereas In addition to the 250,000 soldiers of Polish extraction who served in the AEF the Poles contributed some 27,000 volunteers for service with the Polish Army in France who trained at Niagara-on-the-Lake Ontario and at Fort Niagara N Y and

Whereas Ninety per cent of these men saw service in France in 1918 and later in Poland in 1919 and 1920 and upon termination of hostilities between Poland and Soviet Russia they were returned to the United States under an agreement between this country and Poland and

Whereas In May 1921 the Polish Army Veterans Association of America was formed in Cleveland Ohio for the sole purpose of aiding the physically disabled and otherwise incapacitated veterans and

Whereas The task that lay before the founders and succeeding leaders of the organization was tremendous in as much as neither the American nor the Polish governments felt any responsibility for the care of these unfortunates for purely technical reasons and

Whereas With each succeeding year the need for aid for these disabled veterans has grown and

Whereas This association has found a method of raising funds by adopting the corn flower as its official flower and selling it on the highways in a manner similar to that in which poppies are now sold be it therefore

Resolved (if the Senate concur) That the Governor be requested to issue a proclamation setting aside May 3d 1942 and May 3d of all succeeding years as "Corn Flower Day" so that the corn flower may be sold by the Polish Army Veterans Association of America and the proceeds of such sales applied to the maintenance and upkeep of disabled Polish war veterans

With the information that the Senate has passed the same with amendments, in which the concurrence of the House of Representatives is requested.

The SPEAKER. The Clerk will read the amendments.

The amendments were read by the Clerk as follows:

Amend the Resolved Clause, page 2, at the end of line 2, by striking out "May 3rd" and inserting in lieu thereof the words and figures "the second Sunday in June"; also in line 3 of the Resolved Clause by striking out "May 3d" and inserting in lieu thereof the words and figures "the second Sunday in June".

On the question,

Will the House concur in the amendments made by the Senate?

The amendments were concurred in.

Ordered, That the Clerk inform the Senate accordingly.

COMMUNICATIONS FROM THE GOVERNOR

The Secretary to the Governor being introduced, presented a communication in writing from His Excellency the Governor, which was read as follows:

APPROVAL OF HOUSE BILL No. 1559

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, July 10, 1941.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Bill No. 1559, Printer's No. 990, entitled, "An Act to amend the definition of 'Peace Officer, as set forth in section one hundred and two of the act approved the first day of May one thousand nine hundred and twenty-nine (P. L. 905) entilted 'An act for the protection of the public safety regulating the use of highways and the operation of vehicles tractors street cars trackless trolley omnibuses bicycles pedestrians and the riding of animals upon the highways of this Commonwealth. providing for the titling including liens encumbrances and legal claims registration of certain vehicles and licensing the operators thereof upon payment of prescribed fees prescribing and limiting the powers of local authorities to deal with the subject matter of this act conferring powers and imposing duties upon the Department of Revenue the Department of Highways peace officers mayors burgesses magistrates aldermen justices of the peace the courts and the clerks thereof owners of vehicles and garage keepers providing that records are admissible as evidence imposing upon owners counties cities boroughs incorporated towns townships within the Commonwealth liability for damages caused by the negligent operation of their motor vehicles imposing penalties imposing certain costs upon counties providing for the disposition of fines forfeitures fees and miscellaneous receipts making an appropriation and providing for refunds' by including certain officers and soldiers of the United States Army Pennsylvania National Guard and Pennsylvania Reserve Defense Corps within the definition of 'peace officer.'"

ARTHUR H. JAMES.

APPROVAL OF HOUSE BILL No. 820

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, July 10, 1941.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Bill No. 820, Printer's No. 1070, entitled, "An Act to amend section one of the act approved the second day of May one thousand eight hundred and ninety-nine (P. L. 184) entitled 'An act to provide revenue by imposing a mercantile license tax on vendors of or dealers in goods wares and merchandise and providing for the collection of said tax' as amended exempting from the mercantile license tax so much of the business of manufacturers and mechanics as comprises the vending of goods of their manufacture from their factories and workshops."

ARTHUR H. JAMES.

PARLIAMENTARY INQUIRY

Mr. WOODSIDE. Mr. Speaker, I rise to a question of parliamentary inquiry.

The SPEAKER. The gentleman from Dauphin will state his question of parliamentary inquiry.

Mr. WOODSIDE. Mr. Speaker when a Conference Committee is appointed to determine the questions of difference between the bodies is it not proper for it to confine its consideration only to the matters which are in difference between the two Houses?

The SPEAKER. That is correct, under the rules of the House.

Mr. WOODSIDE. Mr. Speaker, I desire to interrogate the gentleman from Monroe, Mr. Achterman.

The SPEAKER. Will the gentleman from Monroe permit himself to be interrogated?

Mr. ACHTERMAN. I shall, Mr. Speaker.

Mr. WOODSIDE. Mr. Speaker, I would like to inquire from the gentleman whether he heard my question and the answer of the Chair to it.

Mr. ACHTERMAN. I did not, Mr. Speaker.

Mr. WOODSIDE. Mr. Speaker, I realize that the gentleman was being engaged in conversation at the time and I will repeat the question.

I asked the Chair whether it was not proper for a Conference Committee to confine its considerations to the differences between the two Houses, and the answer of the Chair was that that was correct.

Mr. Speaker, we have as you know on page 16 of the calendar House Bill No. 1768, Printer's No. 1113, and when it was reached in the regular order of business the gentleman from Monroe made a motion to refer it to committee, I do not recall which one, but then at my request he permitted it to go over.

I understand the purpose of the gentleman in referring it to Committee was to kill the bill and that the gentleman intended, or suggested rather, that there would be inserted in the conference report on Senate Bill No. 80 a provision to take the place of this bill, is that correct?

Mr. ACHTERMAN. I think it is Senate Bill 80, Mr. Speaker.

Mr. WOODSIDE. Is that substantially correct, Mr. Speaker?

Mr. ACHTERMAN. Substantially, Mr. Speaker.

Mr. WOODSIDE. Mr. Speaker, you have just advised the gentleman that that is an improper procedure. The

gentleman also well knows that there are a number of items of considerable controversy in Senate Bill No. 80. I think the gentleman realizes very well the importance of this particular piece of legislation. Therefore, I am going to ask the gentleman if he will not withdraw his motion to refer this bill to committee to kill it and permit the bill to be passed so that it can be enacted into law during this session.

QUESTION OF INFORMATION

Mr. ACHTERMAN. Mr. Speaker, I rise to a question of information.

The SPEAKER. The gentleman from Monroe will state his question of information.

Mr. ACHTERMAN. Mr. Speaker, if we can be in accord with the amendments made in Senate Bill 80 and incorporate the desires of the gentleman in the bill that he is mentioning, can that not be included in the report of the conference committee when there is no dispute?

The SPEAKER. The Chair will read the rule relating to Conference Committees:

> "Rule 33. All conference committees shall be composed of members who vote in the majority on the point or points of difference, but the committee shall not have power or control over any part of the bill, resolution or order except the parts as to which a difference exists between the House and Senate."

The only difference which exists between the House and Senate is the amendments which the Senate presented.

QUESTION OF INFORMATION

Mr. ACHTERMAN. Mr. Speaker, I rise to a further question of information.

The SPEAKER. The gentleman from Monroe will state his question of information.

Mr. ACHTERMAN. Mr. Speaker, do I understand that where particular sections are involved, that is, sections 602 and 603 of the act in this instance, the conference committee cannot then agree on them and make a report thereon.

The SPEAKER. Only as to the amendments that are in disagreement.

Mr. ACHTERMAN. Mr. Speaker, can they not make a report on that on which they are in accord?

The SPEAKER. That which is in accord cannot be treated by a conference committee.

Mr. ACHTERMAN. Mr. Speaker, I wish to have House Bill No. 1768 passed over until I can offer amendments on the floor of the House.

Mr. WOODSIDE. Mr. Speaker, the gentleman realizes if amendments are offered to this bill on the floor of this House and the bill goes over we will be unable to adjourn this week and enact the bill into law, does he not?

Mr. ACHTERMAN. Mr. Speaker, will the gentleman agree to have inserted in the Senate the amendments that I would offer on the floor of this House?

Mr. WOODSIDE. Not without knowing what they are I would not agree.

The gentleman will get another chance at the bill that is sure when it comes back, because any amendments that are inserted in the Senate will certainly be back here for concurrence.

I will say this to the gentleman, however, I will agree to the insertion and am anxious to have inserted in this bill those amendments which will bring it in compliance with the telegram which was sent from the Executive Director of the Social Security Board, Oscar M. Powell, who is the official spokesman for the Board, addressed to Louis G. Hines, Secretary of Labor and Industry, dated June 26th, 1941, and which telegram is now in the hands of the gentleman from Monroe, Mr. Achterman, and has been in his hands for a matter of some days. As a matter of fact, I also gave to him or sent to him amendments to the bill that will bring it in compliance with the telegram.

Mr. ACHTERMAN. Mr. Speaker, do I understand that the gentleman would like to write the amendments that I propose to offer?

Mr. WOODSIDE. Surely, Mr. Speaker, I should like to do so.

Mr. ACHTERMAN. I could not agree with that, Mr. Speaker.

Mr. WOODSIDE. Mr. Speaker, that was the question the gentleman asked me.

Mr. ACHTERMAN. Mr. Speaker, I have no desire to delay the passage of this particular legislation. There is some difference of opinion existing between the two Houses. House Bill 1768 managed to escape me on second reading. I had amendments at that time that I desired to offer. I assumed that we could dispose of the entire matter in the conference committee on Senate Bill No. 80. If we can be sure that the action of the conference committee for the purpose of discussing this bill will not interfere with the passage of the legislation, all right, but we certainly propose to express ourselves in relation to this particular legislation.

Mr. WOODSIDE. The Chair has very properly ruled on this question. I think the gentleman realizes that this is important, and the gentleman in fairness ought to permit the bill to be passed, fully realizing that any amendments which are made in the Senate must come back here for concurrence. The bill as it stands now is the only thing that complies with what the Social Security Board in Washington insists be written into the law of the Commonwealth of Pennsylvania. It does not go as far as the Social Security Board has asked, we are anxious to put in those amendments. If it were not for the element of time I would gladly submit the amendments to the gentleman from Monroe, Mr. Achterman, which were written by the Social Security Board in Washington and not by me or by anybody else on this side of the House, or by anybody in the administration, but the amendments were written by the Social Security Board in Washington as being necessary for this particular bill.

Mr. ACHTERMAN. Mr. Speaker, I desire to interrogate the gentleman from Dauphin, Mr. Woodside.

The SPEAKER. Will the gentleman from Dauphin permit himself to be interrogated?

Mr. WOODSIDE. I shall, Mr. Speaker.

Mr. ACHTERMAN. Mr. Speaker, do I understand the gentleman to state that House Bill 1768 will be amended in the Senate?

Mr. WOODSIDE. Mr. Speaker, House Bill 1768 will have to be amended in the Senate and I can assure the gentleman it will be amended in the Senate.

Mr. ACHTERMAN. Mr. Speaker, I have no objection because I am sure we can take this matter up in the conference committee.

Mr. WOODSIDE. Mr. Speaker, I am satisfied and I

ask the gentleman whether he will permit the bill to be called up and passed.

Mr. ACHTERMAN. I will, Mr. Speaker.

Mr. WOODSIDE. I thank the gentleman, Mr. Speaker.

BILL ON THIRD READING

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1768, as follows:

An Act to further amend the act approved the fifth day of December one thousand nine hundred thirty-six (P. L. of 1937 page two thousand eight hundred ninety-seven) entitled "An act establishing a system of unemployment compensation to be admiistered by the Department of Labor and Industry and its existing and newly created agencies with personnel (with certain exceptions) selected on a civil service basis requiring employers to keep records and make reports and certain employers to pay contributions based on payrolls to provide moneys for the payment of compensation to certain unemployed persons providing procedure and administrative details for the determination payment and and collection of such contributions and the payment of such compensation providing for cooperation with the Federal Government and its agencies creating certain special funds in the custody of the State Treasurer and prescribing penalties" by providing therein as to the replacement of certain moneys received pursuant to the provisions of Section three hundred two of the Federal Social Security Act as amended

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Article six of the act approved the fifth day of December one thousand nine hundred thirty-six (P. L. of 1937 page two thousand eight hundred ninety-seven) entitled "An act establishing a system of unemployment compensation to be administered by the Department of Labor and Industry and its existing and newly created agencies with personnel (with certain exceptions) selected on a civil service basis requiring employers to keep records and make reports and certain employers to pay contributions based on payrolls to provide moneys for the payment of compensation to certain unemployed persons providing procedure and administrative details for the determination payment and collection of such contributions and the payment of such compensation providing for cooperation with the Federal Government and its agencies creating certain special funds in the custody of the State Treasurer and prescribing penalties" as amended by the act approved the twentieth day of June one thousand nine hundred thirty-nine (P. L. 458) is hereby further amended by adding after Section six hundred two a new section to be known as Section six hundred two and one-tenth and to read as follows

Section 602.1 Reimbursement of Funds The Commonwealth of Pennsylvania hereby recognizes its obligation to replace and hereby pledges the faith of the Commonwealth that funds will be provided in the future and applied to the replacement of any moneys received after July one one thousand nine hundred forty-one for the Social Security Board under Title III of the Social Security Act any unencumbered balances in the Administration Fund as of that date any moneys thereafter granted to the Commonwealth pursuant to the provisions of the Wagner-Peyser Act and any moneys made available by the Commonwealth or its political subdivisions and matched by such moneys granted to the Commonwealth pursuant to the provisions of the Wagner-Peyser Act which the Social Security Board finds have because of any action or contingency been lost or have been expended for purposes other than or in amounts in excess of those found necessary by the Social Security Board for the proper administration of this act Such moneys shall be promptly replaced by moneys appropriated for such purpose from the general funds of the Commonwealth to the Administration Fund for expenditure as provided in Section six hundred two of this act The secretary shall promptly report to the Governor and the Governor to the Legislature the amount required for such replacement This section shall not be construed to relieve the Commonwealth of its obligation with respect to funds received prior to July one thousand nine hundred forty-one pursuant to the provisions of Title III of the Social Security Act

Section 2 The provisions of this act shall become effective on the first day of July one thousand nine hundred and forty-two

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows, viz:

YEAS—204

Achterman,	French,	Lyons,	Royer,
Allmond,	Gallagher,	Malloy,	Rush,
Auker,	Gates,	Marks,	Sarge,
Baker,	Gerard,	Maxwell,	Sarraf,
Balthaser,	Gillan,	McClanaghan,	Scanlon,
Bentley,	Gillette,	McClester,	Schwab,
Bentzel,	Goodwin,	McDermott,	Serrill,
Boles,	Greenwood,	McDowell,	Shaffer,
Boney,	Gross,	McFall,	Shaw,
Boorse,	Gryskewicz,	McIntosh,	Shepard,
Bower,	Gyger,	McKinney,	Simons,
Bradley,	Habbyshaw,	McLanahan,	Skale,
Bretherick,	Haberlen,	McLane,	Snyder,
Brown,	Haines,	McMillen,	Sollenberger,
Brunner, C. H.,	Hall,	McSurdy,	Sorg,
Brunner, P. A.,	Hamilton,	Melchiorre,	Stambaugh,
Burns,	Hare,	Mihm,	Stank,
Burris,	Harkins,	Modell,	Stine,
Cadwalader,	Harmuth,	Mooney,	Stockham,
Chervenak,	Harris,	Moran,	Tarr,
Chudoff,	Heatherington,	Moul,	Tate,
Cochran,	Helm,	Muir,	Taylor,
Cohen, M. M.,	Hering,	Munley,	Thompson, E.,
Cohen, R. E.,	Herman,	Nagel,	Thompson, R.,
Cook,	Hersch,	Nunemacher,	Trout,
Cooper,	Hewitt,	O'Brien,	Turner,
Cordier,	Hirsch,	O'Connor,	Van Allsburg,
Corrigan,	Holland,	O'Dare,	Verona,
Croop,	Huntley,	O'Mullen,	Vincent,
Cullen,	Imbrie,	O'Neill,	Vogt,
Dalrymple	James,	Owens,	Voldow,
Dennison,	Jefferson,	Petrosky,	Voorhees,
DiGenova,	Jones, G. E.,	Pettit,	Wagner,
Dix,	Jones, P. N.,	Polaski,	Watkins,
Dolon,	Keenan,	Polen,	Weingartner,
D'Ortona	Kenehau,	Powers,	Weiss,
Duffy,	Kline,	Prosen,	Welsh, E. B.,
Early,	Knoble,	Rank,	Welsh, M. J.,
Eckels,	Kolankiewicz,	Rausch,	Wilkinson,
Elder,	Komorofski,	Readinger,	Williams,
Elliott,	Krise,	Reagan,	Winner,
Ely,	Lee, E. A.,	Reese, D. P.,	Wood, L. H.,
Falkenstein,	Lee, T. H.,	Reese, R. E.,	Wood, N.,
Finestone,	Leisey,	Regan,	Woodring,
Finnerty,	Leonard,	Reynolds,	Woodside,
Fisher,	Lesko,	Rhea,	Wright,
Fiss,	Levy,	Riley,	Yeakel,
Fleming,	Leydic,	Rooney,	Yester,
Fletcher,	Lichtenwalter,	Rose, S.,	Young,
Flynn,	Longo,	Rose, W. E.,	Kilroy,
Foor,	Lovett,	Rosenfeld,	Speaker.

NAYS—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

CONDOLENCE RESOLUTION

Mr. SNYDER offered the following resolution and asked

and obtained unanimous consent for its immediate consideration.

The resolution was read, considered and adopted:

In the House of Representatives, July 10, 1941.

In the County of Tioga one week ago today occurred the death of Edward B. Dorsett a leader in agriculture in this Commonwealth for the past fifty years.

He received his education at Mansfield where he lived during his entire lifetime and served as sheriff of Tioga County.

He served as Master of the State Grange from 1928 to 1934 and in that capacity frequently appeared before Legislative Committees in behalf of agriculture.

For six years be edited the Grange News and staunchly and fearlessly promulgated Grange policies.

By reason of his interest and activity in behalf of the farmer Mr. Dorsett became well known throughout the Commonwealth; therefore be it

Resolved, That the House of Representatives directs that this resolution be printed in the Journal and a copy thereof be transmitted by the Chief Clerk of the House to the widow of the deceased, Mrs. Kathryne Dorsett.

RECESS

The SPEAKER. If there is no objection the Chair is about to declare a recess until 8 p. m. Is there objection? The Chair hears none and a recess is declared.

AFTER RECESS

The House reconvened at 8 p. m.

The SPEAKER. (Elmer Kilroy) in the Chair

SENATE MESSAGES

APPOINTMENT OF CONFERENCE COMMITTEE ON SENATE BILL No. 24

The Clerk of the Senate being introduced, informed that the Senate insists on its non-concurrence in the amendments made and insisted upon by the House of Representatives to Senate Bill No. 24, entitled:

An Act defining and prohibiting unfair sales providing remedies for violations thereof and establishing penalties therefor

And has appointed Messrs. Walker, Thomas and Dent a committee of conmerence to confer with a similar committee of the House of Representatives (if the House of Representatives shall appoint such committee) on the subject of the differences existing between the two Houses in relation to said bill.

Mr. REUBEN E. COHEN. Mr. Speaker, I move that the House insist upon its amendments non-concurred in by the Senate and that a Committee of Conference be appointed.

The motion was agreed to.

APPOINTMENT OF COMMITTEE ON CONFERENCE ON SENATE BILL No. 24

The SPEAKER. The Chair appoints as a Committee of Conference on said bill, Messrs. REUBEN E. COHEN, SARRAF and DAVID P. REESE.

Ordered, That the Clerk inform the Senate accordingly.

SENATE INSISTS ON ITS AMENDMENTS NON-CONCURRED IN BY HOUSE

The Clerk of the Senate being introduced, informed that the Senate has insisted upon its amendments, non-concurred in by the House of Representatives, to House Bill No. 1729, entitled:

An Act to further amend section seven of and to add section fourteen and one-tenth to the act, approved the seventh day of August, one thousand nine hundred and thirty-six (P. L. 106), entitled, as amended "An act relating to flood control; prescribing the powers and duties of the Water and Power Resources Board of the Department of Forests and Waters in relation to the creation of flood control districts, adoption of plans for flood control works and improvements, carrying into effect of such plans, assistance, aid and cooperation with public and private agencies and the Federal Government in Federal flood control works and improvements, and entering into compacts and agreements with other states for flood control works and improvements; conferring the power of eminent domain; providing for the setting off of benefits; imposing certain charges upon the Commonwealth; providing for appeals; and conferring certain powers on municipalities, counties, and townships, and the Department of Highways," prohibiting the construction maintenance or operation of facilities, works, and improvements for the generation or development of power and authorizing the Secretary of Highways and the various political subdivisions, with the approval of the Water and Power Resources Board, to grant easements and flowage rights to the Federal Government. 'over certain highways, roads, streets and bridges and adjacent lands

Mr. REUBEN E. COHEN. Mr. Speaker, I move that the House insist on its non-concurrence in the amendments made insisted upon by the Senate and that a Committee of Conference be appointed.

Th motion was agreed to.

APPOINTMENT OF COMMITTEE ON CONFERENCE ON HOUSE BILL No. 1729

The SPEAKER. The Chair appoints as a Committee of Conference on said bill, Messrs. STINE, MOUL and MUIR.

Ordered, That the Clerk inform the Senate accordingly.

COMMUNICATION FROM THE GOVERNOR

The Secretary to the Governor being introduced, presented a communication in writing from His Excellency the Governor, which was read as follows:

APPROVAL OF RESOLUTION RECALLING HOUSE BILL No. 892

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, July 10, 1941.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed a resolution of the House of Representatives and Senate recalling from the Governor House Bill No. 892, Printer's No. 1049, for the purpose of amendment.

Accordingly, the original bill is herewith returned.

ARTHUR H. JAMES

RECONSIDERATION OF VOTE

Mr. SCANLON. Mr. Speaker, I move that the vote by which this bill passed finally be reconsidered.

Mr. PROSEN. Mr. Speaker, I second the motion.

The SPEAKER. How did the gentleman from Philadelphia, Mr. Scanlon, vote on the final passage of this bill?

Mr. SCANLON. Mr. Speaker, I voted in the majority.

The SPEAKER. How did the gentleman from Philadelphia, Mr. Prosen. vote on the final passage of this bill

Mr. PROSEN. Mr. Speaker, I voted in the majority.

On the question,

Will the House agree to the motion?

It was agreed to.

Mr. SCANLON. Mr. Speaker, I move that the vote by which this bill passed third reading be reconsidered.

The motion was agreed to.

On the question recurring,

Will the House agree to the bill on third reading?

Mr. SCANLON. Mr. Speaker, I ask unanimous consent to offer amendments at this time.

The SPEAKER. The amendments will be read by the Clerk for information.

The Clerk read the amendments as follows:

Amend bill, page 3, by inserting between lines 24 and 25, the following: "Section 4. The said commission shall remain in existence until January fifteenth, one thousand nine hundred forty-three, and shall make a full and complete report of its findings to the General Assembly with appropriate recommendations for legislative action by the General Assembly."

Amend Sec. 4, page 3, line 25, by striking out the figure "4" and inserting in lieu thereof: "5,"

The SPEAKER. Will the House give unanimous consent to the offering of amendments at this time? Is there objection? The Chair hears none.

On the question,

Will the House agree to the amendments?

The amendments were agreed to.

On the question,

Will the House agree to the bill on third reading as amended?

It was agreed to.

Ordered, that the bill as amended lie over for printing.

PERMISSION GRANTED COMMITTEE TO MEET DURING SESSION

Mr. FALKENSTEIN asked and obtained permission for the Committee on Public Utilities to meet during the session of the House.

CONDOLENCE RESOLUTION

Mr. BONEY offered the following resolution and asked and obtained unanimous consent for its immediate consideration.

The resolution was read, considered and adopted:

In the House of Representatives, July 7, 1941.

The House of Representatives learns, with sorrow, of the passing of Arthur Lyndon Turner who died at his home in Dallas, Pennsylvania on June 10, 1941.

Mr. Turner was born in Wilkes-Barre in 1877. He was admitted to the bar in 1901, practicing actively thereafter until a week before his death.

For forty successful years, Mr. Turner enjoyed the respect, confidence and admiration of the other members of the bar and the community in general, all of whom appreciated that his ethical standards were of the highest, his resourcefulness unbounded and his legal knowledge sound; therefore be it

Resolved, That the House of Representatives mourns the passing of a true gentleman, a distinguished citizen and a member of the bar whose career would well serve as a model to others of the profession; therefore be it further

Resolved, That a copy of this resolution be mailed by the Chief Clerk to his widow and the other members of the family of the deceased, as a token of the House of Representatives' sincere sympathy for them in their great bereavement.

FORMER MEMBER WELCOME

The Speaker. The Chair invites to the rostrum Mr. A. J. White Hutton. It is a pleasure to introduce to the Members of the House a former Member and the former floor-leader of the Republican party in the session of 1933, the gentleman from Franklin, Mr. A. J. White Hutton.

Mr. HUTTON. Mr. Speaker and Members of the House, it seems to be a long time since I occupied this rostrum, but this evening I happened to be in Harrisburg and greeted my old colleague, Speaker Turner. I had one of those nostalgic feelings, so to speak, and thought I would like to come up here. I am very glad to be here to look over the House again. I wish you Godspeed in your work and hope you will finish up your term sometime before Thanksgiving. I am very glad to be here with you.

PERMISSION TO ADDRESS HOUSE

Mr. TURNER asked and obtained unanimous consent to address the House.

The Speaker, I think it was a fine courtesy to invite the man whom we always knew as Doc Hutton to the rostrum to say something to the House. There are only a few Members who were with us in the 1931-1933 sessions, when Doc was a very prominent Member of this body. He gets his title, "Doc" not because he has anything to do with the medical profession, but because he happens to be a Ph.D. teaching law in Dickinson College. Doc was always a great one for military strategy. Living in Chambersburg, and being very close to the battlefield of Gettysburg, Doc was always talking to the membership of the Legislature in terms of military affairs.

I remember one story I think I can tell which Doc told and which I have remembered for a long time. He said at the time of the battle of Gettysburg, the home guards were ordered out in Chambersburg. They were told that the Confederates were coming down the road. A guard came running back to them stating that the Confederates were very close. The captain of the company called, "Halt" and told them to stop, "About face". They all about faced. He said, "Every man for himself, but don't you call me 'captain.'"

I think there was another bit of advice out of the experience of Doc Hutton that some of our members might assimilate. Doc Hutton came here when Milt Bergner was on that bench up there. He was at the time Resident Clerk of the House. The Democrats in 1935 abolished the office of Resident Clerk. He was an old-time politician and a very able man on the desk, and when I say a very able man, I mean just what I say. When Doc came here, he sat about where Malloy sits. Milt Bergner from his experience in the House said, "A man who came here for his first term should sit and listen and say nothing. Doc took that advice to heart by listening and keeping his mouth shut.

Mr. Speaker, it may seem funny but during my first session I sat here and kept my mouth shut.

The SPEAKER. Impossible.

Mr. TURNER. But I have made up for it a whole lot since. Nevertheless Doc sat there in his first session and in 1933 he became the floor leader of the Republican group and did all the parliamentary maneuvering on the floor of the House for the Republican group. Doc was a great strategist and a great military man. If you want to

have a great treat and a good time have Doc take you over the battlefield of Gettysburg. I do not think I ever enjoyed myself any more than I did one afternoon on a visit to Gettysburg, because Doc knew all about the battlefield and knew all about what went on there. He has a store of knowledge. The fact of the matter is that when he retires from the practice of law I understand he is going to become a guide down at Gettysburg.

REPORT OF JOINT STATE GOVERNMENT COMMISSION PRINTED IN APPENDIX

Mr. TURNER. Mr. Speaker, some time ago the question was raised as to whether we should print the departmental reports of the Joint State Government Commission. At that time it was held in abeyance because we had a bill which called for an appropriation for the printing of these reports. In the present situation we do not know just exactly what is to happen to that bill. Therefore, in order that the report may be preserved, because it is a valuable report and deals entirely with statistical information and research with reference to the Departments, their functions and their duties, I ask that the reports be printed in the appendix to the Legislative Journal.

The SPEAKER. If there is no objection the Report of the Joint State Government Commission will be printed in the Appendix to the Legislative Journal. The Chair hears none and the Report will be printed in the Appendix.

REPORTS FROM COMMITTEES

Mr. MARKS, from the Committee on Judiciary General, reported as committed, House Bill No. 1608, (Senate Bill No. 545), entitled:

An Act relating to the summoning and service of jurors (except grand jurors) in the civil and criminal courts of the several counties of the Commonwealth except counties of the first class

Mr. GOODWIN, from the Committee on State Government, reported as committed, House Bill No. 1856, (Senate Bill No. 1047), entitled:

An Act to further amend the act approved the seventh day of May, one thousand nine hundred twenty-three (P. L. 151), entitled "An act defining and regulating the business of dry cleaning and dyeing; providing for the maintenance, construction and inspection of dry cleaning and dyeing buildings and establishments; providing for enforcing the act, and penalties for violation thereof;" providing for the administration and enforcement of said act by the Department of Labor and Industry; exempting from certain provisions of said act certain plants and systems exclusively using a petroleum solvent having a flash point of one hundred and forty degrees fahrenheit; and empowering the Department of Labor and Industry to make, alter, amend and repeal rules and regulations.

Mr. VAN ALLSBURG, from the Committee on Welfare, reported as committed, House Bill No. 1889, (Senate Bill No. 715), entitled:

An Act to repeal certain obsolete acts relating to paupers and the management, control and operation of poor districts.

Mr. PROSEN, from the Committee on State Government, reported as committed, House Bill No. 1984, (Senate Bill No. 598), entitled:

An Act to add section two thousand two and one-tenth to the act approved the eighteenth day of May one thousand nine hundred eleven (P. L. 309) entitled "An act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith" providing for cooperation of State Teachers Colleges at the request of the State Council of Defense with other agencies in furthering national defense programs and activities.

Mr. O'MULLEN, from the Committee on Public Utilities reported as committed, House Bill No. 1957, (Senate Bill No. 783), entitled:

An Act to further amend the act approved the twenty-eighth day of June, one thousand nine hundred and thirty-five (P. L. 463), entitled as amended "An act providing for the incorporation, as bodies corporate and politic, of "Authorities" for municipalities, counties, and townships; defining the same; prescribing the rights, powers, and duties of such Authorities; authorizing such Authorities to acquire, construct improve, maintain, and operate projects, and to borrow money and issue bonds therefor; providing for the payment of such bonds, and prescribing the rights of the holders thereof; conferring the right of eminent domain on such Authorities; Authorizing such Authorities to enter into contracts with and to accept grants from the Federal Government or any agency thereof; and for other purposes," by changing the method by which notice of the formation of a municipal authority shall be made public; further regulating incorporation purposes and existence of the authority; defining procedure whereby an authority can enter into contracts and dispose of its bonds; imposing additional qualifications and duties on members of the authority; imposing civil liability on members of the board and officers of an authority in certain cases; requiring annual audits; imposing additional duties on the court of common pleas; giving authorities right of eminent domain in certain cases, and extending with certain limitations the power of Authorities to make certain purchases requiring authorities in certain cases to secure certificates of public convenience from the Public Utility Commission, imposing duties upon said commission and providing for appeals, requiring the filing of financial reports by authorities with and the approval of bond issues by the Department of Internal Affairs and conferring powers and imposing duties upon said department, restricting the appointment of members of authorities and limiting their salaries, and providing for the voluntary dissolution of authorities.

Mr. SARRAF, from the Committee on Public Health and Sanitation, reported as committed House Bill No. 1384, (Senate Bill No. 480), entitled:

An Act requiring the Department of Health to furnish free of charge all State and State-aided hospitals certain vaccines or serum used in the Pasteur treatment, and requiring such hospitals to furnish and inoculate all persons bitten by dogs in this Commonwealth with such vaccine or serum free of charge.

BILLS ON FIRST READING

Pursuant to unanimous consent heretofore granted the following bills were read the first time.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1889, (Senate Bill No. 715), entitled:

An Act to repeal certain obsolete acts relating to pau-

pers and the managment, control and operation of poor districts.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1984, (Senate Bill No. 598), entitled:

An Act to add section two thousand two and one-tenth to the act approved the eighteenth day of May one thousand nine hundred eleven (P. L. 309) entitled "An act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith" providing for cooperation of State Teachers Colleges at the request of the State Council of Defense with other agencies in furthering national defense programs and activities.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1856, (Senate Bill No. 1047), entitled:

An Act to further amend the act approved the seventh day of May, one thousand nine hundred twenty-three (P. L. 151), entitled "An act defining and regulating the business of dry cleaning and dyeing; providing for the maintenance, construction, and inspection of dry cleaning and dyeing buildings and establishments; providing for enforcing the act, and penalties for violation thereof"; providing for the administration and enforcement of said act by the Department of Labor and Industry; exempting from certain provisions of said act certain plants and systems exclusively using a petroleum solvent having a flash point of one hundred and forty degrees Fahrenheit; and empowering the Department of Labor and Industry to make, alter, amend and repeal rules and regulations.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1608, (Senate Bill No. 545), entitled:

An Act relating to the summoning and service of jurors (except grand jurors) in the civil and criminal courts of the several counties of the Commonwealth except counties of the first class.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1384, (Senate Bill No. 480), entitled:

An Act requiring the Department of Health to furnish free of charge all State and State-aided hospitals certain vaccines or serum used in the Pasteur treatment, and requiring such hospitals to furnish and inoculate all persons bitten by dogs in this Commonwealth with such vaccine or serum free of charge.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1957, (Senate Bill No. 783), entitled:

An Act to further amend the act approved the twenty-eighth day of June, one thousand nine hundred and thirty-five (P. L. 463), entitled as amended "An act providing for the incorporation, as bodies corporate, and politic, of 'Authorities' for municipalities, counties, and townships; defining the same; prescribing the rights, powers, and duties of such Authorities; authorizing such Authorities to acquire, construct, improve, maintain, and operate projects, and to borrow money and issue bonds therefor; providing for the payment of such bonds, and prescribing the rights of the holders thereof; conferring the right of eminent domain on such Authorities; authorizing such Authorities to enter into contracts with and to accept grants from the Federal Government or any agency thereof; and for other purposes." by changing the method by which notice of the formation of a municipal authority shall be made public; further regulating incorporation purposes and existence of the authority; defining procedure whereby an authority can enter into contracts and dispose of its bonds; imposing additional qualifications and duties on members of the authority; imposing civil liability on members of the board and officers of an authority in certain cases; requiring annual audits; imposing additional duties on the court of common pleas; giving authorities right of eminent domain in certain cases; extending with certain limitations the power of Authorities to make certain purchases requiring authorities in certain cases to secure certificates of public convenience from the Public Utility Commission, imposing duties upon said commission and providing for appeals, requiring the filing of financial reports by authorities with and the approval of bond issues by the Department of Internal Affairs and conferring powers and imposing duties upon said department, restricting the appointment of members of authorities and limiting their salaries, and providing for the voluntary dissolution of authorities.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

BILL RECOMMITTED

Mr. O'MULLEN. Mr. Speaker, I move that this bill be recommitted to the Committee on Public Utilities for the purpose of further study and amendment.

The motion was agreed to.

PERMISSION GRANTED COMMITTEE TO MEET DURING SESSION

Mr. SHAW asked and obtained permission for the Committee on Welfare to meet during the session of the House.

Mr. FALKENSTEIN asked and obtained permission for the Committee on Public Utilities to meet during the session of the House.

Mr. BROWN asked and obtained permission for the Committee on Judiciary General to meet during the session of the House.

Mr. READINGER asked and obtained permission for the Committee on State Government to meet during the session of the House.

Mr. SARRAF asked and obtained permission for the Committee on Public Health and Sanitation to meet during the session of the House.

SENATE MESSAGE

SENATE INSISTS ON ITS AMENDMENTS NON-CONCURRED IN BY HOUSE

The Clerk of the Senate being introduced, informed that the Senate has insisted upon its amendments, non-concurred in by the House of Representatives, to House Bill No. 551, entitled

A Supplement to the act approved the twenty-seventh day of June one thousand nine hundred thirty-nine (Appropriation Acts Page 60) entitled "An act to provide for the ordinary expenses of the Executive Legislative and Judicial Departments of the Commonwealth interests on the public debt and the support of the Public schools for two years beginning June first one thousand nine hundred and thirty-nine and for the payment of bills incurred and remaining unpaid at the close of the fiscal year ending May thirty-first one thousand nine hundred and thirty-nine" providing for a deficiency in the appropriation to the Department of Property and Supplies for the fiscal biennium ending May thirty-first one thousand nine hundred forty-one providing for payment out of revenues of the fiscal biennial period beginning June first one thousand nine hundred forty-one and preventing lapsing.

Mr. ACHTERMAN. Mr. Speaker, I move that the House insist upon its non-concurrence in the amendments made and insisted upon by the Senate and that a Committee of Conference be appointed.

The motion was agreed to.

APPOINTMENT OF COMMITTEE OF CONFERENCE ON HOUSE BILL No. 551

The SPEAKER. The Chair appoints as a Committee of Conference on said bill, Messrs. GERARD, MARKS and WOODSIDE.

Ordered, That the Clerk inform the Senate accordingly.

REPORT FROM COMMITTEE

Mr. McMULLEN from the Committee on Public Utilities re-reported as amended, House Bill No. 1927, (Senate Bill No. 783), entitled:

An Act to further amend the act approved the twenty-eighth day of June, one thousand nine hundred and thirty-five (P. L. 463), entitled as amended "An act providing for the incorporation, as bodies corporate, and politic, of 'Authorities' for municipalities, counties, and townships; defining the same; prescribing the rights, powers, and duties of such Authorities; authorizing such Authorities to acquire, construct, improve, maintain, and operate projects, and to borrow money and issue bonds therefor; providing for the payment of such bonds, and prescribing the rights of the holders thereof; conferring the right of eminent domain on such Authorities; authorizing such Authorities to enter into contracts with and to accept grants from the Federal Government or any agency thereof; and for other purposes," by changing the method by which notice of the formation of a municipal authority shall be made public; further regulating incorporation purposes and existence of the authority; defining procedure whereby an authority can enter into contracts and dispose of its bonds; imposing additional qualifications and duties on members of the authority; imposing civil liability on members of the board and officers of an authority in certain cases; requiring annual audits; imposing additional duties on the court of common pleas; giving authorities right of eminent domain in certain cases; extending with certain limitations the power of Authorities to make certain purchases requiring authorities in certain cases to secure certificates of public convenience from the Public Utility Commission, imposing duties upon said commission and providing for appeals, requiring the filing of financial reports by authorities with and the approval of bond issues by the Department of Internal Affairs and conferring powers and imposing duties upon said department, restricting the appointment of members of authorities and limiting their salaries, and providing for the voluntary dissolution of authorities.

RESOLUTION

MAILING MEMBERS FILES

Mr. O'NEILL offered a privileged resolution which was read, considered and adopted as follows:

In the House of Representatives, July 10, 1941.

Resolved, That the Bureau of Publications, through the Department of Property and Supplies, be directed to mail files of bills and journals on desks of Members desiring same to places designated by them, all files being received by them through the Office of the Chief Clerk.

The SPEAKER. The Chair would like to inform the Members concerning the resolution just adopted. Members who wish to have their files sent home will have them delivered to the store room by the Pages. From this time on bills will be placed on the desks of the members as they are considered. The Members themselves will determine whether or not they desire to send their files home. Members who desire to do so will contact the Chief Clerk.

CONGRATULATORY RESOLUTION

Messrs. BROWN, JEFFERSON and YOUNG offered a privileged resolution which was read, considered and adopted as follows:

In the House of Representatives, July 10, 1941.

Whereas, A distinguished Member of the House today observes his forty-second birthday; and

Whereas, Forty-two years ago, in the Town of Oxford, North Carolina, there first saw the light of day a youngster who, even at that early age, gave promise of possessing remarkable talents; and

Whereas, Since that time he has devoted himself to leading the people of his congregation in the path of righteousness, and to leading the Commonwealth of Pennsylvania and its Representatives in the General Assembly into the path of true Christianity; and

Whereas, He is a foremost exponent of the fundamental principles underlying American democracy, with a firm belief that those stirring words in the Declaration of Independence, in those self-evident truths, namely, that all men are created equal, and that they are endowed by their Maker with certain inalienable rights, among those rights being life, liberty and the pursuit of happiness, and has devoted his lifetime towards a realization of these self-evident truths; and

Whereas, Together with this strong devotion to his ideal, he combines a most congenial, pleasant and wholesome friendly disposition; be it therefore

Resolved, That on this, the occasion of the Honorable Marshall L. Shepard's birthday, the House of Representatives congratulates him, and wishes him many happy returns of the day; and be it further

Resolved, That the Chief Clerk of the House forward a copy of this resolution to the Honorable Marshall L. Shepard.

The SPEAKER. The Chair recognizes the gentleman from Allegheny, Mr. Brown.

Mr. BROWN. Mr. Speaker, I know the gentleman so well that I would rather have some of the other Members eulogize him on this occasion. Therefore, I yield at

this time to some of the other members of the House who don't know the gentleman as well as I do.

The SPEAKER. The Chair is informed that the gentleman from Delaware, Mr. James, knows the Rev. Mr. Shepard very well.

Mr. JAMES. Mr. Speaker and gentlemen of the House, and in particular, Honorable Marshall Shepard, I listened this afternoon with a great deal of interest to the debate that involved the subject of the honors tonight, by the ex-Speaker of this House, the Honorable Ellwood Turner. It seems to me in that debate the one thing and the only thing that was brought forth with any amount of pronouncement was the fact that both gentlemen have observed a lazy attitude toward all things pertaining to government.

It is sometimes hard to characterize a man like the Honorable Marshall Shepard, who like a diamond has so many sparkling facets, that to describe any one of them would beggar all others. However, in characterizing the Honorable Marshall Shepard I think along the lines of his profession, and a text comes to my mind that seems to me to be particularly appropriate, "Observe the lillies of the field, they toil not neither do they spin, yet Solomon in all his glory was not arrayed like one of these."

It seems to me, Mr. Speaker, in his own inimitable way the Honorable Marshall Shepard exemplifies the spirit and the meaning of that text exceedingly well. It is very definite that in his life and in his living he leans very heavily upon the Providence that clothes the lily even without toiling or spinning, in that he beggars and denies the words of the ancient Chinaman who so many years ago said, "One cannot plow a field by turning it over in his mind." That, however, I believe is a great and outstanding accomplishment of the Reverend Marshall Shepard.

The SPEAKER. The Chair recognizes the gentleman from Philadelphia, Mr. Shepard.

Mr. SHEPARD. Mr. Speaker and Members of the House, I do thank the gentleman and the Members of the House for these words of tribute.

They do tell me I was born forty-two years ago down in North Carolina, in a little town called Oxford, not just in the town but a little way out of town, which was the place I got off the train. I appreciate this tribute. As I said sometime ago, my father was a slave and went through all of struggles we have had to get along in this country. This is the greatest democracy in America, especially a state like Pennsylvania, when even the son of a slave can be so generously considered in the Assembly Halls of the Commonwealth of Pennsylvania. I admit that I do not like a whole lot of work and that is one of the reasons I can never become a Congressman. I just don't like to work. I hope I will never have to do a whole lot of it. I do not have any particular philosophy of life. I read sermons sometimes, and Mr. Speaker, I just happened to come across a little poem that appears on the walls of Chester Cathedral in England, which is as follows:

"Give me a mind that is not bored,
That does not whimper, whine or sigh,
Don't let me worry overmuch
About the fussy thing called I.
Give me a sense of humor, Lord,
To get some happiness from life
And pass it on to other folk".

I thank you Mr. Speaker.

PERMISSION TO ADDRESS HOUSE

Mr. TURNER asked and obtained unanimous consent to address the House.

Mr. Speaker, I listened with great interest to the Reverend Shepard in his remarks on his birthday, as I gathered it as I came into the House. I am reminded that the other day some one was telling an anecdote about him. He said that his boy and two other boys were discussing their fathers.

One of them said, "Well, my father writes articles and they pay him a lot of money for it."

The other boy said, "Well, my father is out on a lecture platform and they pay him a lot of money for that."

Young Shepard said, "that's nothing, heck, my old man preaches a sermon every Sunday and it takes five men to carry the money up the aisle."

PERMISSION TO ADDRESS HOUSE

Mr. TURNER asked and obtained unanimous consent to address the House.

Mr. Speaker. I was reminded as I got up of the poem that says, "There comes a pause in the day's occupation which is known as the 'children's hour'" I thought as I rose there comes a time in a legislative session which is known as the "eulogy Hour."

I have a lot of sympathy for you in that you must be up there and listen to what is going to be said about you. Having experienced the same painful experience, I can speak feelingly. However, it is fine that at the end of each session the Members of the House can get together and forget the bitterness, the hate and the heartaches of legislation and say something about the men who have borne the brunt of the legislative session, and particularly about the man who sits in the Chair and presides over our deliberations.

This is a great parliamentary body. It has to do with the lives and the well being of ten million people. It has to do with what is practically a nation, one that is greater than some nations that exist in many other parts of the world; a great country with its great natural resources, its great industries, its fine educational institutions, its great cultural institutions. We have to do here the things that affect human beings, yes, from the time before they are born until they pass on, and leave something perhaps for the tax collectors to gather and take away from their children.

Mr. Speaker, there have always been in this House, and I noted one of them this evening sitting near me, fortunately it seems to me for the people of Pennsylvania, men who are interested not only in legislation and in representing their constituents but who are interested in building the prestige, in building the efficiency and the effectiveness of the legislative body in which they sit.

I have had the pleasure and the privilege of sitting in this same seat, under a long line of Speakers, except during the session when I, also, was Speaker. They have been men of varying caliber; they have been men of varying attainments; they have been men of varying educational background; they have been men of varying experience. They have come from different parts of the State. Yet as each man has taken his place as Speaker it has seemed to me he has grown in stature, that he rose to

the position which he held and to the opportunities which it gave him for service.

Each time as the session has closed the finest tribute we could pay to that line of men under whom I have sat, was that in every instance the House was able to say that they were fair, that they rose to their high duties, that they considered the obligations placed upon them and met the problems that were given to them, each in his own way, but each in a way that has brought satisfaction to the membership of the House.

I came here first in 1925. I have sat here under five diffrent Speakers and I know in each instance the remarks of members were not merely complimentary ones made for the occasion, nor that the men who were assembled in that particular Legislature were trying to say something polite and nice to the man in the Chair, but out of the hearts of those men who truly represent our democracy, this cross section of the people of our state, came a feeling of gratitude to the man who had sat in the Chair for the things he had done for the Commonwealth and for the things he had done for them.

I think I can say to you truthfully and honestly that I voice the sentiment of the other Members of the House when I say that you have upheld the fine traditions of the office which you occupy, that there has been a rising scale of sentiment in the House not only on your own party's sine, but on the minority side, for your sportsmanship, your fine humor, your wit, your splendid feeling towards the members, your desire to carry out the traditions of the House and to conduct the business of the House in an effort, if possible, to increase and raise the standard of efficiency and effectiveness of the Legislature of Pennsylvania. I know, and all the members know, that you have been a lifelong true sport. I think in our American way we can pay no greater tribute to a man than to say he is a true sport. We can also add to that, and a true gentleman, and in all your conduct of the affairs of this House you have epitomized the highest type of sportsmanship and gentleman.

Therefore, Mr. Speaker, as we come toward the close of the session, I am sure the Members of this House wish you well, they wish you health and happiness, they wish for you further and higher honors, and above all they hope to have the opportunity of associating with you in the future, whether it be within the halls of this House or whether it be in some other capacity.

I like to think of the men in this world, not those great men whose statutes are placed upon the great public squares, in public parks and public buildings, not those men whose names are emblazoned across the portals of our great buildings or upon monuments or plaques, but I like to think of men who, as they go through life, contribute a little toward the building of the future of the country and the future of the Commonwealth of Pennsylvania. I like to think of those who, in their small way, contribute their small atoms, which, when brought together, just like those small molecules that make up the limestone with which we erect our buildings, build something that is solid something that is firm and something that is enduring.

I am sure by your contribution here, no matter whether your name be emblazoned across the portals of a building in Pennsylvania, no matter whether grateful citizens and grateful friends erect a monument to you, that you have erected a monument because you have as an humble American citizen done your part. You will leave here with the well wishes of the Members because you have built in the hearts and in the minds and in the memories of these members of the Legislature something that will be more enduring than the marble of this hall or the bronze of any statute that they may build for you.

I desire to offer the following resolution.

The SPEAKER. The Chair requests the gentleman from Delaware, Mr. Turner, to preside.

MR. TURNER IN THE CHAIR

RESOLUTION

CONGRATULATING SPEAKER

Mr. TURNER offered a privilege resolution which was read as follows:

In the House of Representatives, July 10, 1941.

The office of Speaker of the House of Representatives came as a signal honor to its present incumbent, in that he did not seek, but was sought for the place. And now, at the close of his first legislative session as presiding officer, the office is honored by the man who holds it.

The Honorable Elmer Kilroy of Philadelphia has brought to the speakership the attributes of a true leader— firmness; the ability to analyse situations, and, to anticipate and effectively meet actions, designed to hinder or delay the proceedings before the House; clarity and directness of thought; and above all, fairness and impartiality in all rulings, and in all his dealings with partisans and opponents alike.

Having never before presided over a deliberative body, large or small, he undertook the task assigned to him with great courage and a determination to do it well, to uphold the traditions of the speakership of this House, and to fix even higher than ever before the standards set for him by a line of worthy predecessors. How well he has succeeded, the proceedings of each day, of an extremely trying session, bears witness.

At each session of the present assembly, the exact hour set for reconvening has found our Speaker on the rostrum, gavel in hand, calling the House to order. Throughout each sitting, he has insisted on orderly proceedings, and upon each member having an opportunity to be heard, without having to contend against needless noise or confusion. Motions, parliamentary deliberations and debates have been orderly and strictly confined to the properties of each situation. The floor of the House has at all times, been kept free of those who trespass upon the rights and privileges, and interfere with the comfort of Members during sessions. The courage of the Speaker, in enforcing these principles impartially and without bias or favor, has not only won our deep respect and gratitude, but has made our work easier, by reducing disorder to a new minimum; therefore be it

Resolved, That as Members of the House of Representatives, who have so richly benefited by his leadership and guidance, we express in this manner, our sincere appreciation of his fairness at all times, and of his services to us, and to the Commonwealth; our gratitude for his help; and our admiration for his courageous straightforwardness.

We wish him health, long life and prosperity, and many more and greater honors as the years go by, fully confident that from each he will be able to gain life's most bountiful reward—the realization of a task well done; and be it further

Resolved, That this resolution be spread upon the Journal of the House, and a copy thereof be forwarded to our Speaker, the Honorable Elmer Kilroy, by the Chief Clerk of the House.

The SPEAKER pro tempore. The Chair at this time recognizes the gentleman from Allegheny, Mr. Bentley.

Mr. BENTLEY. I too claim, with the men who have preceded me and those who will follow me, the high personal privilege of seconding the resolution and the senti-

ments just offered by my good friend, the gentleman from Delaware, Mr. Turner.

But in adding my hearty "aye" to all that has been said —a special lustre is imparted to the praise that has been and will be bestowed upon our Speaker, for I speak as a first termer in the Session of '41—and thus in a sense (as one of that class of '41), mine is the voice of all the first termers sounding their approval of a great Speaker.

Now, first termers, as a whole, and particularly we of the class of '41, are men endowed by our Maker with gifts not bestowed upon lesser mortals, such as second, third, fourth, or longer termers.

Consider, Mr. Speaker, the parliamentary knowledge brought to these august halls by us first sessioners! Ah, was there ever such a class?

There must have been times, Mr. Speaker, I am sure, when your Parliamentarian shuddered in awe at the profound and impressive—I might almost say awful—parliamentary ability of your first termers.

And then consider the caliber of the men comprising the first termers of '41.

As typical if you will recall that breadth of vision, that unerring approach and that simple greatness of men, who so viewed the public and political problems of our Session, that they felt impelled to sit in both the Democratic and Republican caucuses—and that can not be called a "Gross" error.

That was a first termer, Mr. Speaker, and where but in the ranks of the class of '41 would you look for such sheer genius.

Lastly—though I might go on for days, enumerating the greatness of the freshmen of '41,—we have been tempered by such a fire, both economic and otherwise, as runneth beyond the memory of man. Of the economic travail we have undergone, I need not speak—it is still with us, but history tells us, Mr. Speaker, that nearly half a century ago, the predecessor of this legislative hall, burned to the ground. That halocaust, must have produced a class, nearly the equal of we of '41—surviving and emerging as we have, bloody but unbowed from conferences and re-conferences—conferences on mental institutions and little W.P.A., on budgets and balances—on cabbages and kings, and all the rest.

And so it is I say, Mr. Speaker, that when we of the class of '41 look beyond our ranks and choose a man and of him say—there is a man who has done his job as well as we could have done it for him—we have said the ultimate—we have gilded the lily—we have added a special lustre. And that we say to you, Mr. Speaker—you're a great Speaker and a great guy.

The SPEAKER pro tempore. The Chair recognizes the gentleman from Somerset, Mr. Hare.

Mr. HARE. Mr. Speaker, words are such hollow mockery tossed out upon the waves and the skies when we stand in eulogy of a man whose actions have spoken for themselves. The sportsman-like back-ground of our great Speaker, Mr. Kilroy, needs no words of praise from the lips of the Members of this Assembly, for but a glance at the higher stature to which he has lifted the Speakership in these halls allows actions to speak for themselves.

Knowing the type of man that Elmer Kilroy is, I can well realize that by this time he is probably squirming in his seat and rubbing the leather from his chair, for a man of his type, who has always given so much and expected so little from the world does not expect men to stand in public tribute to him. I speak as the gentleman spoke before me, as a first termer, one who entered these halls filled with awe, filled with wonderment as to the true meaning of the representative form of government as carried forth in this General Assembly. These few words, that often defy the human vocabulary in attempting to describe a great genius, the great ability of our beloved Speaker, Elmer Kilroy, a truly great gentleman from the City of Philadelphia, leave us sometimes standing mute. When we first came into these halls, we found evidence of his great abilities at every turn. His understanding heart and his absolute impartiality impressed us with a firm lesson that has helped us to become better members as first termers in this session of 1941. He was never too busy in the great cares of his office to listen to our pleadings and our problems, and to guide us with his good counsel. He has been a great umpire in the game of government for the past seven months, not my umpire or yours, but our umpire, and as such I say very frankly and truthfully that Elmer Kilroy has called every pitch across the plate as he has seen it. He has been a very good counsellor and a foster father to all we first termers. I say to you, Elmer Kilroy, Speaker of the House of Representatives, the first termers of this House always stand ready at your behest to "play ball" with you as our umpire—"The House will come to order."

The SPEAKER pro tempore. The Chair recognizes the gentleman from Philadelphia, Mr. Shepard.

Mr. SHEPARD. Mr. Speaker, nearly everything I planned to say in reference to our Speaker in tribute to him was said by someone else before I got up.

I am reminded of a class that I was conducting in church one day. A group of people were reciting Bible verses. I was asking them to make it snappy, depending upon their wit and their knowledge of the Bible. There was one lady sitting there very nervously and she only remembered one verse of the Bible, "Jesus wept." Just before her turn the lady next to her got up and said, "Jesus wept," and she got right up and said, "He sure did."

When the gentleman said our Speaker has been fair, when they said he was a great leader, when they said he was a great sportsman, I could only say, "He sure was".

I want to tell you one of the things that happened in the caucus in Philadelphia of the Members of the Legislature. I can not tell you all the things that went on in those caucuses, but this was a little personal item that I am very proud of and I hope you will pardon me for mentioning it. It was my pleasure and my privilege to nominate Elmer Kilroy as our choice for Speaker of the House of Representatives. I did so and I am proud of it. I am more proud of it now than at any other time as we come to the close of the great record he has made as Speaker of this House. The Speaker has been fair, and being fair is not just something that he has picked up while being Speaker, but is something that comes from a great tradition of the sportsmen, and in all our American life there is hardly a field of endeavor in which we find more real fair play and an honest-to-goodness equality than we do in the field of sports. Elmer Kilroy came up in that tradition and he is a fine exponent of all the best values that are to be found in that tradition of sport. He will go down in history as one of the great Speakers of this House of Representatives of the Commonwealth of Pennsylvania. We from Philadelphia are proud of him because he is a product of that great city of Brotherly

Love, and may I add, of Sisterly Affection. I tell you now if the Democratic party of Philadelphia had done no more under the splendid leadership of Jack Kelly than to give to Pennsylvania Elmer Kilroy, if they had not done anything more than that, it would have justified all the sacrifices, all the work and all the endeavor that was put forth.

I am happy to second the resolution commending Elmer Kilroy for the splendid record he has made as Speaker of the House of Representatives in this 1941 Session of the Legislature.

The SPEAKER pro tempore. The Chair recognizes the gentleman from Lebanon, Mr. Sarge.

Mr. SARGE. Mr. Speaker, and gentlemen of the House, unaccustomed as I am to public speaking, and in view of all that has already been said in tribute to our great Speaker, I find myself experiencing an antipathetic feeling of horrendeous horrification which almost transmogrifies itself into a lingual paralysis.

However, I am glad to have this privilege in my humble way to add to the tribute to this great Speaker. Men do not achieve the high position in life that Elmer Kilroy has achieved unless they show great ability from youth up. In looking over his past history I heard an anecdote that proves how he came to possess such great ability. When he was quite a boy he went to the railroad station in Philadelphia on the day of an excursion, when the station was crowded. Seventeen people were in line trying to buy a ticket, and Elmer with his great modesty and with his speed rushed up past the crowd and laid fifty cents down on the ticket window and asked for a ticket to New York. The station agent, somewhat angered because he had rushed up ahead of the rest of the crowd said, "You know you can't go to New York for fifty cents." Elmer said, "Where can I go for fifty cents," and promptly seventeen other people told him.

Mr. Speaker and gentlemen of the House, seriously speaking I find it a great privilege to briefly pay tribute to this great Speaker, and as I thought of some vehicle that I might use to pay this tribute, I could think of none better than to attempt to paraphrase Bruce Barton's "Tale of the Two Seas," in which he says:

There are two seas in Palestine, one is fresh and fish are in it, forests of green adorn its banks, trees spread their branches over it, and their thirsty roots stretch out to sip of its healing waters. On its shores little children play as children played when the great Master was there. He loved it. He could look across its smooth surface as He spoke his wonderful parables, and on a rolling plain not far away he fed five thousand people. The river Jordan, with sparkling water that flowed from the hills formed that sea, and it was a wonderful sea. The river Jordan was so wonderful that men built their houses on its shores, birds built their nests, and every form of life was happier because it was there. But the river Jordan went on South and formed another sea. There was no splash of fish; for want of trees no singing of birds and no children's laughter. Travelers avoided it, and unless it was urgently necessary they passed it by. The air hung heavy over its waters and neither man, nor beast, nor fowl would drink of it.

What was it that caused this mighty difference between these two neighboring seas? Not the river Jordan. It emptied the same good water into both of them. Not the soil in which they lay nor the country round about them. But this was the difference, gentlemen? The sea of Galilee received and gave. For every drop it received from the Jordan another drop flowed out of it. It received and gave in equal measure. But the other sea, seeking jealously to hoard its income, refused to be stirred by any generous impulses. It was called the Dead Sea, and the Dead Sea gave nothing, but the sea of Galilee gives and lives.

Yes, gentlemen, there are two seas in Palestine, and, thank God, just as there are two seas in Palestine, so there are two kinds of people in this world. In these days when man's inhumanity to man seems so prevalent, it certainly is a wonderful thing in this great democracy of ours to have the privilege of paying a tribute to a Speaker, to a gentleman like Elmer Kilroy. Some men achieve success politically; some men receive prominence by reason of their wealth and some by their social distinction, but as I go through life, I would much rather have it said of me, as it is said of Elmer Kilroy by every Member of this House, regardless of his political faith, "He is a man of generous impulse and of graciousness."

I know of no better way to close my brief remarks in tribute to my friend, Elmer Kilroy than to say to him in the beautiful words of Eugene Field:

"When a crony takes your hand
In parting to address you,
He drops all foreign lingo,
And he says, 'God bless you'".

The SPEAKER pro tempore. The Chair recognizes the gentleman from Berks, Mr. Readinger.

Mr. READINGER. Mr. Speaker, it was not given to me to have had more than a passing acquaintance with the late Honorable Wilson Sarig, who I understand was a great former Speaker of this House. It was, however, my privilege to serve under Roy Furman as Speaker and under Ellwood Turner as Speaker, and in my opinion and in the opinion of those who knew them, they were also known and rated as great Speakers of the House of Representatives.

I state most emphatically that it is my opinion, and I am sure the opinion of the other Members of the House, that Elmer Kilroy has earned his place and should also be rated as one of Pennsylvania's great Speakers. He may not have been as learned a parliamentarian when he first took office as was Wilson Sarig and Ellwood Turner, who had had many years of experience in this body before they achieved that distinction, but I do not think that matters so much. I think what does matter is that the Speaker be fair and considerate, and those qualities Elmer Kilroy has to the last degree. In the years to come, Elmer Kilroy will not think so much about what we said here tonight, but he will think of the sincerity with which we said it, and the good-will which we bear towards him.

I deem it a distinct pleasure, Mr. Speaker, to second the resolution introduced by the gentleman from Delaware, Mr. Turner.

The SPEAKER pro tempore. The Chair recognizes the gentleman from Philadelphia, Mr. Melchiorre.

Mr. MELCHIORRE. Mr. Speaker and Members of the House, I certainly want to take this opportunity to pay tribute to a great fellow, Elmer Kilroy, who is the Speaker of the House of Representatives.

An old sage once said that "I have many many times regretted words spoken, but never those unspoken."

I feel that I must at this time disagree with this old

sage, for as I sit down after my few remarks, I am sure that I would regret many nice words that I could have spoken about my good friend and Speaker, Elmer Kilroy.

I have been closely allied with Mr. Kilroy ever since he became a Member of this House, and he has been honest and loyal to his friends, and as Speaker of this House, he has done honor, not only to the people of Philadelphia, but to the people of this great Commonwealth. You all know he has been a real Speaker in his presiding over the deliberations of this great body, and we feel proud, especially we from Philadelphia, to have as the Speaker of this House, Elmer Kilroy.

I have been a member of this House since 1932, my first session being in 1933. I have served, as Mr. Turner has, under many Speakers of this House, and I want to say to Mr. Kilroy and to the Members of this House, it has been a pleasure for me to be a Member of this House with such a great Speaker and loyal fellow as Elmer Kilroy.

The SPEAKER pro tempore. The Chair recognizes the gentleman from Dauphin, Mr. Woodside.

Mr. WOODSIDE. Mr. Speaker, to what has already been so eloquently said, I would like to add a la Reverend Shepard, amen.

In speaking to various organizations I have frequently made mention of an experience which happens on the floor of the House in every session. It seems that there always comes a day when the House gets into a turmoil, and everybody seems to become irritated and angry with everybody else. In my experience in this Legislature, I have never seen a session where that did not take very marked form on at least one day until this session of 1941. Although we have had our battles and we have differed, and we at times may have become more or less angry with each other, nevertheless, at no time did we get into a real parliamentary tangle which was initiated by harsh feelings between the members.

In my opinion, a lot of that is due to the very fine spirit and very fair method in which the Speaker of this House presided. Another thing that I noted during this session was the fact that wherever Elmer Kilroy went, no matter who was the honored guest, when Elmer Kilroy got up to speak, every Member of the House immediately stood up. It was a spontaneous rising which came from their respect, their admiration and their love for the Speaker. It was not due so much to respect of the office which Elmer Kilroy held as it was due to respect for the man himself, and that is one of the finest tributes that could be paid to any man.

So much has been said tonight, and so eloquently, that I seem unable to add anything to the very splendid remarks already made. However, I do consider it a privilege to second this resolution and to add my word of praise to the man who has so ably, so honestly and so fairly presided over this body. As minority floor leader, I, probably more than any body else, can appreciate his kindness, his courteous treatment and his fair methods during this session. I am sure every Member of this House, not only respects and admires Elmer Kilroy, but loves him as a man and as Speaker of this House.

The SPEAKER pro tempore. The Chair recognizes the gentleman from Monroe, Mr. Achterman.

Mr. ACHTERMAN. Mr. Speaker, I know of no occasion in the years that I have served in this House that gave me more pleasure than the occasion this evening. We, of the House, of course know of the serious difficulties that are faced by any man who serves as Speaker of this House. We know of the dignity of the office, we know of the requirements on the time and energy of the man who serves in that position.

We know that that position is comparable in dignity and importance with that of the Governor of this State. We know that this body, the House, is perhaps more truly representative of the people of Pennsylvania than any other deliberative body in this State, and because of that fact, we know that the man who occupies the position of presiding officer of the House must of a certanity not only maintain dignity, but maintain impartiality over the proceedings of the House, so that, not only the respect, but the decorum of all is secured.

It goes without saying and it has been attested here by all those who have preceded me, that that dignity has been maintained by our present Speaker on the same high plane as it has been maintained in the years past. As a matter of fact, this session, the longest in the past hundred years, has been maintained in such an even manner that as a matter of fact, although our nerves at times have been frayed and perhaps our tempers short, and when, of course, the Speaker has with alacrity recognized a Member on this side of the House when we rose to speak, even though some of you men on the other side were seeking recognition, nevertheless, he did it in such an even and kind manner that you are attesting tonight to the impartiality with which he presided. And may I say, of course, in doing so, he always gave you the opportunity to be heard at length on any subject before the House.

May I add, Mr. Speaker, to the words of the other Members who have preceded me this evening, that it has been a pleasure to have had the opportunity of leading the majority members of this House under the guidance and under the direction of the man who has made a one hundred per cent perfect Speaker. May I say that it is with real pleasure that I join in seconding the resolution.

On the question,

Will the House adopt the resolution?

It was unanimously adopted by a rising vote.

The SPEAKER pro tempore. The Chair calls to the rostrum to preside the Chief Clerk.

THE CHIEF CLERK (Thomas J. Callahan) IN THE CHAIR

The CHIEF CLERK. The Chair now has the pleasure of calling to the rostrum the Speaker of the House.

The SPEAKER. Members, I now know what it means when they say "Embarrassing moments." For the past week I have been looking forward to this day with feelings of mingled joy and gloom; joyful because we can return to our respective homes and our work with the knowledge that we have done well for the citizens of Pennsylvania. Gloomy because the many friendships I have made in my daily contacts with you are to be servered, I trust only temporarily. But that is life, here today and gone tomorrow.

I am very happy, and I say so from the bottom of my heart. The past six months have been extremely pleasant; you have made my job as Speaker an easy one.

When I was inducted into my present office last Janu-

ary 7th, I said, if at the expiration of my term I could ring down the curtain with the knowledge that I had upheld the tradition of the office, I would be happy indeed. I trust I have fulfilled that promise. As I stand on this rostrum during these closing hours of this historic session, I see more than two hundred faces before me, faces that have radiated and expressed the desire to cooperate, and to make our common task one that had few headaches had plenty of good clean sportsmanship.

In front of me to my left sits a group referred to as the minority. As Speaker, I have never been in the minority insofar as having the kind wishes and unexcelled cooperation of the Republican or so called minority in this chamber. To you able, sincere and honest leader of that group, Robert E. Woodside, Jr., in the presence of the entire membership of this House, I want to thank you sincerely for the many courtesies you have shown me and for your fairness to the majority during the debates in these past weeks.

In front of my good friend Bob sits a rotund gentleman, the gentleman from Delaware, my predecessor, Ellwood J. Turner. To you, Ellwood, as I did at the opening of this session, I again express my thanks for the spacious quarters you furnished me. Incidently, the office is now air conditioned. Mr. Turner, to you I also express my appreciation for your kind counsel in the past months.

On my right is the gentleman from Monroe, the very capable majority leader, Leo A. Achterman; a rock of Gibralter to me and to the Democrats of this House. He has withstood the terrific bombardments of the minority and has even withstood the criticism of his Excellency the Governor of this Commonwealth. Leo, as I have told you on numerous occasions, I am more than appreciative of your kind assistance. You have also done a spendid job in directing the Committee Chairmen of this House.

To you Democrats, the majority group of the House, I say with deep feeling; thanks for helping to lighten the burden thrust upon me because of the position to which you so graciously elected me.

To the Chairmen, Vice Chairmen and Members of the various House Committees, the Chair expresses its gratitude for the courteous and broad minded consideration of the legislation that came before you.

No leave taking would be complete unless everyone's friend, our Parliamentarian, was given his well deserved praise. You, S. Edward Moore, are indispensible; never have you let me down, nor have you permitted me to flounder as might have been the case without your guidance.

Fortunately for me, I will have, God willing, a year and a half more in which I will be closely associated with you.

To the sergeant-at-arms and his assistants and to the alert and keen page boys the Chair also extends his thanks.

To the Chief Clerk, Thomas J. Callahan, and the Secretary, Dennis J. Mulvihill, and to their trained staffs, I offer my grateful appreciation.

Just because the session is about to adjourn I do not want the Members to take it as a signal to cease their contact with the Speaker's office. Remember, you will be Members of the House of Representatives until the last day of November, 1942. The Speaker's office is yours; there you will find my staff ever ready and willing to assist you in the many problems you may encounter in the Hill. Remember also that the latch string will be out.

Leave taking has me down. Ie reminds me of the song we hear wherever we go: "My Sister and I. But we won't talk about that." I want to close, not with the English "Cheerio" nor with the French "Au Revoir,' but as one American to another, "I'll be seeing you."

The Chair requests the gentleman from Delaware to preside.

Mr. TURNER IN THE CHAIR

PERMISSION TO ADDRESS HOUSE

Mr. READINGER asked and obtained unanimous consent to address the House.

Mr. Speaker, every army must have a general and every movement which has an object to attain must have a leader. The members on the majority side of the House feel that we have been exceedingly fortunate in being able to have during this 1941 session of the Legislature a man as able as Leo A. Achterman of Monroe County as our floor leader.

To us on this side of the House Leo has been a tower of strength; his wisdom and his tact have pulled us through many a trying circumstance, and he has led us, in our humble opinion, to what we consider a victorious attainment of our ends. Those of us who have come to know him well during this session and the prior sessions know the value of such magnetic personality and smile. Time after time we have seen him debate problems of great importance to the Commonwealth of Pennsylvania on this floor, and sometimes in rather bitter debate, and shortly after that we have seen him on the other side of the House just as friendly as the day before. It takes a man like that to be a real floor-leader in this House of Representatives. If we had a man leading either side of this House who continually bore grudges against the person, who differed with him in opinion, we would not have a very good leadership, and all of us know what a trying position the floor-leader of this House holds. We have seen the traffic which moves in and about his seat daily; we have seen and we probably have participated in conversations with him at the very time he was trying to hear some one debate a question on the other side of the House.

The Democratic members are very proud of Leo Achterman; we are proud of what he has done during this session and we appreciate deeply the spirit with which he entered into and carried out his duties as our floor-leader. We know he has been industrious throughout the whole session; he is not solely a leader who can speak and speak without much knowledge of the subject, but through industry and research we believe he knows whereof he speaks. While the Members on the other side may have differed with him in opinion on many subjects, while perhaps some of our own Members have done so, we still appreciate that what he said was said after research and study.

Mr. Speaker, there are times in a mans life when he wishes he had a greater power of oratory to describe the feeling in his heart toward another person. However, we are all subject to certain limitations and without saying anything more about the man whom I consider

to be a great floor-leader for the majority party during this session, I offer the following resolution and ask for its immediate consideration.

CONGRATULATORY RESOLUTION

Mr. READINGER offered a privileged resolution which was read considered and unanimously adopted as follows:

In the House of Representatives, July 10, 1941.

At this point in world affairs, when the future paths of the democracies are beset with many and unusual hazards, our welfare in the days to come depends in large part upon the character, integrity and ability of our leaders.

The necessity for confidence inspiring leadership is nowhere greater than in our various legislative halls, from whence come the basic rules guiding our conduct in almost every phase of life.

Without adequate leadership among the various members of any legislative body confusion would supplant efficiency and the proper consideration and enactment of legislation would be impossible.

The majority floor leader of the House of Representatives the Honorable Leo A. Achterman, through his diligent and unselfish devotion to duty, his unfailing willingness to assist and cooperate with his associates in the House, and his recognized character and integrity, has made an invaluable contribution during this session to the smooth operation of the legislative processes.

At this time when the many problems arising in connection with national defense, and when the divided political alignment of the General Assembly have complicated and aggravated the difficulties which always attend the activities of a Legislative body, the leadership of Leo A. Achterman has uniformly been such as to command the liking and respect of all his fellow members, regardless of their political affiliations; now therefore be it

Resolved, By the members of this House that we congratulate the Honorable Leo A. Achterman upon his very able diplomatic and efficient activities during this session as majority floor leader, and that we wish him all the future successes in life to which his unusual ability, his likeable personality and his fine character entitle him; and be it further

Resolved, That a copy of this resolution be transmitted to the Honorable Leo A. Achterman by the Chief Clerk of this House.

The SPEAKER pro tempore. The Chair recognizes the gentleman from Monroe, Mr. Achterman.

Mr. ACHTERMAN. Mr. Speaker, I wish to express my appreciation for the kind remarks of the gentleman from Berks, and also for the sentiment expressed in the Resolution. Above all, Mr. Speaker, I wish to express my thanks to the Chair and the Parliamentarian for the great assistance they have rendered me in my official duties before this House. I know that my way would have been far more burdensome had it not been for the cooperation as well as the aid they rendered.

I wish to extend to the minority-leader of this House my sincere feeling of complete happiness for the manner in which he carried on the debates which were a necessity on his part as well as mine in carrying out the wishes of our respective parties. He was always fair, always square and above-board, and made it possoble to carry-on a high plane and in a technical manner that make the task so much easier.

To the Chairmen of the Committees, I wish to extend my thanks for the manner in which they cooperated, the manner in which they fulfilled their duties, and of course, to the Speaker of the House who knows what that means and who realizes that without the cooperation of those Chairmen, then indeed our way would have been rough, and the majority Members of the House who were always willing and happy to sustain me in carrying out the pledges of my party. Mr. Speaker, I wish to extend my sincere thanks to the entire membership of this House.

PERMISSION TO ADDRESS HOUSE

Mr. STOCKHAM asked and obtained permission to address the House.

Mr. Speaker and gentlemen of the House, every army has a general and the responsibility of generalship reposes upon the weak forces as well as upon the strong, upon those in the ascendency as well as those in the minority, and the great skill that is required very often of the general of the minority taxes the ability of a man.

It is my privilege tonight to rise and express these views and sentiments before the presentation of resolution in respect to the deference and honor we wish to pay to the leader of the minority in this House, Robert E. Woodside, Jr. It has been my observation throughout the years as a member of this body that the floor-leaders have been lawyers.

A lawyer once said to a doctor witness, "Doctors make mistakes, sometimes don't they?"

The witness replied, "Just as lawyers do, sometimes."

"But doctors' mistakes are buried six feet under ground" persisted the laywer.

"Yes," cried the doctor, "lawyers' mistakes often times swing six feet in the air."

We are here tonight forgetting the mistakes in words, in thoughts and in actions. We climb only by the recognition of our mistakes and by so doing we become greater and stronger in the affairs of mankind. I would like to think of Bob Woodside and I would like now that we might imagine the early years of this man, his place, his desires and his hopes. His experiences in this body, in these legislative halls, have gone back over a number of years from the days when he was trained as a Page. I would like to think of Bob Woodside in terms of a boy who answered an ad and presented himself at the office and the employer said, "What can you do."

The boy said, "I can do anything."

The employer said, "You can? Now, can you file smoke?"

"Yes, sir," said the boy, "if you will fasten it in a vise."

I would like to think of Bob Woodside as that sort of boy, with a ready answer, an answer that shows ability. Many words have been expressed tonight in deference to our Speaker and to the majority floor-leader, and these words that I am expressing to our minority floor-leader are simply a repetition on our part and yet the same kind of heart beats go out from all of us to each one of these men who have participated in the leadership of this House.

"Wealth comes out of the earth, they say—
The golden grain and the metals cold.
Out of the ground comes the toiler's pay.
Out of the ground comes the rich man's gold.
"Then whence come laughter and lilting song,
And whence come friendships for men to find?
Whence comes choice between right and wrong?
Out of the heart and out of the mind.

"Two real sources of wealth has man;
But over the earth may the tempest sweep
And the riches gathered by pick and pan
Are easier found than they are to keep.
"But that other wealth of the heart and mind
Which is coined in wisdom and mirth and song
And makes man friendly and makes him kind
Enriches him for his whole life long."

These words of Edgar Guest I would leave vibrate in your ears, and as we adjourn this session we may think of Robert Woodside in these terms of great friendliness. May God bless and continue him for many happy and successful years.

Mr. Speaker, I offer the following resolution and ask for its immediate adoption.

CONGRATULATORY RESOLUTION

Mr. STOCKHAM offered a privileged resolution which was read, considered and unanimously adopted as follows:

In the House of Representatives, July 10, 1941.

Under our two-party system of government it frequently happens that the majority party of yesterday is the minority party of today. As parties rise in power and wane, men change from members and leaders of the majority party to members and leaders of the minority. Some leaders fall with their party—others survive to lead minorities, where they before controlled the majority. To be an able leader in either place, and to display the same courage, energy and perseverance in directing the parliamentary battles of a party out of power as when leading the forces that have the assurance of enough votes to prevail on every party measure is the test of a successful floor leader.

The present minority standard bearer meets this test to the fullest extent. At the session now drawing to its close, to the same extent as at the session of 1939 when he led the majority, "Bob" Woodside has performed his duties with effective calm, determination, earnestness and sincerity; steadfastly refraining from indulging in personalities and quibbling, but in each instance striking boldly at the issue to be met; be it, therefore,

Resolved, That the members of all parties in the House for the moment forget all party differences, to join in congratulating the minority Floor Leader, on the most creditable manner in which he has acquitted himself of the duty of legislative watch dog and of making felt the continued existence of the Republican Party in Pennsylvania's House of Representatives; and to assure him of their warm and sincere frienship, respect and admiration; be it further

Resolved, That a copy of this resolution, certified by the Chief Clerk, be transmitted to the Honorable Robert E. Woodside, Jr.

The SPEAKER pro tempore. The Chair recognizes the gentleman from Dauphin, Mr. Woodside.

Mr. WOODSIDE. Mr. Speaker that sounds like old times. It has just been called to my attention that one of the customs of the House has been violated. It has been the custom to send resolutions to the minority floor leader for inspection before submitting them to the desk. This resolution was not referred to the minority floor leader before being sent to the desk.

Mr. Speaker, I want to thank the gentleman who introduced the resolution, and I want to thank the minority of this House for their loyalty and their support. I want to thank the majority floor leader for his kindness, his courtesy and his fairness, as well as the majority Members.

I have already thanked the Speaker, the Parliamentarian and the Chief Clerk. All of the employes whom I have called upon many times for help which they have always graciously and efficiently rendered, I wish to thank. And while we are thanking I think that we might also thank the people of the Commonwealth of Pennsylvania for their patience with us during this very long session.

The SPEAKER pro tempore. The Chair is informed that the reason why the resolution was not submitted to the gentleman from Dauphin, Mr. Woodside, was because in its original form it only contained one page and we are anxious to get out.

BILL RECOMMITTED

Mr. READINGER. Mr. Speaker I move that House Bill No. 1856 (Senate Bill No. 1047), Printer's No. 399, entitled:

An Act to further amend the act approved the seventh day of May, one thousand nine hundred twenty-three (P. L. 151), entitled "An act defining and regulating the business of dry cleaning and dyeing providing for the maintenance construction and inspection of dry cleaning and dyeing buildings and establishments providing for enforcing the act and penalties for violation thereof" providing for the administration and enforcement of said act by the Department of Labor and Industry exempting from certain provisions of said act certain plants and systems exclusively using a petroleum solvent having a flash point of one hundred and forty degrees Fahrenheit and empowering the Department of Labor and Industry to make alter amend and repeal rules and regulations.

be recommitted to the Committee on State Government for the purpose of further consideration.

The motion was agreed to.

PERMISSION GRANTED COMMITTEE TO MEET DURING SESSION

Mr. READINGER asked and obtained permission for the Committee on State Government to meet during the session of the House.

REPORTS FROM COMMITTEES

Mr. HARKINS, from the Committee on Ways and Means reported as committed House Bill No. 1943, (Senate Bill No. 1097), entitled:

An Act to further amend section one of the act, approved the fifteenth day of July, one thousand eight hundred and ninety-seven (P. L. 292) entitled "An act to provide revenue by taxation," by redefining the base for taxation of shares of stock of banks and savings institutions, and by increasing the rate of tax for a further limited period of time.

Mr. SCHWAB, from the Committee on Ways and Means reported as committed House Bill No. 1942, (Senate Bill No. 1096), entitled:

An Act to further amend section one of the act, approved the thirteenth day of June, one thousand nine hundred and seven (P. L. 640), entitled "An act to provide revenue by levying a tax upon the shares of stock of companies incorporated under the provisions of section twenty-nine of an act, entitled 'An act to provide for the incorporation and regulation of certain corporations,' approved April twenty-ninth, one thousand eight hundred and seventy-four, and the supplements thereto; for the insurance of owners of real estate, mortgages, and others interested in real estate, from loss by reason of defective titles, liens and encumbrances; and of companies entitled to the benefits of, and of companies having any of the powers of, companies entitled to the benefits of an act, entitled 'An act conferring upon certain fidelity, insur-

ance, safety deposit, trust, and savings companies the powers and privileges of companies incorporated under the provisions of section twenty-nine of an act, entitled "An act to provide for the incorporation and regulation of certain corporations," approved April twenty-ninth, Anno Domini one thousand eight hundred and seventy-four, and of the supplements thereto,' approved June twenty-seventh, one thousand eight hundred and ninety-five, commonly known as title insurance or trust companies," by basing the tax upon the book value of the shares; continuing the increased rate of tax for a further limited period of time and reducing the rate of tax after such limited period of time.

Mr. POLASKI, from the Committee on State Government, re-reported as amended, House Bill No. 1856, (Senate Bill No. 1047), entitled:

An Act to further amend the act approved the seventh day of May one thousand nine hundred twenty-three (P. L. 151) entitled "An act defining and regulating the business of dry cleaning and dyeing providing for the maintenance construction and inspection of dry cleaning and dyeing buildings and establishments providing for enforcing the act and penalties for violation thereof" providing for the administration and enforcement of said act by the Department of Labor and Industry and empowering said department to make alter amend and repeal rules and regulations.

Mr. GALLAGHER, from the Committee on Elections, reported as committed, House Bill No. 1872, (Senate Bill No. 1091), entitled:

An Act to amend the act approved the thirtieth day of March, one thousand nine hundred thirty-seven (P. L. 115), entitled "An act to provide for the permanent personal registration of electors in cities of the first class as a condition of their right to vote at elections and primaries, and their enrollment as members of political parties as a further condition of their right to vote at primaries; prescribing certain procedure for the conduct of elections and primaries and the challenge and proof of qualifications of electors and prescribing the powers and duties of citizens, parties, bodies of electors, registration commissions, commissioners, registrars, inspectors of registration and other appointees of registration commission, election officers, municipal officers, departments and bureaus, police officers, courts, judges, prothonotaries, sheriffs, county commissioners, peace officers, county treasurers, county controllers, registrars of vital statistics, real estate brokers, rental agents, certain public service companies, persons, firms, and corporations operating vehicles for moving furniture and household goods, and boards of school directors; and imposing penalties," as amended, by requiring and providing for the registration of persons in military service to entitle them to vote at any election.

BILLS ON FIRST READING

Pursuant to unanimous consent heretofore granted the following bills were read the first time.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1943, (Senate Bill No. 1097), entitled:

An Act to further amend section one of the act approved the fifteenth day of July one thousand eight hundred and ninety-seven (P. L. 292) entitled "An act to provide revenue by taxation" by redefining the base for taxation of shares of stock of banks and savings institutions and by increasing the rate of tax for a further limited period of time

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1942, (Senate Bill No. 1096), entitled:

An Act to further amend section one of the act approved the thirteenth day of June one thousand nine hundred and seven (P. L. 640) entitled "An act to provide revenue by levying a tax upon the shares of stock of companies incorporated under the provisions of section twenty-nine of an act entitled 'An act to provide for the incorporation and regulation of certain corporations' approved April twenty-ninth one thousand eight hundred and seventy-four and supplements thereto for the insurance of owners of real estate mortgages and others interested in real estate and loss by reason of defective titles liens and encumbrances and of companies entitled to the benefits of and of companies having any of the powers of companies entitled to the benefits of an act entitled 'An act conferring upon certain fidelity insurance safety deposit trust and savings companies the powers and privileges of companies incorporated under the provisions of section twenty-nine of an act entitled "An act to provide for the incorporation and regulation of certain corporations" approved April twenty-ninth Anno Domini one thousand eight hundred and seventy-four and of the supplements thereto approved June twenty-seventh one thousand eight hundred and ninety-five commonly known as title insurance or trust companies" by basing the tax upon the book value of the shares continuing the increased rate of tax for a further limited period of time and reducing the rate of tax after such limited period of time.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1872, (Senate Bill No. 1091), entitled:

An Act to amend the act approved the thirtieth day of March one thousand nine hundred thirty-seven (P. L. 115), entitled "An act to provide for the permanent personal registration of electors in cities of the first class as a condition of their right to vote at elections and primaries, and their enrollment as members of political parties as a further condition of their right to vote at primaries; prescribing certain procedure for the conduct of elections and primaries and the challenge and proof of qualifications of electors; and prescribing the powers and duties of citizens parties bodies of electors, registration commissions, commissioners, registrars, inspectors of registration and other appointees of registration commission, election officers, municipal officers, departments and bureaus police officers, courts, judges, protonotaries, sheriffs county commissioners, peace officers, county treasurers, county controllers, registrars of vital statistics, real estate brokers, rental agents, certain public service companies, persons, firms, and corporations operating vehicles for moving furniture and household goods, and boards of school directors; and imposing penalties." as amended by requiring and providing for the registration of persons in military service to entitle them to vote at any election.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

BILL RECOMMITTED

Mr. GALLAGHER. Mr. Speaker, I move that this bill be recommitted to the Committee on Elections for the purpose of further study.

The motion was agreed to.

PERMISSION GRANTED COMMITTEES TO MEET DURING SESSION

Mr. GALLAGHER asked and obtained permission for the Committee on Elections to meet during the session of the House.

Mr. GERARD asked and obtained permission for the Committee on Ways and Means to meet during the session of the House.

REPORT FROM COMMITTEE

Mr. GALLAGHER, from the Committee on Elections, re-reported as amended, House Bill No. 1872, (Senate Bill No. 1091), entitled:

An Act to amend the act, approved the thirtieth day of March, one thousand nine hundred thirty-seven (P. L. 115), entitled "An act to provide for the permanent personal registration of electors in cities of the first class as a condition of their right to vote at elections and primaries, and their enrollment as members of political parties as a further condition of their right to vote at primaries; prescribing certain procedure for the conduct of elections and primaries and the challenge and proof of qualifications of electors; and prescribing the powers and duties of citizens, parties, bodies of electors, registration commissions, commissioners, registrars, inspectors of registration and other appointees of registration commission, election officers, municipal officers, departments and bureaus, police officers, courts, judges, prothonotaries, sheriffs, county commissioners, peace officers, county treasurers, county controllers, registrars of vital statistics, real estate brokers, rental agents, certain public service companies, persons, firms, and corporations operating vehicles for moving furniture and household goods, and boards of school directors; and imposing penalties," as amended, by requiring and providing for the registration of persons in military service to entitle them to vote at any election.

ADJOURNMENT

Mr. HARKINS. Mr. Speaker, I move that this House do now adjourn until Friday, July 11, 1941 at 12 m.

The motion was agreed to, and (at 10:40 p. m.) the House adjourned.

COMMONWEALTH OF PENNSYLVANIA

Legislative Journal.

Session 1941. 135th of the General Assembly.

Vol. 25. HARRISBURG, PA., FRIDAY, JULY 11, 1941. No. 85.

SENATE

FRIDAY, July 11, 1941.

The Senate met at 2:00 o'clock, p. m., E. S. T.

The PRESIDENT (Lieutenant-Governor Samuel S. Lewis) in the Chair.

PRAYER

In the absence of the Chaplain, prayer was offered by the gentleman from Berks, Senator RUTH.

In the name of the Father and of the Son and of the Holy Spirit. Almighty God, our Heavenly Father, we come to Thee on this new day and we ask the blessing of Thy guidance in our work and as we look around ourselves in the world today we can truthfully say Lord God of Hosts be with us yet, lest we forget; lest we forget. In the Master's name. Amen.

JOURNAL APPROVED

The PRESIDENT. A quorum of the Senate being present the Clerk will read the Journal of the preceding session.

The Clerk proceeded to read the Journal of the preceding session, when, on motion of Mr. MALLERY and Mr. GELTZ, the further reading was dispensed with, and the Journal was approved.

LEAVE OF ABSENCE

Mr. CARR, the Senator from Butler County, asked and obtained leave of absence for himself, after today's session.

NOMINATIONS BY THE GOVERNOR

NOTARIES PUBLIC

The Secretary to the Governor being introduced, presented in writing from His Excellency, the Governor of the Commonwealth, nominations for appointment as Notaries Public.

CONSIDERATION OF NOTARIES PUBLIC

Mr. JAMES. Mr. President, I move that the Senate do now proceed to the consideration of nominations for appointment as Notaries Public sent to the Senate, July 11, 1941, by His Excellency, the Governor of the Commonwealth.

Mr. EALY. Mr. President, I second the motion.

The motion was agreed to.

The nominations were read as follows:

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, July 11, 1941.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following persons for appointment as Notaries Public, for terms of four years to compute from the date of confirmation:

ALLEGHENY COUNTY

W. J. Juergens, Pittsburgh, 416 Melwood Ave.

BERKS COUNTY

Mrs. Bertha H. Sparr, Hereford Twp., Palm.

CUMBERLAND COUNTY

Mrs. Winifred E. Borke, Lemoyne.

DAUPHIN COUNTY

Miss Pauline V. Shreffler, Harrisburg.

ERIE COUNTY

Miss Ruth I. Buchanan, Erie.
L. M. Kowalski, Corry.
Mrs. Marjorie Rosamond Ramsay, Lawrence Park Twp., 2901 East Lake Road, Erie.

FAYETTE COUNTY

Miss Kathryn H. Rankin, Uniontown.

MONTGOMERY COUNTY

Miss Edith B. Neely, Hatboro.

PHILADELPHIA COUNTY

Miss S. I. Harper, Phila., Dept. of Law, City Hall Annex.
Samuel Leibowitz, Phila., 2245 Grays Ferry Ave.
James F. McGuire, Jr., Phila., 3717 Filbert St.
Jacob Polin, Phila., 1101 Gimbel Bldg.

ARTHUR H. JAMES.

NOMINATIONS FOR NOTARIES PUBLIC

A motion was made by Mr. JAMES and Mr. EALY,

That the Senate do advise and consent to said nominations.

On the question,

Will the Senate agree to the motion?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—46

Barr,	Edmonds	Mallery,	Tallman,
Bartlett,	Farrell,	McCreesh,	Taylor,
Becker,	Frey,	McGinnis,	Thomas,
Carr,	Geltz,	McQuiddy,	Tyler,
Cavalcante,	Haluska,	Miller,	Wade,
Chapman,	Heyburn,	Reed,	Walker,
Coleman,	Homsher,	Ruth,	Watkins,

Cox,	James,	Shapiro,	Wilson, H. I.,
Crider,	Jaspan,	Snowden,	Wilson, T. B.,
Crowe,	Kephart,	Stevenson,	Woodward,
Deitrick,	Lanius,	Stiefel,	Ziesenheim,
Ealy,	Letzler,		

NAYS—0

Two-thirds of fall the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Governor be informed accordingly.

COMMUNICATION FROM THE GOVERNOR

He also presented communication in writing from His Excellency, the Governor of the Commonwealth, which was read as follows:

APPROVED AND SIGNED SENATE BILL No. 381, (PRINTER'S No. 513)

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, July 11, 1941.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed Senate Bill No. 381, Printer's No. 513, entitled, "An Act to amend the act approved the second day of May one thousand nine hundred and twenty-nine (P. L. 1278) entitled 'An act relating to counties of the second third fourth fifth sixth and seventh classes and revising amending and consolidating the laws relating thereto' by authorizing the acquisition operation and leasing of aviation landing fields and airdromes by counties of the second third fourth fifth sixth and seventh classes conferring certain powers of eminent domain upon such counties for the acquisition of lands for aviation landing fields and airdromes authorizing such counties to appropriate for such purposes unredeemed lands purchased at tax sales providing for the jurisdiction of condemnation proceedings where lands are situated in more than one county authorizing such counties to act jointly with certain political subdivisions in the operation and maintenance of aviation landing fields and airdromes and providing for the expenditure of funds for such purposes in cooperation with certain State Federal or other public agencies."

ARTHUR H. JAMES.

REPORT OF COMMITTEE OF CONFERENCE ON SENATE BILL No. 1007, (HOUSE BILL No. 230) ADOPTED

Mr. GELTZ. Mr. President, I move that the Senate do now consider the Report of the Committee of Conference on Senate Bill No. 1007, (House Bill No. 230).

Mr. MILLER. Mr. President, I second the motion.

The Report was read as follows:

REPORT OF THE COMMITTEE OF CONFERENCE ON HOUSE BILL No. 230

To the Members of the Senate and House of Representatives:

We, the undersigned, Committee of Conference on the part of the Senate and House of Representatives for the purpose of considering House Bill No. 230, entitled:

"An act to reenact and amend the title and the act approved the twenty-second day of June one thousand nine hundred thirty-five (P. L. 414) entitled 'An act to provide revenue for State purposes imposing taxes upon certain classes of personal property * * *' as previously reenacted and amended by continuing the State personal property tax and the emergency rate of tax on scrip bonds certificates and evidences of indebtedness assumed or on which interest is paid by corporations for a further limited period of time exempting casualty insurance corporations not having capital stock relieving life insurance corporations from the duty of reporting and paying tax under section seventeen of said act exempting assets held by liquidating trustees imposing the tax upon personal property held and managed in this Commonwealth owned held or possessed by residents as trustees agents or attorneys-in-fact jointly with one or more trustees agents or attorneys-in-fact domiciled in another state and imposing the tax upon equitable interests of residents in personal property held and managed in another state where the legal title to such personal property is held by more than one trustee agent or attorney-in-fact one or more of whom are domiciled in another state and one or more of whom are domiciled within this Commonwealth."

Respectfully submit the following bill as our report:

WELDON B. HEYBURN,
FRANKLIN S. EDMONDS,
HARRY SHAPIRO,
(Committee on the Part of the Senate.)

LEO H. ACHTERMAN,
ALBERT S. READINGER,
EDWARD WINNER,
(Committee on the part of the House of Representatives.)

An Act to reenact and amend the title and the act approved the twenty-second day of June one thousand nine hundred thirty-five (P. L. 414) entitled "An act to provide revenue for State purposes imposing taxes upon certain classes of personal property providing for the assessment collection and lien of the same and the distribution of the proceeds thereof imposing duties on executors administrators registers of wills recorders of deeds prothonotaries and court clerks and on persons copartnerships associations banks national banks trust companies and other corporations receiving deposits of money and on certain corporations and limited partnerships conferring powers and imposing duties on certain State officers and departments imposing penalties and making an appropriation" as previously reenacted and amended by continuing the State personal property tax and the emergency rate of tax on scrip bonds certificates and evidences of indebtedness assumed or on which interest is paid by corporations for a further limited period of time exempting casualty insurance corporations not having capital stock relieving life insurance corporations from the duty of reporting and paying tax under section seventeen of said act exempting assets held by liquidating trustees imposing the tax upon personal property held and managed in this Commonwealth owned held or possessed by residents as trustees agents or attorneys-in-fact jointly with one or more trustees agents or attorneys-in-fact domiciled in another state and imposing the tax upon equitable interests of residents in personal property held and managed in another state where the legal title to such personal property is held by more than one trustee agent or attorney-in-fact one or more of whom are domiciled in another state and one or more of whom are domiciled within this Commonwealth

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The title and all the sections of the act approved the twenty-second day of June one thousand nine hundred thirty-five (P. L. 414) entitled "An act to provide revenue for State purposes imposing taxes upon certain classes of personal property providing for the assessment collection and lien of the same and the distribution of the proceeds thereof imposing duties on executors administrators registers of wills recorders of deeds prothonotaries and court clerks and on persons copartnerships associations banks national banks trust companies and other corporations receiving deposits of money and on certain corporations and limited partnerships conferring powers and imposing duties on certain State officers and departments imposing penalties and making an appropriation"

as last reenacted and amended by the act approved the fifth day of May one thousand nine hundred thirty-nine (P. L. 76) are hereby reenacted and further amended to read as follows

An Act to provide revenue for State purposes imposing taxes upon certain classes of personal property providing for the assessment collection and lien of the same and the distribution of the proceeds thereof imposing duties on executors administrators registers of wills recorders of deeds prothonotaries and court clerks and on persons copartnerships associations banks national banks trust companies and other corporations receiving deposits of money and on certain corporations and limited partnerships conferring powers and imposing duties on certain State officers and departments imposing penalties and making an appropriation

Section 1 Short Title Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That this act shall be known and may be cited as the "State Personal Property Tax Act"

Section 2 Definitions The following words terms and phrases when used in this act shall have the meanings ascribed to them in this section except where the contex clearly indicates a different meaning

"Department" The Department of Revenue of this Commonwealth

"Resident" A person copartnership or unincorporated association or company resident located or liable to taxation within this Commonwealth or a joint-stock company or association limited partnership bank or corporation formed created or incorporated by under or in pursuance of any law of this Commonwealth or of the Unite States or of any other state or government and liable to taxation within this Commonwealth

The singular shall include the plural and the masculine shall include the feminine and the neuter

Section headings shall not be deemed or construed to limit the text of the sections of this act

Section 3 State Tax on Mortgages Judgments Et Cetera Imposition and Rate of Tax Exceptions All personal property of the classes hereinafter enumerated owned held or possessed by any resident whether such personal property be owned held or possessed by such resident in his own right or as active trustee agent attorney-in-fact or by any resident as trustee agent or attorney-in-fact jointly with one or more trustees agents or attorneys-in-fact domiciled in another state where such personal property is held and managed in this Commonwealth or in any other capacity except as executor or administrator of the estate of a nonresident decedent and except as trustee for a resident or nonresident religious charitable or educational organization no part of the net earnings of which inures to the benefit of any private stockholder or individual for the use benefit or advantage of any other person copartnership unincorporated association company joint-stock company or association limited partnership bank or corporation and the equitable interest in any such personal property of the classes hereinafter enumerated owned held or possessed by any resident where the legal title to such personal property is vested in a trustee agent or attorney-in-fact domiciled in another state or where the legal title to such personal property is vested in more than one trustee agent or attorney-in-fact one or more of whom are domiciled in another state and one or more of whom are domiciled within this Commonwealth and such personal property is held and managed in another state and where such resident is entitled to receive all or any part of the income therefrom is hereby made taxable annually for State purposes at the rate of four mills on each dollar or the value thereof as of a date to be fixed annually in the manner provided in section five of this act and no failure to assess or return the same shall discharge such owner or holder thereof from liability therefor that is to say

All mortgages all moneys owing by solvent debtors whether by promissory note or penal or single bill bond or judgment all articles of agreement and accounts bearing interest all public loans whatsoever except those issued by this Commonwealth or the United States and those made taxable for State purposes by section seventeen hereof all loans issued by any corporation association company or limited partnership created or formed under the laws of this Commonwealth or of the United States or of any other state or government including car-trust securities and loans secured by bonds or any other form of certificate or evidence or indebtedness whether the interest be included in the principal of the obligation or payable by the terms thereof except such loans as are made taxable for State purposes by section seventeen hereof all shares of stock in any bank corporation association company or limited partnership created or formed under the laws of this Commonwealth or of the United States or of any other state or government except shares of stock in any bank bank and trust company national banking association savings institution corporation or limited partnership liable to a tax on its shares or the capital stock tax or franchise tax imposed by section twenty-one of the act approved the first day of June one thousand eight hundred eighty-nine (P. L. 420) and its amendments and supplements for State purposes under the laws of this Commonwealth all moneys loaned or invested in other states territories the District of Columbia or foreign countries all other moneyed capital owing to individuals citizens of the State and the principal value of all annuities Provided That this section shall not apply to bank notes or notes discounted or negotiated by any bank or banking institution savings institution or trust company nor to loan shares of stock or other securities held by bankers or brokers solely for trading purposes nor to accounts or debit balances owing by customers of bankers or brokers in the usual courses of business nor to interest-bearing accounts in any bank or banking institution savings institution employes thrift or savings association whether operated by employes or the employer or trust company nor to personal property held in the commercial department and owned in its own right by a banking institution savings institution or trust company in liquidation by a receiver trustee or other fiduciary nor to personal property formerly held by a banking institution in its own right but assigned by it to one or more trustees for liquidation and payment to the creditors and stockholders of such banking institutions And provided further That the provisions of this act shall not apply to building and loan associations or to shares of stock issued by building and loan associations or to savings institutions having no capital stock and if at any time either now or hereafter any persons individuals or bodies corporate have agreed or shall hereafter agree to issue his their or its securities bonds or other evidences of indebtedness clear of and free from the said four mills tax herein provided for or any part thereof or have agree or shall hereafter agree to pay the same or any part thereof nothing herein contained shall be so construed as to relieve or exempt him it or them from paying the said four mills tax on any of the said securities bonds or other evidences of indebtedness as may be held owned by or owing to the said savings institution having no capital stock And provided further That the provisions of this act shall not apply to fire companies fireman's relief associations life casualty or fire insurance corporations having no capital stock secret and beneficial societies labor unions and labor union relief associations and all beneficial organizations paying sick or death benefits or either or both from funds received from voluntary contributions or assessments upon members of such associations societies or unions And provided further That corporations limited partnerships and joint stock associations liable to a tax on their shares or the aforesaid capital stock or franchise tax for State purposes shall not be required to make any report or pay any further tax under this section on the mortgages bonds and other securities owned by them in their own right but corporations limited partnerships and joint-stock associations holding such securities as trustees executors administrators guardians or in any

other manner except as executor or administrator of the estate of a nonresident decedent and except as trustee for a resident or nonresident religious charitable or educational organization no part of the net earnings of which inures to the benefit of any private stockholder or individual shall return and pay the tax imposed by this section upon all securities so held by them as in the case of individuals And provided further That none of the classes of property made taxable by this section for State purposes shall be taxed or taxable for any other local purpose under the laws of this Commonwealth except for county purposes and in cities coextensive with counties for city and county purposes as now provided by law And provided further That the provisions of this section shall not apply to personal property of the class hereinabove enumerated received from any person or persons copartnership or unincorporated association or company nonresident in or not located within this Commonwealth or from any joint-stock company or association limited partnership bank or corporation formed erected or incorporated by under or in pursuance of any law of the United States or of any state or government other than this Commonwealth by any person or persons copartnership unincorporated association company joint-stock company or association limited partnership bank or corporation as active trustee agent attorney-in-fact or in any other capacity for the use benefit or advantage of any person or persons copartnership or unincorporated association or company nonresident in or not located within this Commonwealth or for the use benefit or advantage of any joint-stock company or association limited partnership bank or corporation formed erected or incorporated by under or in pursuance of any law of the United States or of any state or government other than this Commonwealth Nor shall the provisions of this section apply to personal propertly held for the use benefit or advantage of any resident who shall have in each of the ten preceding calendar years given or contributed all of his net income to any corporation organized or operated exclusively for religious charitable scienetific literary or educational purposes

The value of the equitable interest in any personal property made subject to tax by this section shall be measured by ascertaining the value of the personal property in which such resident has the sole equitable interest or in case of divided equitable interests in the same personal property then by ascertaining such part of the value of the whole of such personal property as represents the equitable interest of such resident therein

Section 4 Returns and Payment of Tax (a) For the purpose of ascertaining the amount of tax payable under the third section of this act it shall be the duty of every resident liable to pay such tax on or before the fifteenth day of February of each year to transmit to the department upon a form prescribed prepared and furnished by the department a return in duplicate the original under oath or affirmation of

(1) The aggregate actual value of each part of the different classes of property made taxable by the third section of this act held owned or possessed by such resident as of the date fixed annually in the manner provided in section five of this act either in his own right as trustee agent attorney-in-fact or in any other capacity for the use benefit or advantage of any other person copartnership unincorporated association company limited partnership joint-stock association or corporation

(2) The amount of interest dividends or other income derived from each class of such property at any time during the preceding calendar year and

(3) Such other information as may be required by the department concerning each of the different classes of property whether or not taxable enumerated in the third section of this act owned held or in any manner possessed by such resident

The duplicate unsworn return shall be forwarded by the Department of Revenue to the county commissioners board of revision of taxes or board for the assessment and revision of taxes as the case may be of the county from which the return was made for its use and information

The failure of any taxable resident to receive or procure a return form shall not excuse him from making a return

(b) The return so made shall be sworn or affirmed to by the person making the same if an individual and in the case of copartnership unincorporated associations and joint-stock associations and companies by some member thereof and in the case of limited partnerships and corporations by the president chairman or treasurer thereof

(c) Any agent duly authorized by the department is hereby authorized to administer the oath or affirmation to any person or officer making the return prescribed by this section for the taking of which oath or affirmation no charge shall be made Any such agent who shall make any charge for administering such oath or affirmation shall be deemed guilty of a misdemeanor and upon conviction thereof shall be sentenced to pay a fine not exceeding five hundred dollars ($500.00) or to undergo imprisonment not exceeding one (1) year either or both in the discretion of the court

(d) The tax imposed by section three hereof shall be due and payable when such return is required to be filed and every resident at the time of making every return shall compute and pay to the department the tax due the Commonwealth by such resident

Section 5 Listing Date The department shall on or before the fifteenth day of January one thousand nine hundred thirty-eight and annually thereafter fix a day as of which the property made taxable by the third section of this act shall be listed and returned The day so fixed shall be between the first and fifteenth days of the month of January both inclusive and the day so fixed shall be printed or stamped on the forms for making returns of all such property If through inadvertence mistake or otherwise the department fails to designate or fix such date or if such date does not appear on the form for making return of such property the date as of which such property shall be listed and assessed shall be the immediately preceding first day of January

Section 6 Assessment by the Department Notice If any taxable resident shall fail to file a return or fail to include in any return all of his property made taxable by the third section of this act or shall fail to compute and pay the tax due the Commonwealth as required in this act the department shall make an assessment of tax against such resident of the amount of tax for which such resident is liable or for which he is believed by the department to be liable together with a penalty of ten percentum of such tax Promptly thereafter the department shall give or send by mail or otherwise notice thereof to such resident If such resident is dissatisfied with the assessment so made he may petition for a reassessment in the manner hereinafter provided

Section 7 Assessments Made at any Time within Five Years An assessment as heretofore provided may be made by the department at any time within five (5) years after any property owned held or possessed or alleged to have been so owned held or possessed by any resident should have been returned by him for taxation notwithstanding he shall have paid a tax assessed on the basis of returns previously made or filed and notwithstanding the department shall have made previous assessments against such resident In any such case no credit shall be given for any penalty formely assessed and apaid

Section 8 Petition for Reassessment Appeal (a) Any resident against whom an assessment is made may petition the department for a reassessment Notice of an intention to file such a petition or to appear and be heard shall be given to the department within ninety (90) days after notice of such assessment is given or sent by the department to the taxpayer as provided in this act The department shall hold such hearings as may be necessary to hear and determine petitions for reassessment at such places and at such times as may be determined by rules and regulations of the department and each petitioner who has duly notified the department of an intention to file a petition for reassessment or to appear and be heard shall be notified by the department of the time when and the place where such hearings shall be held All such petitions shall set forth specifically and in detail the grounds upon which it is claimed the assessment is erroneous or unlawful and

shall be accompanied by an affidavit under oath or affirmation certifying to the correctness of the facts stated therein If no petition for reassessment is filed with the department the petitioner may in lieu thereof appear at the hearing and present his petition orally in which event all testimony or statements of facts shall be made under oath or affirmation

(b) If such petitioner is dissatisfied with the action of the department on his petition for reassessment he shall have the right to appeal to the court of common pleas of the county where he resides at any time within sixty (60) days after notice of such action is given to him by the department If any resident shall fail to give due notice of an intention to petition for reassessment and to file a petition for reassessment or to appear and be heard after due notice of his intention to do so or to appeal to the court of common pleas within the time and in the manner herein set forth the right to do so shall be forever barred and any such resident so failing shall not thereafter be permitted in a suit for the recovery of such tax to set up any ground of defense which might have been determined either by the department or the court of common pleas as foresaid In all cases of petitions for reassessment and appeals the burden of proof shall be on the petitioner or appelant as the case may be and every appeal to the court of common pleas under this section shall specify all the objections to the assessment and any objection not specified in the appeal shall not be considered by the court

Section 9 Information at Source Reports (a) The executor of every will and administrator of every estate at the time of filing with the register of wills or clerk of the orphans court the inventory and appraisal of such estate or of any affidavit setting forth the real and personal estate of such decedent for the purpose of determing the transfer inheritance tax imposed thereon by existing law shall in addition thereto file with such register of wills or clerk of the orphans court a statement in duplicate under oath or affirmation setting forth the items included in such inventory or affidavit which may be liable to the tax imposed by the third section of this act The register or clerk with whom the same is filed shall forthwith send one copy thereof to the department It shall be the duty of the department to proceed at once to assess the tax due from such decedent with interest as heretofore provided in this act and to present a claim therefor through the Department of Justice to the orphans court of the proper county or to proceed by action or suit at law through the Department of Justice in any court of competent jurisdiction for the recovery thereof or to take any or all appropriate steps or procedure necessary for the collection of such tax

.(b) It shall be the duty of the recorder of deeds in each and every county in this Commonwealth to keep a daily record separate and apart from all other records of every mortgage or article of agreement given to secure the payment of money entered in his office for recording which record shall set forth the following information to wit The date of the mortgage or agreement the names of the parties thereto the just sum of money secured the precise residence of the mortgagee or person to whom interest is payable a brief description of the real estate upon which such mortgage is secured and the date or several dates when the said sum or portion of the said sum shall become due and payable and a like daily record of every assignment of a mortgage or an article of agreement given to secure the payment of money and also the number of mortgages and agreements together with the amount of same and the names of the parties thereto which shall have been that day satisfied of record For the purpose of obtaining with accuracy the precise residence of all mortgagees assignees and persons to whom interest is payable on articles of agreement it shall be the duty of the recorder of deeds in each county whenever a mortgage assignment or agreement given to secure the payment of money shall be presented to him for record to refuse the same unless the mortgage assignment or agreement has attached thereto and made part thereof a certificate signed by the mortgagee assignee or person entitled to interest or his duly authorized attorney or agent setting forth the precise residence of such mortgagee assignee or person entitled to interest and such certificate shall be recorded with the mortgage assignment or agreement Every recorder of deeds on the first Monday of each month shall file the aforesaid daily record or a copy thereof with the department

(c) It shall be the duty of the prothonotary or clerk of the court of common pleas in each and every county in this Commonwealth forthwith upon the passage of this act to keep a daily record separate and apart from all other records of every single bill bond judgment or other instrument securing a debt entered of record in his office Such daily record shall set forth the following information to wit The date of the instrument the names of the plaintiff and defendant together with the precise residence of the plaintiff or person to whose use such bill bond judgment or other obligation to pay money is marked whenever such residence can be ascertained the just sum secured and the date or several dates when the said sum or portion of the same shall become due and payable with the further information whether any of said bonds or judgments are accompanied with mortgages and also the number of every single bill bond judgment or other instrument securing a debt together with the amount of same and the names of the plaintiff and defendant thereto which shall have been that day satisfied The prothonotary or clerk of the court of common pleas shall file the aforesaid daily record or a copy thereof with the department on the first Monday of each month

Section 10 Compensation of Recorders and Prothonotaries The several recorders of deeds prothonotaries and court clerks as aforesaid shall be entitled to receive ten cents for each and every mortgage judgment or lien assignment or satisfaction thereof reported to the department as heretofore required in this act Such fees shall be paid by the respective county treasurers on the presentation of proper vouchers certified by the department and shall be applied in like manner as other fees received by such recorders prothonotaries or clerks Provided That no fee shall be allowed in any case where the residence of any plaintiff mortgagee or assignee is omitted in such reports And provided further That the amount allowed any prothonotary or clerk or recorder of deeds under this act shall not exceed the sum of six hundred dollars ($600.00) per annum

Section 11 Due Date All taxes imposed by the third section of this act shall be due and payable on the fifteenth day of February of each year

Section 12 Interest The tax imposed by the third section of this act shall bear interest at the rate of six per centum per annum from the date such tax is due and payable until thirty (30) days after the department shall make an assessment and thereafter at the rate of twelve per centum per annum until paid except that any tax found due as the result of an appeal to the court of common pleas or any appellate court shall bear interest at the rate of six per centum per annum from the date the tax was originally due and payable until paid

Section 13 Lien of Taxes (a) All taxes imposed under the third section of this act together with all penalties and interest shall be considered a public account after becoming due and payable in the manner prescribed in this act and as such shall be a lien upon the franchises and real property of the resident against whom the same are assessed after the same has been entered and docketed of record by the prothonotary of the county where the resident's franchises or property are situated

(b) The department may at any time transmit to the prothonotaries of the respective counties of the Commonwealth to be by them entered of record certified copies of all liens for taxes imposed by the third section of this act and penalties and interest upon which record it shall be lawful for writs of scire facias to issue and be prosecuted to judgment and execution in the same manner as such writs are ordinarily employed

Section 14 Credits for Overpayment The Board of

Finance and Revenue may allow a credit for any taxes imposed by the third section of this act and penalties and interest thereon paid to the Commonwealth to which the Commonwealth is not rightfully or equitably entitled Claims for such credits shall be made in accordance with the provisions of "The Fiscal Code" relative to petitions for refunds of taxes No petition for such credit shall be considered by the board unless filed with the board within two (2) years of the payment alleged to have been erroneously made

Upon the allowance of any such petition the credit so determined may be applied against any amount due or subsequently becoming due by such petitioner on account of taxes imposed by the third section of this act and penalties and interest thereon or may be assigned in whole or in part to any other taxable resident to be applied against any amount due or subsequent becoming due by such resident on account of taxes imposed by the third section of this act and penalties and interest thereon Upon the allowance of a petition for credit the board shall issue its certificate under its hand and seal and no credit claimed whether assigned or not shall be allowed unless evidenced by such certificate

Section 15 Penalties Costs (a) Every person or officer who shall wilfully and corruptly make a false and fraudulent return of property made taxable by the third section of this act shall be guilty of wilful and corrupt perjury and upon conviction thereof shall be subject to punishment as provided by law

(b) Any wilful failure on the part of recorders of deeds or prothonotaries or clerks to carry out the duties imposed upon them by section nine of this act shall be deemed a misdemeanor and upon conviction thereof the person or persons so failing to comply shall be sentenced to pay a fine not exceeding five hundred dollars ($500.00) or to undergo imprisonment not exceeding one (1) year or both in the discretion of the court

(c) Every register of wills who shall fail to send copies of affidavits filed with him by executors or administrators to the department as required by section nine of this act shall be guilty of a misdemeanor and upon conviction thereof the register so failing shall be sentenced to pay a fine not exceeding five hundred dollars ($500.00) or to undergo imprisonment not exceeding one (1) year or both in the discretion of the court

(d) Every executor or administrator who wilfully fails to file the affidavit with the register of wills as required by section nine of this act shall be subject to a penalty of twenty-five dollars ($25.00) for the first day and ten dollars ($10.00) for each succeeding day during which such affidavit is not filed to be collected by the department through the Department of Justice in the same manner as debts are by law collected

(e) Whenever any person acting for or on behalf of the department shall in good faith institute legal proceedings for any violations of the provisions of this act and for any reason shall fail to recover costs of record such costs shall be a charge upon the proper county as shall such costs in the event defendant is imprisoned for failure to pay fine or costs or both and shall be audited and paid as are costs of like character in said county

Section 16 Enforcement Rules and Regulations Inquisitorial Powers of the Department (a) The department is hereby charged with the enforcement of the provisions of this act and is hereby authorized and empowered to prescribe adopt promulgate and enforce rules and regulations relating to any matter or thing pertaining to the administration and enforcement of the provisions of this act and the collection of taxes penalties and interest imposed by this act

(b) The department or any agent authorized in writing by it is hereby authorized to examine the books papers and records of any resident in order to verify the accuracy of any return made or if no return was made to ascertain and assess the tax imposed by the third section of this act Every such resident is hereby directed and required to give to the department or its duly authorized agent the means facilities and opportunity for such examinations and investigations as are hereby provided and authorized The department is hereby authorized to examine any person under oath concerning any property which was or should have been returned for taxation and to this end may compel the production of books papers and records and the attendance of all persons whether as parties or witnesses whom it believes have knowledge of such property The procedure for such hearing or examination shall be the same as that provided by "The Fiscal Code" relating to inquisitorial powers of fiscal officers

Any information gained by the department as a result of any returns investigations hearings or verifications required or authorized by this act and any information taxes or board for the assessment and revision of taxes gained by the county commissioners board of revision of as the result of duplicate returns received from the department shall be confidential except for official purposes and any person or agent divulging such information shall be deemed guilty of a misdemeanor and upon conviction thereof shall be sentenced to pay a fine not in excess of five hundred dollars ($500.00) or to undergo imprisonment for not more than three (3) years or both in the discretion of the court

(c) The powers conferred by this act upon the department relating to the administration or enforcement of this act shall be in addition to but not exclusive of any other powers heretofore or hereafter conferred upon the department by law

Section 17 State Tax on Scrip Bonds Et Cetera Imposition and Rate of Tax All scrip bonds certificates and evidences of indebtedness issued and all scrip bonds certificates and evidences of indebtedness assumed or on which interest shall be paid by any and every private corporation incorporated or created under the laws of this Commonwealth or the laws of any other state or of the United States and doing business in this Commonwealth and having a resident corporate treasurer therein except first class or nonprofit corporations are hereby made taxable for State purposes at the rate of eight mills on each dollar of the nominal value thereof during the calendar years one thousand nine hundred thirty-eight one thousand nine hundred thirty-nine one thousand nine hundred forty [and] one thousand nine hundred forty-one one thousand nine hundred forty-two and one thousand nine hundred forty-three on reports filed for the calendar years [one thousand nine hundred thirty-seven] one thousand nine hundred thirty-eight one thousand nine hundred thirty-nine [and] one thousand nine hundred forty one thousand nine hundred forty-one and one thousand nine hundred forty-two and one thousand nine hundred forty-three or for any fiscal year beginning in the calendar years [one thousand nine hundred thirty-seven] one thousand nine hundred thirty-eight one thousand nine hundred thirty-nine [and] one thousand nine hundred forty one thousand nine hundred forty-one and one thousand nine hundred forty-two and one thousand nine hundred forty-three and at the rate of four mills on each dollar of the nominal value thereof during the calendar years one thousand nine hundred [forty-one] forty-four and every year thereafter on reports filed for the calendar years one thousand nine hundred [forty-one] forty-four or for any fiscal year beginning in the calendar year one thousand nine hundred [forty-one] forty-four) and for every year thereafter and all scrip bonds certificates and evidences of indebtedness issued and all scrip bonds certificates and evidences of indebtedness assumed or on which interest shall be paid by any county city borough township school district or incorporated district of this Commonwealth are hereby made taxable for State purposes at the rate of four mills on each dollar of the nominal value thereof during the calendar year one thousand nine hundred thirty-eight and every year thereafter on reports filed for the calendar year one thousand nine hundred thirty-seven or for any fiscal year beginning in the calendar year one thousand nine hundred thirty-seven and for every year thereafter Provided That whenever under the provisions of this section any private corporation shall become liable for such taxes upon evi-

dences of indebtedness by it assumed or on which it shall pay interest it shall be the duty of such corporation not later than ten (10) days thereafter to give notice in writing to any person who may at such time be liable for the payment of any taxes upon such evidences of indebtedness under the provisions of the third section of this act that the corporation has assumed such indebtedness or the payment of the interest thereon and will deduct and pay the taxes imposed thereon by this section Such notice shall also be given before the first day of October of each and every subsequent year during which such corporation is liable for the payment of such interest Where any private corporation shall assume such evidences of indebtedness or the payment of interest thereon prior to the first day of October in any year and shall give notice as hereinbefore provided such corporation shall be relieved from the duty of deducting and paying the taxes imposed by this section for the balance of such year but shall deduct and pay said taxes for the ensuing year and the person to whom such notice shall be given shall for such ensuing year be relieved from the payment of tax under the provisions of the third section of this act upon such evidences of indebtedness so assumed or on which the corporation shall pay interest Where any private corporation shall assume such evidences of indebtedness or the payment of interest thereon on or subsequent to the first day of October in any year and shall give the notice as hereinbefore provided such corporation shall be relieved from the duty of deducting and paying the tax upon such evidences of indebtedness by it assumed or on which it shall pay interest for the balance of such year and for the ensuing year and the person to whom notice is so given shall pay the tax for the period for which the corporation is relieved upon such evidences of indebtedness so assumed or on which the corporation shall pay interest as provided for in the third section of this act Neglect or failure on the part of any corporation upon assuming any evidences of indebtedness or becoming liable for the payment of interest thereon to give the notice as herein provided and within the time prescribed shall make such corporation liable for the payment of taxes from the time when such evidences of indebtedness are assumed or for the entire period for which interest shall be paid Neglect or failure to give such notice before the first day of October of each and every subsequent year during which such corporation is liable for the payment of such interest shall make the corporation liable for such taxes for the year following without any deductions from interest due as herebefore provided Provided That this section shall not apply to bank notes or notes discounted or negotiated by any bank or banking institution savings institution or trust company nor to interest bearing accounts in any bank banking institution savings institution employes thrift or savings association whether operated by employes or the employer or trust company And provided further That the provisions of this act shall not apply to building and loan associations or to savings institutions having no capital stock and if at any time either now or hereafter any persons individuals or bodies corporate have agreed on shall hereafter agree to issue his their or its securities bonds or other evidences of indebtedness clear of and free from the tax or any part thereof provided for in this act or in the act approved the seventeenth day of June one thousand nine hundred thirteen (Pamphlet Laws 507) or have agreed or shall hereafter agree to pay the same nothing herein contained shall be so construed as to relieve or exempt him it or them from paying the tax imposed herein on any of such securities bonds or other evidences of indebtedness as may be held owned by or owing to the said savings institution having no capital stock And provided further That the provisions of this act shall not apply to fire companies firemen's relief associations life [or] insurance companies casualty or fire insurance corporations having no capital stock secret and beneficial societies labor unions and labor unions relief associations and all beneficial organizations paying sick or death benefits or either or both from funds received from voluntary contributions or assessments upon members or such associations societies or unions And provided further That corporations limited partnerships and joint-stock associations liable to tax on capital stock for State purposes shall not be required to pay any further tax under this section on the mortgages bonds and other securities owned by them in their own right but corporations limited partnerships and joint-stock associations holding such securities as trustees executors administrators guardians or in any other manner except as executors or administrator of the estate of a nonresident decedent and except as trustee for a resident or nonresident religious charitable or educational organization no part of the net earnings of which inures to the benefit of any private stockholder or individual shall be liable for the tax imposed by this section upon all securities so held by them as in the case of individuals And provided further That none of the classes of property made taxable by this section for state purposes shall be taxed or taxable for county school or other local purposes And provided further That the provisions of this section shall not apply to personal property of the classes hereinabove enumerated received from any person or persons copartnership or unincorporated association or company nonresident in or not located within this Commonwealth or from any joint-stock association limited partnership bank or corporation formed created or incorporated by under or in pursuance of any law of the United States or of any state or government other than this Commonwealth by any person or persons copartnership or unincorporated association resident in this Commonwealth company joint-stock company or association limited partnership bank or corporation created or existing under the laws of this Commonwealth or doing business within this Commonwealth as active trustee agent attorney-in-fact or in any other capacity for the use benefit or advantage of any person or persons copartnership or unincorporated association or company nonresident in or not located within this Commonwealth or for the use benefit or advantage of any joint-stock company or association limited partnership bank or corporation formed created or incorporated by under or in pursuance of any law of the United States or of any state or government other than this Commonwealth or any such property whatsoever owned held or possessed by any person or persons copartnership or unincorporated association resident in this Commonwealth company joint-stock company or association limited partnership bank or corporation created and existing under the laws of this Commonwealth or doing business within this Commonwealth in the capacity of executor or administrator of a nonresident decedent or as trustee agent or attorney-in-fact for any resident or nonresident religious charitable scientific literary or educational organization no part of the net earnings of which inures to the benefit of any private stockholder or individual

It is the intent of this act that all scrip bonds certificates and evidences of indebtedness made taxable under this section are not taxable under the third section of this act and that only such scrip bonds certificates and evidences of indebtedness which cannot be made taxable under this section are to be taxed under the third section of this act

Section 18 Reports and Payments of the State Tax by Private Corporations and Municipalities (a) It shall be the duty of the resident treasurer of each private corporation incorporated by or under the laws of this Commonwealth or the laws of any other state or of the United States or any foreign country and doing business in this Commonwealth except nonprofit corporations and cooperative agricultural associations not having capital stock and not conducted for profit and it shall be the duty of the treasurer of each county city borough township school district or incorporated district of this Commonwealth upon the payment of any interest on any scrip bond certificate or evidence of indebtedness issued or assumed by such corporation county city borough township school district or incorporated district or upon which it is liable for the payment of the interest to residents of this Commonwealth and held by them to assess the tax

imposed for State purposes by the seventeenth section of this act upon the nominal value of each such scrip bonds certificates or evidences of indebtedness and to report under oath or affirmation annually on or before the fifteenth day of March for the calendar year next preceding to the department the amount of such indebtedness owned held or in any manner possessed by residents of this Commonwealth together with such information as the department may require Provided That such scrip bonds certificates and evidences of indebtedness shall be deemed to be owned held or possessed by residents of this Commonwealth unless it is established that they are not so owned held or possessed and it shall be his further duty to deduct the tax imposed by the seventeenth section of this act on the payment of any interest upon such indebtedness and return the same to the State Treasury through the department within the time prescribed by law and his compensation for his services shall be five per centum on the first one thousand dollars ($1,000) or fractional part thereof one per centum on all amounts over one thousand dollars ($1,000) and not over two thousand dollars ($2,000) and one half of one per centum on all amounts over two thousand dollars ($2,000) Upon the payment of said State tax such scrip bonds certificates or evidences of indebedness shall be exempt from all other taxation in the hands of the holder of the same

The time for filing reports may be extended taxpayers may be permitted to file their reports on a fiscal year basis and the procedure and penalties in case of failure to report and pay the tax shall be as prescribed by law

(b) It is the intent and meaning of this act that the tax for State purposes imposed upon obligations of private and public corporations by section seventeen of this act shall be collected in the same manner as the tax heretofore imposed for State purposes upon such obligations

Section 19 Constitutional Construction If any section sentence clause or part of this act is for any reason held to be unconstitutional the decision of the court shall not affect or impair any of the remaining provisions of this act It is hereby declared as the legislative intent that this act would have been adopted had such unconstituional sentence section clause or part thereof not been included herein

Section 20 Repealer and Saving Clause (a) All acts or parts of acts inconsistent with the provisions of this act are hereby repealed but the provisions of this act so far as they are the same as those of existing laws shall be construed as a continuation of such laws and not as new enactments

(b) Sections seventeen and eighteen of the act approved the seventeenth day of June one thousand nine hundred thirteen (P. L. 507) entitled "An act to provide revenue for State and county purposes and in cities coextensive with counties for city and county purposes imposing taxes upon certain classes of personal property providing for the assessment and collection of the same providing for the duties and compensation of prothonotaries and recorders in connection therewith and modifying existing legislation which provided for raising revenue for State purposes" and their amendments are hereby repealed but this act shall not be construed to repeal any of the remaining provisions of said act

(c) Nothing herein contained shall be construed as reviving any act repealed by the act which this act repeals and the passage of this act shall not be taken or construed to relieve any person association or corporation from the payment of any taxes penalties and interest imposed by section seventeen of the said act of June seventeenth one thousand nine hundred and thirteen (P. L. 507) [on reports filed for the calendar year one thousand nine hundred thirty-six or for any fiscal year beginning in the calendar year one thousand nine hundred thirty-six and prior years] or from any taxes penalties and interest imposed by the provisions of any act or parts of acts in force at the time this act becomes effective or to affect or terminate any petitions investigations prosecutions legal or otherwise or other proceedings pending under the provisions of any act or parts of acts in force at the time this act becomes effective or repealed by this act or to prevent the commencement or further prosecution of any legal proceedings by the proper authorities of the Commonwealth for violations of such acts or for the collection or recovery of taxes penalties and interest due or owing to the Commonwealth under such acts

Section 21 Effective Date This act shall become effective imediately upon its final enactment and be in force for the assessment and collection of taxes under section three of this act for the calendar years one thousand nine hundred thirty-eight one thousand nine hundred thirty-nine one thousand nine hundred forty [and] one thousand nine hundred forty-one one thousand nine hundred forty-two and one thousand nine hundred forty-three and for the collection of taxes under section seventeen of this act for the calendar year one thousand nine hundred thirty-eight and every year thereafter on reports filed for the calendar year one thousand nine hundred [thirty-seven] thirty-eight (or for any fiscal year beginning in the calendar year one thousand nine hundred [thirty-seven] thirty-eight) and for every year thereafter

Section 2 This reenacting and amending act shall become effective immediatelv upon its final enactment The exemption extended by this reenacting and amending act to personal property held in the commercial department and owned in its own right by a banking institution savings institution or trust company in liquidation by a receiver trustee or other fiduciary or to personal property formerly held by a banking institution in its own right but assigned by it to one or more trustees for liquidation and payment to the creditors and stockholders of such banking institutions is hereby made retroactive for the years one thousand nine hundred thirty-five one thousand nine hundred thirty-six one thousand nine hundred thirty-seven one thousand nine hundred thirty-eight one thousand nine hundred thirty-nine and one thousand nine hundred forty it being the legislative intent and purpose that no tax under this act shall be assessed or collected with respect to such property for such years or for any year thereafter

On the question,

Will the Senate agree to the Report?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—48

Barr,	Ealy,	Letzler,	Stiefel,
Bartlett,	Edmonds,	Mallery,	Tallman,
Becker,	Farrell,	McCreesh,	Taylor,
Carr,	Frey,	McGinnis,	Thomas,
Cavalcante,	Geltz,	McQuiddy,	Tyler,
Chapman,	Haluska,	Miller,	Wade,
Coleman,	Heyburn,	Reed,	Walker,
Cox,	Homsher,	Ruth,	Watkins,
Crider,	James,	Scarlett,	Wilson, H. I.,
Crowe,	Jaspan,	Shapiro,	Wilson, T. B.,
Deitrick,	Kephart,	Snowden,	Woodward,
Dent,	Lanius,	Stevenson,	Ziesenheim,

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk inform the House of Representatives accordingly.

REPORT OF COMMITTEE OF CONFERENCE ON SENATE BILL No. 1010, (HOUSE BILL No. 234), ADOPTED

Mr. GELTZ. Mr. President, I move that the Senate do now proceed to the consideration of the Report of the Committee of Conference on Senate Bill No. 1010, (House Bill No. 234).

Mr. EALY. Mr. President, I second the motion.

The Report was read as follows:

REPORT OF THE COMMITTEE OF CONFERENCE ON HOUSE BILL No. 234

To the Members of the Senate and House of Representatives:

We, the undersigned, Committee of Conference on the part of the Senate and House of Representatives for the purpose of considering House Bill No. 234, entitled:

"An Act to further amend section one of the act, approved the fifteenth day of July, one thousand eight hundred ninety-seven (P. L. 292), entitled 'An act to provide revenue by taxation,'" by increasing the rate of tax for a limited period of time."

Respectfully submit the following bill as our report:

WELDON B. HEYBURN
FRANKLIN S. EDMONDS
HARRY SHAPIRO
(Committee on the Part of the Senate.)

LEO. A. ACHTERMAN
ALBERT S. READINGER
EDWIN WINNER
(Committee on the part of the House of Representatives.)

An Act to further amend section one of the act approved the fifteenth day of July one thousand eight hundred ninety-seven (P. L. 292) entitled "An act to provide revenue by taxation" by increasing the rate of tax for a further limited period of time

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section one of the act approved the fifteenth day of July one thousand eight hundred ninety-seven (P. L. 292) entitled "An act to provide revenue by taxation" as last amended by the act approved the fourth day of May one thousand nine hundred thirty-nine (P. L. 53) is hereby further amended to read as follows

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That from and after the passage of this act every bank or savings institution having capital stock incorporated by or under any law of this Commonwealth or under any law of the United States and located within this Commonwealth shall on or before the fifteenth day of February in each and every year make to the Department of Revenue a report in writing verified as required by law setting forth the full number of shares of the capital stock subscribed for or issued as of the preceding thirty-first day of December by such bank or savings institution and the actual value thereof as of the preceding thirty-first day of December which actual value shall be ascertained as hereinafter provided It shall be the duty of the Department of Revenue to assess such shares for taxation at the same rate as that imposed upon other moneyed capital in the hands of individual citizens of the State that is to say for the calendar years ending December thirty-first one thousand nine hundred thirty-six December thirty-first one thousand nine hundred thirty-seven December thirty-first one thousand nine hundred thirty-eight December thirty-first one thousand nine hundred thirty-nine [and] December thirty-first one thousand nine hundred forty December thirty-first one thousand nine hundred forty-one and December thirty-first one thousand nine hundred forty-two at the rate of eight mills upon each dollar of the actual value thereof and thereafter at the rate of four mills upon each dollar of the actual value thereof the actual value of each share of stock to be ascertained and fixed by adding together the amount of capital stock paid in the surplus and undivided profits and dividing this amount by the number of shares It shall be the duty of every bank or savings institution within a period of sixty days after the date of such settlement by the Department of Revenue to collect the amount of said tax from its shareholders and pay the same to the State Treasurer through the Department of Revenue Provided That in case any bank or savings institution having capital stock incorporated under the law of this State or of the United States shall collect annually from the shareholders thereof said tax of eight mills or four mills as the case may be on the dollar upon the actual value of all the shares of stock of said bank or savings institution according to the provisions of this act that have been subscribed for or issued and pay the same into the State Treasury through the Department of Revenue the shares and so much of the capital and profits of such bank or savings institution as shall not be invested in real estate shall be exempt from local taxation under the laws of this Commonwealth and such bank or savings institution shall not be required to make any report to the local assessor or county commissioners of its personal property owned by it in it own right for purposes of taxation and shall not be required to pay any tax thereon The procedure in case the Department of Revenue be not satisfied with the report made by any bank or savings institution and the penalties for failing to make such report and pay the tax shall be as provided by law

Section 2 This act shall become effective immediately upon its final enactment

On the question,

Will the Senate agree to the Report?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—48

Barr,	Ealy,	Letzler,	Stiefel,
Bartlett,	Edmonds,	Mallery,	Tallman,
Becker,	Farrell,	McCreesh,	Taylor,
Carr,	Frey,	McGinnis,	Thomas,
Cavalcante,	Geltz,	McQuiddy,	Tyler,
Chapman,	Haluska,	Miller,	Wade,
Coleman,	Heyburn,	Reed,	Walker,
Cox,	Homsher,	Ruth,	Watkins,
Crider,	James,	Scarlett,	Wilson, H. I.,
Crowe,	Jaspan,	Shapiro,	Wilson, T. B.,
Deitrick,	Kephart,	Snowden,	Woodward,
Dent,	Lanius,	Stevenson,	Ziesenheim,

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk inform the House of Representatives accordingly.

REPORT OF COMMITTEE OF CONFERENCE ON SENATE BILL No. 1011, (HOUSE BILL No. 663), ADOPTED

Mr. GELTZ. Mr. President, I move that the Senate do now proceed to the consideration of the Report of the Committee of Conference on Senate Bill No. 1011 (House Bill No. 663).

Mr. EALY. Mr. President, I second the motion.

The Report was read as follows:

REPORT OF THE COMMITTEE OF CONFERENCE ON HOUSE BILL No. 663

To the Members of the Senate and House of Representatives:

We, the undersigned, Committee of Conference on the part of the Senate and House of Representatives for the purpose of considering House Bill No. 663, entitled:

"An Act authorizing the Commonwealth to negotiate temporary emergency loans to defray the current and other expenses of the State government during the two fiscal years beginning the first day of June one thousand

nine hundred forty-one evidenced by tax anticipation notes secured by and payable from current revenues levied assessed collectible and accruing during such two fiscal years defining the powers and duties of the Governor the Auditor General and the State Treasurer in relation thereto providing for the payment of interest on and the repayment of such loans and making an appropriation."

Respectfully submit the following bill as our report:

WELDON B. HEYBURN
FRANKLIN S. EDMONDS
HARRY SHAPIRO
(Committee on the Part of the Senate.)

LEO A. ACHTERMAN
ALBERT S. READINGER
EDWIN WINNER
(Committee on the part of the House of Representatives.)

An Act authorizing the Commonwealth to negotiate temporary emergency loans to defray the current and other expenses of the State government during the two fiscal years beginning the first day of June one thousand nine hundred forty-one evidenced by tax anticipation notes secured by and payable from current revenues levied assessed collectible and accruing during such two fiscal years defining the powers and duties of the Governor the Auditor General and the State Treasurer in relation thereto providing for the payment of interest on and the repayment of such loans and making an appropriation

Whereas The present session of the General Assembly has provided revenues of the Commonwealth amounting to at least three hundred seventy-three million dollars ($373,000,000) for general purposes for the biennial fiscal period beginning June first one thousand nine hundred forty-one and

Whereas Such revenues though levied and assessed will not be available in large part for the current and other expenses of the State government until the later part of the two fiscal years respectively of the said biennial fiscal period and the collectible revenues will not be sufficient to defray the current and other expenses of the State government during the earlier parts of such fiscal years respectively and

Whereas In order that the obligations of the Commonwealth may be met promptly and in order that the State government might not fail through lack of funds it is necessary temporarily to obtain funds to defray the current and other expenses of the State government during the fiscal period aforesaid until the revenues that are subsequently accruing to the State Treasury during said fiscal period are available for this purpose

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The Governor the Auditor General and the State Treasurer on behalf of the Commonwealth of Pennsylvania are hereby authorized and directed during the two fiscal years beginning the first day of June one thousand nine hundred forty-one from time to time to borrow on the credit of the current revenues of the Commonwealth of Pennsylvania such sum or sums of money not exceeding in the aggregate the sum of one hundred seventy-five million dollars ($175,000,000) as may be necessary to defray the current and other expenses of the State government during such fiscal years

Section 2 (a) Such loans shall be evidenced by notes of the Commonwealth of Pennsylvania All of said notes shall mature not later than the thirty-first day of May one thousand nine hundred forty-three Such notes are hereby declared to be tax anticipation notes Such notes or renewals thereof shall be issued from time to time for such total amounts in such sums and subject to such terms and conditions rates of interest not in excess of four and one-half per centum (4½%) per annum and time of payment of interest as the Governor Auditor General and State Treasurer shall determine and direct

(b) All notes issued under the authority of this act shall bear either the signatures of the Governor the Auditor General and the State Treasurer or the facsimile signatures of the Governor the Auditor General and the State Treasurer in which latter event such notes shall be countersigned by two officers of the Philadelphia National Bank (Loan and Transfer Agent of the Commonwealth) All such notes shall bear a facsimile of the great seal of the Commonwealth

(c) All notes issued under the authority of this act shall have the qualities and incidents of negotiable instruments under the Negotiable Instruments Law of the Commonwealth

(d) The current revenues of the biennial fiscal period beginning the first day of June one thousand nine hundred forty-one are pledged for the payment of principal and interest of such notes which shall be payable in lawful money of the United States All notes issued under the provisions of this act shall be exempt from taxation for State and local purposes

Section 3 The proceeds derived from the negotiation of loans under the provisions of this act shall be paid into the General Fund of the State Treasury and shall be used for the payment of appropriations made from such fund to defray the current and other expenses of the State government for the biennial fiscal period beginning the first day of June one thousand nine hundred forty-one

Section 4 Any loans negotiated under the provisions of this act shall be secured by the current revenues levied and assessed for revenue purposes of every kind or character accruing to the General Fund of the State Treasury during the two fiscal years beginning June first one thousand nine hundred forty-one and shall be paid out of such revenues and so much of such revenues as may be necessary for the payment of the principal and interest of such loans are hereby specifically appropriated The Department of Revenue shall allocate such revenues to said payments

Section 5 The provisions of this act are severable and if any of its provisions are held unconstitutional the decision so holding shall not be construed to impair any other provision of this act It is hereby declared as the legislative intent that this act would have been adopted had such unconstitutional provisions not been included therein

Section 6 This act shall become effective immediately upon its final enactment

On the question,

Will the Senate agree to the report?

Mr. EALY. I desire to say just a word with respect to this report.

The Senator from Allegheny has moved for the adoption of the Conference Report on House Bill 663, authorizing the issuance of tax anticipation notes. I shall vote for this bill for it is the only means we have at this time for raising the money long past due the schools and hospitals, under our previous appropriations and for continuing the functions of our government.

I have already indicated my opposition to this form of financing and I cannot vote without again expressing myself briefly on the subject.

Senator Edmonds delivered a splendid address yesterday, pointing out some of the evils in the present methods of financing. I agree with him and trust that it may be possible for the next Governor to begin at least to abate the need for tax anticipation notes, which I may say will require, according to the budget, about $1,200,000 merely for interest charges for the next biennium.

A day or so ago one of the Senators remarked that as a general thing taxes had not decreased in our various municipalities. I think that is generally true. In fact, taxes have increased, and the reason is that in public

affairs and in private living we have forgotten apparently that mortgages must be paid or bankruptcy, both of state and individually, will result.

It seems to me that it is high time for all those leaders in government to express in no uncertain terms that the time has come when the joyride being taken on the proceeds obtained from the obligations, incurred for our children and grandchildren to pay, must stop, and that henceforth government must live within its means.

Mr. WOODWARD. Mr. President, I would like to take just one minute, not exactly in reply to Senator Ealy, but in order to reply to the remarks of Senator Edmonds yesterday, I clipped the following from my favorite newspaper—the Philadelphia Record—this morning. The heading is "Fish and Game Area Purchased by State." The article reads in part as follows: "The State yesterday purchased a 3800 acre tract in the heart of the best hunting and fishing area in Northeastern Pennsylvania. The amount was not disclosed."

I simply read this at this time to emphasize what I said yesterday, that every special fund is an insult to our intelligence. When we give up our power over the purse strings we certainly give up nearly the whole works, and I am putting this into evidence to show that we were not consulted and the amount was not disclosed, because the Game Commission has a special fund.

And the question recurring,

Will the Senate agree to the Report?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—48

Barr,	Ealy,	Letzler,	Stiefel,
Bartlett,	Edmonds,	Mallery,	Tallman,
Becker,	Farrell,	McCreesh,	Taylor,
Carr,	Frey,	McGinnis,	Thomas,
Cavalcante,	Geltz,	McQuiddy,	Tyler,
Chapman,	Haluska,	Miller,	Wade,
Coleman,	Heyburn,	Reed,	Walker,
Cox,	Homsher,	Ruth,	Watkins,
Crider,	James,	Scarlett,	Wilson, H. I.,
Crowe,	Jaspan,	Shapiro,	Wilson, T. B.,
Deitrick,	Kephart,	Snowden,	Woodward,
Dent,	Lanius,	Stevenson,	Ziesenheim,

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk inform the House of Representatives accordingly.

HOUSE MESSAGES

HOUSE CONCURS IN SENATE BILL No. 77

The Clerk of the House of Representatives being introduced, returned to the Senate, Senate Bill No. 77, entitled:

An Act to further amend section one of the act approved the seventeenth day of June, one thousand nine hundred and thirteen (P. L. 507), entitled "An act to provide revenue for State and county purposes, and, in cities coextensive with counties, for city and county purposes; imposing taxes upon certain classes of personal property; providing for the assessment and collection of the same; providing for the duties and compensation of prothonotaries and recorders in connection therewith; and modifying existing legislation which provided for raising revenue for State purposes," by exempting assets held by liquidating trustees.

with the information that the House has passed the same without amendments.

HOUSE CONCURS IN SENATE BILL No. 178

He also returned to the Senate, Senate Bill No. 178, entitled:

An Act to amend paragraph four of subsection (a) of section forty-one of the act, approved the seventh day of June, one thousand nine hundred seventeen (P. L. 447), entitled, as amended "An act relating to the administration and distribution of the estates of decedents and of minors, and of trust estates; including the appointment, bonds, rights, powers, duties, liabilities, accounts discharge and removal of executors, administrators, guardians, and trustees, herein designated as fiduciaries; the administration and distribution of the estates of presumed decedents; widow's and children's exemptions; debts of decedent rents of real estate as assets for payment thereof, the lien thereof, sales and mortgages of real estate for the payment thereof, judgments and executions therefor, and the discharge of real estate from the lien thereof; contracts of decedents for the sale or purchase of real estate; legacies, including legacies charged on land; the discharge of residuary estates a ndof real estate from the lien of legacies and other charges; the appraisement of real estate devised at a valuation; the ascertainment of the curtilage of dwelling houses or other buildings devised ;the abatement and survival of actions, and the substitution of executors and administrators therein; the survival of causes of action and suits thereupon by or against fiduciaries; investments by fiduciaries; the organization of corporations to carry on the business of decedents; the audit and review of accounts of fiduciaries; refunding bonds; transcripts to the court of common pleas of balances due by fiduciaries; the rights, powers, and liabilities of nonresident and foreign fiduciaries; the appointments, bonds, rights, powers, duties and liabilities of trust durante absentia; the recording and registration of decrees, reports and other proceedings, and the fees therefor; appeals in certain cases; and, also, generally dealing with the jurisdiction, powers, and procedure of the orphans' court in all matters relating to fiduciaries concerned with the estates of decedents," by validating deeds heretofore accepted by fiduciaries holding mortgages in certain cases.

with the information that the House has passed the same without amendments.

HOUSE CONCURS IN SENATE BILL No. 457

He also returned to the Senate, Senate Bill No. 457, entitled:

An Act to amend the act, approved the twenty-fourth day of June, one thousand nine hundred and thirty-seven (P. L. 2051), entitled "An act relating to public assistance; providing for and regulating assistance to certain classes of persons designated and defined as dependent children, aged persons, blind persons and other persons requiring relief; providing for the administration of this act by the Department of Public Assistance and county boards of assistance hereby created for this purpose; authorizing the Department of Public Assistance to cooperate with, and to accept and disburse moneys received from the United States Government for assistance to such persons; providing for the liquidation of the State Emergency Relief Board, Boards of Trustees of the Mothers' Assistance Fund, and Boards of Trustees of Pension Fund for the Blind; and repealing law relating to mothers' assistance, pensions for the blind, old age assistance, and the State Emergency Relief Board," as amended, by enabling the Department of Public Assistance to make measures to rehabilitate persons receiving assistance.

with the information that the House has passed the same without amendments.

HOUSE CONCURS IN SENATE BILL No. 464

He also returned to the Senate, Senate Bill No. 464, entitled:

An Act to amend the act, approved the twenty-fourth day of June, one thousand nine hundred and thirty-seven (P. L. 2051) entitled, "An act relating to public assistance; providing for and regulating assistance to certain classes of persons designated and defined as dependent children, aged persons, blind persons and other persons requiring relief; providing for the administration of this act by the Department of Public Assistance and county boards of assistance hereby created for this purpose; authorizing the Department of Public Assistance to cooperate with, and to accept and disburse moneys received from the United States Government for assistance to such persons; providing for the liquidation of the State Emergency Relief Board, Boards of Trustees of the Mother's Assistance Fund, and Boards of Trustees of Pension Fund for the Blind; and repealing laws relating to Mothers' Assistance, pensions for the blind, old age assistance, and the State Emergency Relief Board" as amended, by changing the residence requirement for general assistance

with the information that the House has passed the same without amendments.

HOUSE CONCURS IN SENATE BILL No. 526

He also returned to the Senate, Senate Bill No. 526, entitled:

A Supplement to the act, approved the first day of June, one thousand nine hundred and thirty-three (P. L. 1172), entitled "An act establishing certain streets in boroughs and incorporated towns as State highways; and providing for their construction and maintenance at the expense of the Commonwealth," establishing an additional route in the boroughs of South Langhorne, Langhorne Manor and Langhorne, Bucks County.

with the information that the House has passed the same without amendments.

HOUSE CONCURS IN SENATE BILL No. 656

He also returned to the Senate, House Bill No. 656, entitled:

A Supplement to the act, approved the first day of June, one thousand nine hundred and thirty-three (P. L. 1172), entitled "An act establishing certain streets in boroughs and incorporated towns as State highways, and providing for their construction and maintenance at the expense of the Commonwealth," establishing an additional route in the borough of Sellersville, Bucks County.

with the information that the House has passed the same without amendments.

HOUSE CONCURS IN SENATE BILL No. 726

He also returned to the Senate, Senate Bill No. 726, entitled:

An Act to provide for two additional law judges of the Court of Common Pleas of the Fifth Judicial District.

with the information that the House has passed the same without amendments.

HOUSE CONCURS IN SENATE BILL No. 801

He also returned to the Senate, Senate Bill No. 801, entitled:

An Act to validate and confirm certain contracts, heretofore entered into by boards of school directors, where there is no evidence of fraud or conspiracy, and to authorize, ratify, confirm, and validate payments on such contracts by the school district.

with the information that the House has passed the same without amendments.

HOUSE CONCURS IN SENATE BILL No. 935

He also returned to the Senate, Senate Bill No. 935, entitled:

An Act to amend sections six hundred four, six hundred five, and six hundred seven and to further amend section two thousand four hundred seven of the act, approved the ninth day of April, one thousand nine hundred and twenty-nine (P. L. 177), entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments, boards, commissions, and officers thereof, including the board of trustees of State Normal Schools, or Teachers Colleges; abolishing, creating, reorganizing or authorizing the reorganization of certain administrative departments, boards, and commissions; defining the powers and duties of the Governor and other executive and administrative officers, and of the several administrative departments, boards, commissions, and officers; fixing the salaries of the Governor, Lieutenant-Governor, and certain other executive and administrative officers; providing for the appointment of certain administrative officers, and of all deputies and other assistants and employes in certain departments, boards, and commissions; and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments, boards and commissions shall be determined," by further defining the duties of the Department of Internal Affairs.

with the information that the House has passed the same without amendments.

HOUSE CONCURS IN SENATE BILL No. 1173

He also returned to the Senate, Senate Bill No. 1173, entitled:

An Act authorizing the Department of Property and Supplies to purchase coal underlying the Cresson State Sanatorium and making an appropriation therefor.

with the information that the House has passed the same without amendments.

HOUSE CONCURS IN SENATE BILL No. 1297

He also returned to the Senate, Senate Bill No. 1297, entitled:

An Act to validate and quiet the title to real estate in this Commonwealth conveyed to any person, partnership or corporation authorized to hold such real estate by any alderman, justice of the peace or magistrate, where such alderman, justice of the peace or magistrate has made acknowledgment of such conveyance before himself and is now deceased.

with the information that the House has passed the same without amendments.

HOUSE CONCURS IN SENATE BILL No. 262

He also returned to the Senate, Senate Bill No. 262, entitled:

A Supplement to the act approved the twelfth day of June, one thousand nine hundred and thirty-nine (P. L. 335), entitled "An act creating a temporary commission to examine, report upon, and recommend measures to improve the economic, cultural, health and living conditions of the urban colored population of the State, and making an appropriation of the expenses of such commission," by extending the term of such commission until the next regular session of the General Assembly; and making an appropriation.

with the information that the House has passed the same without amendments.

HOUSE CONCURS IN SENATE BILL No. 374

He also returned to the Senate, Senate Bill No. 374, entitled:

An Act to provide for the settlement of disputes among states with respect to domiciliary death taxes, and imposing certain duties upon the Department of Revenue, the Attorney General and executors and administrators.

with the information that the House has passed the same without amendments.

HOUSE CONCURS IN SENATE BILL No. 177

He also returned to the Senate, Senate Bill No. 177, entitled:

An Act regulating and limiting the rights of slayers in real and personal property and in the benefits from insurance policies, arising out of or as a result of the death of the person slain; protecting and saving the rights of purchasers and insurers dealing with slayers without notice of the slaying and repealing certain legislation.

with the information that the House has passed the same without amendments.

HOUSE CONCURS IN AMENDMENTS TO SENATE BILL No. 345 RECALLED FROM THE GOVERNOR

He also informed the Senate that the House has concurred in amendments made by the Senate to Senate Bill No. 345, entitled:

An Act to amend subsection (a) of section sixteen of the act approved the seventh day of June one thousand nine hundred and seventeen (P. L. 415) entitled "An act relating to the qualification jurisdiction powers and duties of registers of wills and regulating proceedings before said registers and the costs thereof the effects of their acts and appeals therefrom" decreasing the period within which appeals may be taken from decrees of registers of wills probating or refusing to probate wills

Said bill having been recalled from the Governor for the purpose of amendment. The votes had on final passage and third reading were reconsidered in the Senate and the bill amended.

HOUSE INSISTS UPON ITS NON-CONCURRENCE IN AMENDMENTS TO HOUSE BILL No. 1729 AND APPOINTS COMMITTEE OF CONFERENCE

He also informed the Senate that the House insists on its non-concurrence in Senate amendments to House Bill No. 1729, entitled:

An Act to add section fourteen and one-tenth to the act, approved the seventh day of August, one thousand nine hundred and thirty-six (P. L. 106), entitled, as amended "Flood Control Law," authorizing the Secretary of Highways and the various political subdivisions, with the approval of the Water and Power Resources Board, to grant easements and flowage rights to the Federal Government, over certain highways, roads, streets and bridges.

and has appointed Messrs. Stine, Moul and Hewitt as a Committee of Conference to confer with a similar committee of the Senate (if the Senate shall appoint such committee) to consider the differences existing between the two houses in relation to said bill.

HOUSE INSISTS UPON ITS NON-CONCURRENCE IN AMENDMENTS TO HOUSE BILL No. 551 AND APPOINTS COMMITTEE OF CONFERENCE

He also informed the Senate that the House insists on its non-concurrence in Senate amendments to House Bill No. 551, entitled:

To the act, approved the twenty-seventh day of June, one thousand nine hundred thirty-nine (Appropriatioon Acts, page 60), entitled, "An act to provide for the ordinary expenses of the Executive, Legislative, and Judicial Departments of the Commonwealth, interest on the public debt, and the support of the Public schools for two years beginning June first, one thousand nine hundred and thirty-nine; and for the payment of bills incurred and remaining unpaid at the close of the fiscal year ending May thirty-first, one thousand nine hundred and thirty-nine," providing for a deficiency in the appropriation to the Department of Property and Supplies for the fiscal biennium ending May thirty-first, one thousand nine hundred forty-one; providing for payment out of revenues of the fiscal biennial period beginning June first, one thousand nine hundred forty-one; and preventing lapsing.

and has appointed Messrs. Gerard, Marks and Woodside as a Committee of Conference to confer with a similar committee of the Senate (if the Senate shall appoint such committee) to consider the differences existing between the two houses in relation to said bill.

HOUSE NON-CONCURS IN THE AMENDMENTS MADE BY THE SENATE TO HOUSE BILL No. 957

He also informed the Senate, that the House of Representatives non-concurs in the amendments made by the Senate to House Bill No. 957, entitled:

An Act to amend the act, approved the fourth day of June, one thousand nine hundred and thirty-seven (P. L. 1625), entitled "An act providing for the creation, maintenance and operation of a county employes retirement system in counties of the third class; and imposing certain charges on counties," by defining "Average Salary" and further defining "County Employe" and "Retirement Allowance"; further regulating retirement funds and allowances and the payment of retirement allowances and refunds in case of withdrawal or death of members; validating certain contributions; providing for further admissions to the system and protecting rights heretofore vested.

SENATE INSISTS ON ITS AMENDMENTS NON-CONCURRED IN BY THE HOUSE TO HOUSE BILL No. 957

Mr. EALY. Mr. President, I move that the Senate insist on its amendments non-concurred in by the House to the foregoing bill.

Mr. EDMONDS. Mr. President, I second the motion.

The motion was agreed to.

Ordered, That the Clerk inform the House of Representatives accordingly.

HOUSE INSISTS UPON ITS AMENDMENTS TO SENATE BILL No. 24 AND HAS APPOINTED COMMITTEE OF CONFERENCE

He also presented communication from the House of Representatives informing the Senate that the House insists upon its amendments non-concurred in by the Senate to Senate Bill No. 24, entitled:

An Act defining and prohibiting unfair sales providing remedies for violations thereof, and establishing penalties therefor.

and has appointed Messrs. R. Cohen, Sarraf, and D. Reese as a Committee of Conference to confer with a similar committee of the Senate (already appointed) to consider the differences existing between the two houses in relation to said bill.

HOUSE INSISTS UPON ITS NON-CONCURRENCE IN AMENDMENTS TO SENATE BILL No. 561 AND APPOINTS COMMITTEE OF CONFERENCE

He also informed the Senate that the House insists on its non-concurrence in Senate amendments to Senate Bill No. 561, entitled:

An Act to amend the act approved the thirtieth day of March one thousand nine hundred thirty-seven (P. L. 115), entitled "An act to provide for the permanent personal registration of electors in cities of the first class as a condition of their right to vote at elections and primaries and their enrollment as members of political parties as a further condition of their right to vote at primaries prescribing certain procedure for the conduct of elections and primaries and the challenge and proof of qualifications of electors and prescribing the powers and duties of citizens parties bodies of electors registration commissions commissioners registrars inspectors of registration and other appointees of registration commission election officers municipal officers departments and bureaus police officers courts judges prothonotaries sheriffs county commissioners peace officers county treasurers county controllers registrars of vital statistics real estate brokers rental agents certain public service companies persons firms and corporations operating vehicles for moving furniture and household goods and boards of school directors and imposing penalties" as amended by amplifying and changing the powers and duties of the commission its employes and commissioners further regulating and changing the provisions of said act relating to the appointment and removal of registrars and the powers privileges rights and duties of registrars watchers election officers and electors revising and changing the provisions of said act relating to the times places and manner of registering electors and their enrollment as members of political parties change of party enrollment cancellation of registrations preparation and distribution of street lists appeals to the commission and to courts and the procedure thereon; providing for appeals by the commission to appellate courts changing certain provisions of said act relating to removal notices and for the manner of reckoning time imposing additional duties on certain city officers clarifying and coordinating certain provisions of said act and imposing additional penalties.

and has appointed Messrs. Rosenfeld, Scanlon and T. Lee as a Committee of Conference to confer with a similar committee of the Senate (already appointed) to consider the differences existing between the two houses in relation to said bill.

HOUSE INSISTS ON ITS AMENDMENTS NON-CONCURRED IN BY THE SENATE TO SENATE BILL No. 51

He also presented a communication from the House of Representatives informing the Senate that the House insists on its amendments non-concurred in by the Senate to Senate Bill No. 51, entitled:

An Act authorizing and empowering school districts to furnish food, including milk to undernourished and poor school children in their districts

HOUSE CONCURS IN AMENDMENTS TO HOUSE BILL No. 99

He also presented communication from the House of Representatives informing the Senate that the House has concurred in amendments made by the Senate to House Bill No. 99, entitled:

An Act to amend section two of the act approved the twenty-fourth day of June one thousand nine hundred thirty-nine (P. L. 806) entitled "An act limiting the number of licenses for the retail sale of liquor malt or brewed beverages or malt and brewed beverages to be issued by the Pennsylvania Liquor Control Board defining hotels and prescribing the accommodations required of hotels in certain municipalities," by exempting clubs from such limitation.

HOUSE CONCURS IN AMENDMENTS TO HOUSE BILL No. 1621

He also presented communication from the House of Representatives informing the Senate that the House has concurred in amendments made by the Senate to House Bill No. 1621, entitled:

An Act to add section forty-three to the act, approved the twentieth day of June, one thousand nine hundred and nineteen (P. L. 521), entitled "Transfer Inheritance Tax Law," authorizing compromise of tax claims in cases where there is a dispute as to the domicile of the decedent.

HOUSE CONCURS IN AMENDMENTS TO HOUSE BILL No. 1771

He also presented communication from the House of Representatives informing the Senate that the House has concurred in amendments made by the Senate to House Bill No. 1771, entitled:

An Act requiring clerks of courts to forward to the Department of Health a certificate of decrees in divorce annulment of marriage adoption and annulment of adoption proceedings providing for the registration of such certificates by the said department the issuance of certified copies thereof and fixing fees and penalties.

HOUSE CONCURS IN AMENDMENTS TO HOUSE BILL No. 139

He also presented communication from the House of Representatives informing the Senate that the House has concurred in amendments made by the Senate to House Bill No. 139, entitled:

An Act to amend section one of the act which became

effective on the seventh day of July, one thousand eight hundred and seventy-nine (P. L. 194), entitled "Aldermen and Justice of the Peace Jurisdiction Law," further enlarging the jurisdiction of justices of the peace and extending the provisions of said act to Aldermen.

HOUSE CONCURS IN AMENDMENTS TO HOUSE BILL No. 710

He also presented communication from the House of Representatives informing the Senate that the House has concurred in amendments made by the Senate to House Bill No. 710, entitled:

An Act to enable tax collectors and receivers of taxes to make return to the county commissioners of unpaid taxes assessed on seated lands for certain years; and validating the liens of such taxes.

HOUSE INSISTS UPON ITS NON-CONCURRENCE IN AMENDMENTS TO HOUSE BILL No. 1176 AND APPOINTS COMMITTEE OF CONFERENCE

He also informed the Senate that the House insists on its non-concurrence in Senate amendments to House Bill No. 1176, entitled:

An Act making an appropriation out of the Motor License Fund to the Department of Highways for allocation to and expenditure in the second class townships of the Commonwealth for maintenance, construction, reconstruction, resurfacing or improvement of township roads and bridges during the calendar years one thousand nine hundred forty-two and one thousand nine hundred forty-three; permitting the use of the funds for maintenance and repair of township roads and bridges under certain conditions; and providing for the method of payment to townships.

and has appointed Messrs. Achterman, Readinger, and Fiss as a Committee of Conference to confer with a similar committee of the Senate (if the Senate shall appoint such committee) to consider the differences existing between the two houses in relation to said bill.

HOUSE INSISTS UPON ITS NON-CONCURRENCE IN AMENDMENTS TO HOUSE BILL No. 1465 AND APPOINTS COMMITTEE OF CONFERENCE

He also informed the Senate that the House insists on its non-concurrence in Senate amendments to House Bill No. 1465, entitled:

An Act to amend the act, approved the twenty-ninth day of April, one thousand nine hundred thirty-sesven (P. L. 487) entitled "The Permanent Registration Act for Boroughs, Towns and Townships," as amended, by requiring and providing for the registration of persons in military service before they shall be entitled to vote at any election.

and has appointed Messrs. Mihm, Maxwell and Weingartner as a Committee of Conference to confer with a similar committee of the Senate (if the Senate shall appoint such committee) to consider the differences existing between the two houses in relation to said bill.

HOUSE INSISTS UPON ITS NON-CONCURRENCE IN AMENDMENTS TO HOUSE BILL No. 1466 AND APPOINTS COMMITTEE OF CONFERENCE

He also informed the Senate that the House insists on its non-concurrence in Senate amendments to House Bill No. 1466, entitled:

An Act to amend the act, approved the third day of June, one thousand nine hundred and thirty-seven (P. L. 1333), entitled "Pennsylvania Election Code," by changing the procedure for and regulating elections by persons in actual military service, imposing duties upon the Secretary of the Commonwealth, courts, county boards of elections, and county commissioners, providing for reimbursement of counties for actual expenses incurred for canvassing the vote of electors in actual military service.

and has appointed Messrs. Mihm, Maxwell and Weingartner as a Committee of Conference to confer with a similar committee of the Senate (if the Senate shall appoint such committee) to consider the differences existing between the two houses in relation to said bill.

HOUSE INSISTS UPON ITS NON-CONCURRENCE IN AMENDMENTS TO HOUSE BILL No. 1467 AND APPOINTS COMMITTEE OF CONFERENCE

He also informed the Senate that the House insists on its non-concurrence in Senate amendments to House Bill No. 1467, entitled:

An Act to amend the act approved the first day of June, one thousand nine hundred thirty-seven (P. L. 1132), entitled "The Permanent Registration Act in Cities of the Second Class A" as amended, by requiring and providing for the registration of persons in military service to entitle them to vote at any election.

and has appointed Messrs. Mihm, Maxwell and Weingartner as a Committee of Conference to confer with a similar committee of the Senate (if the Senate shall appoint such committee) to consider the differences existing between the two houses in relation to said bill.

HOUSE INSISTS UPON ITS NON-CONCURRENCE IN AMENDMENTS TO HOUSE BILL No. 1468 AND APPOINTS COMMITTEE OF CONFERENCE

He also informed the Senate that the House insists on its non-concurrence in Senate amendments to House Bill No. 1468, entitled:

An Act to amend the act, approved the twenty-fifth day of May, one thousand nine hundred thirty-seven (P. L. 814 entitled "The Permanent Registration Act in Cities of the Second Class" as amended, by requiring and providing for the registration of persons in military service to entitled them to vote at any election.

and has appointed Messrs. Mihm, Maxwell and Weingartner as a Committee of Conference to confer with a similar committee of the Senate (if the Senate shall appoint such committee) to consider the differences existing between the two houses in relation to said bill.

HOUSE INSISTS UPON ITS NON-CONCURRENCE IN AMENDMENTS TO HOUSE BILL No. 1469 AND APPOINTS COMMITTEE OF CONFERENCE

He also informed the Senate that the House insists on its non-concurrence in Senate amendments to House Bill No. 1469, entitled:

An Act to amend the act, approved the twenty-fifth day of May, one thousand nine hundred thirty-seven (P. L. 849) entitled "The Permanent Registration Act in Cities of the Third Class" as amended, by requiring and pro-

viding for the registration of persons in military service to entitled them to vote at any election.

and has appointed Messrs. Mihm, Maxwell and Weingartner as a Committee of Conference to confer with a similar committee of the Senate (if the Senate shall appoint such committee) to consider the differences existing between the two houses in relation to said bill.

AMENDMENT TO HOUSE BILL No. 892 RECALLED FROM THE GOVERNOR

He also presented for concurrence bill of the House of Representatives, as follows:

House Bill No. 892, entitled:

An Act authorizing a commission to study recreational facilities available in first class cities; imposing powers and duties on said commission; and making an appropriation.

Said bill having been recalled from the Governor for amendment, the votes had on final passage and third reading were reconsidered in the House and the bill amended, in which amendments the concurrence of the Senate is requested.

The PRESIDENT. The bill as amended will be noted on tomorrow's Calendar.

AMENDMENT TO HOUSE BILL No. 1513 RECALLED FROM THE GOVERNOR

He also presented for concurrence bill of the House of Representatives, as follows:

House Bill No. 1513, entitled:

An Act to further amend section three of the act approved the twenty-second day of June, one thousand nine hundred thirty-five (P. L. 414), entitled, as amended "State Personal Property Tax Act," be exempting assets held by liquidating trustees.

Said bill having been recalled from the Governor for amendment, the votes had on final passage and third reading were reconsidered in the House and the bill amended, in which amendments the concurrence of the Senate is requested.

The PRESIDENT. The bill as amended will be noted on tomorrow's Calendar.

BILLS SIGNED

The PRESIDENT (Lieutenant-Governor Samuel S. Lewis) announced that the Chief Clerk having reported that the following bills had passed both houses of the General Assembly and the same being correct, the titles were publicly read as follows:

House Bill No. 99, entitled:

An Act to amend section two of the act, approved the twenty-fourth day of June, one thousand nine hundred thirty-nine (P. L. 806), entitled "An act limiting the number of licenses for the retail sale of liquor, malt or brewed beverages, or malt and brewed beverages to be issued by the Pennsylvania Liquor Control Board; defining hotels, and prescribing the accommodations required of hotels in certain municipalities," by exempting clubs from such limitation.

House Bill No. 139, entitled:

An Act to amend section one of the act which became effective on the seventh day of July, one thousand eight hundred and seventy-nine (P. L. 194), entitled "Aldermen and Justice of the Peace Jurisdiction Law," further enlarging the jurisdiction of justices of the peace and extending the provisions of said act to aldermen.

House Bill No. 710, entitled:

An Act to enable tax collectors and receivers of taxes to make return to the county commissioners of unpaid taxes assessed on seated lands for certain years; and validating the liens of such taxes.

House Bill No. 1621, entitled:

An Act to add section forty-three to the act approved the twentieth day of June, one thousand nine hundred and nineteen (P. L. 521), entitled "Transfer Inheritance Tax Law," authorizing compromise of tax claims in cases where there is a dispute as to the domicile of the decedent.

House Bill No. 1771, entitled:

An Act requiring clerks of courts to forward to the Department of Health a certification of decrees in divorce annulment of marriage adoption and annulment of adoption proceedings providing for the registration of such certificates by the said department the issuance of certified copies thereof and fixing fees and penalties

Senate Bill No. 254, entitled:

An act authorizing municipalities to file liens against real estate beyond the municipal limits for certain municipal rates; validating liens heretofore filed; and providing for the procedure thereon.

Senate Bill No. 269, entitled:

An Act providing for the redemption of real property purchased by political subdivisions at tax sales, upon the payment of the amount charged against the same and costs, by installment payments; and prescribing the procedure therefor.

Senate Bill No. 823, entitled:

An Act to amend the act, approved the fifteenth day of May, one thousand nine hundred and thirty-three (Pamphlet Laws, six hundred twenty-four), entitled "An act relating to the business of banking, and to the exercise of fiduciary powers, by corporations; providing for the organization of corporations with fiduciary powers, and of banking corporations, with or without fiduciary powers, including the conversion of National banks into State banks, and for the licensing of private bankers; defining the rights, powers, duties, liabilities, and immunities of such corporations, of existent corporations authorized to engage in a banking business, with or without fiduciary powers, of private bankers, and of the officers, directors, trustees, shareholders, attorneys, and other employes of all such corporations or private bankers, or of affiliated corporations, associations, or persons; restricting the exercise of banking powers by any other corporation, association, or person, and of fiduciary powers by any other corporation; conferring powers and imposing duties upon the courts, prothonotaries, recorders of deeds, and certain State departments, commissions, and officers; imposing penalties; and repealing certain acts and parts of acts," as amended, by further providing for the powers, liabilities and immunities and limitations upon the powers and liabilities of corporations or persons authorized to engage in a banking or fiduciary business or both; and of affiliates of such corporations or persons; and of officers, directors, trustees and employes of such corporations and persons

Senate Bill No. 908, entitled:

An Act to amend section seventeen of the act, approved

the seventh day of June, one thousand nine hundred and seventeen (P. L. 415), entitled "An Act relating to the qualification, jurisdiction, powers; and duties of registers of wills, and regulating proceedings before said registers, and the costs thereof, the effects of their acts, and appeals therefrom," further regulating proceedings before the register of wills and in the orphans' court.

Senate Bill No. 1102, entitled:

An Act to further amend the act, approved the eleventh day of March, one thousand nine hundred and nine (P. L. 13), entitled "An act for the protection of the public health, by prohibiting the sale, offering for sale, exposing for sale, or having in possession with intent to sell, of eggs unfit for food, as therein defined, and prohibiting the use of such eggs in the preparation of food products; providing penalties for the violation thereof, and providing for the enforcement thereof," by providing for the licensing by the Department of Agriculture of Persons, copartnerships, associations and corporations engaged in the business of breaking eggs and separating the contents thereof for any purpose; regulating the opening of eggs unfit for food; and providing for the denaturing of such eggs, authorizing the Department of Agriculture to take samples of eggs for the purpose of analysis; further regulating the right to sell or otherwise deal with eggs subjected to incubation; providing that certain violations of the act shall be punishable in summary proceedings; prescribing penalties, and repealing certain legislation.

Whereupon,

The PRESIDENT (Lieutenant-Governor Samuel S. Lewis) in the presence of the Senate signed the same.

REPORT FROM COMMITTEE OF CONFERENCE ON SENATE BILL No. 561

Mr. FARRELL. Mr. President, I am directed by the Committee of Conference to make a report on Senate Bill No. 561, entitled:

An Act to amend the act approved the thirtieth day of March, one thousand nine hundred thirty-seven (P. L. 115), entitled "An act to provide for the permanent personal registration of electors in cities of the first class as a condition of their right to vote at elections and primaries, and their enrollment as members of political parties as a further condition of their right to vote at primaries, prescribing certain procedure for the conduct of elections and primaries and the challenge and proof of qualifications of electors and prescribing the powers and duties of citizens, parties, bodies of electors, registration commissions, commissioners, registrars, inspectors of registration and other appointees of registration, commission, election officers, municipal officers, departments and bureaus, police officers, courts, judges, prothonotaries, sheriffs, county commissioners, peace officers, county treasurers, county controllers, registrars of vital statistics, real estate brokers, rental agents, certain public service companies, persons, firms and corporations operating vehicles for moving furniture and household goods and boards of school directors and imposing penalties," as amended by amplifying and changing the powers and duties of the commission, its employes and commissioners, further regulating and changing the provisions of said act, relating to the appointment and removal of registrars and the powers, privileges, rights and duties of registrars, watchers, election officers, and electors, revising and changing the provisions of said act, relating to the times places and manner of registering electors and their enrollment as members of political parties, change of party enrollment, cancellation of registrations, preparation and distribution of street lists, appeals to the commission and to courts and the procedure thereon; providing for appeals by the commission to appellate courts, changing certain provisions of said act, relating to removal notices providing for the manner of reckoning time, imposing additional duties on certain city officers, clarifying and coordinating certain provisions of said act and imposing additional penalties.

The PRESIDENT. The report will be noted on tomorrow's Calendar.

NOMINATIONS FOR JUSTICES OF THE PEACE CALLED UP FROM TABLE

Mr. JAMES. Mr. President, I now call up nominations for Justices of the Peace which were laid on the table, July 10, 1941.

Mr. EALY. Mr. President, I second the motion.

The motion was agreed to.

CONSIDERATION OF EXECUTIVE NOMINATIONS

Mr. JAMES. Mr. President, I move that the Senate do now proceed to the consideration of nominations for appointment as Justices of the Peace, sent to the Senate July 10, 1941. by His Excellency, the Governor of the Commonwealth.

Mr. EALY. Mr. President, I second the motion.

The motion was agreed to.

The nominations were read as follows:

JUSTICES OF THE PEACE

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, July 9, 1941.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Holmes T. Servis, 475 Stockham Avenue, Morrisville, Bucks County, for appointment as Justice of the Peace in and for the Borough of Morrisville, Bucks County, until the first Monday in January, 1942, vice William H. Kunsman, deceased.

ARTHUR H. JAMES

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, July 10, 1941.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Lester R. Derk, 644 Shamokin Street, Trevorton, Northumberland County, for appointment as Justice of the Peace in and for the Township of Zerbe, Northumberland County, until the first Monday in January, 1942, vice Harry E. Haupt, resigned.

ARTHUR H. JAMES

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, July 10, 1941.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Mrs. Marie H. Gordon, 340 East State Street, Hamburg, Berks County, for appointment as Justice of the Peace in and for the Borough of Hamburg, Berks County, until the first Monday in January, 1942, vice George D. Gordon, deceased.

ARTHUR H. JAMES

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, February 19, 1941.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate James W. Stoffer of Houston, Washington County, for appointment as Justice of the Peace in and for the Township of Chartiers, Washington County, until the first Monday in January, 1942, vice Frank Renko, deceased.

ARTHUR H. JAMES

MEMBERS OF THE DELAWARE RIVER JOINT COMMISSION

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, January 13, 1941.

J. WILLISON SMITH, Philadelphia, from May 17, 1940, for the term of five years, and until his successor shall have been appointed and qualified.

WILLIAM H. FOLWELL, Merion, from May 17, 1940, for the term of five years, and until his successor shall have been appointed and qualified.

ARTHUR H. JAMES

EXECUTIVE SESSION

By unanimous consent,

A motion was made by Mr. JAMES and Mr. EALY,

That Rule 38, which requires nominations made by the Governor, to lie on the table one day be dispensed with, and the Senate do now resolve itself into Executive Session, for the purpose of acting upon all the nominations reported at to-day's session.

Which was agreed to.

Whereupon,

A motion was made by Mr. JAMES and Mr. EALY.

That the Senate do advise and consent to the nominations reported.

On the question,

Will the Senate agree to the motion?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—48

Barr,	DiSilvestro,	Lanius,	Stevenson,
Bartlett,	Ealy	Letzler,	Stiefel,
Becker,	Edmonds,	Mallery,	Tallman,
Carr,	Farrell,	McCreesh,	Taylor,
Cavalcante,	Frey,	McGinnis,	Thomas,
Chapman,	Geltz,	McQuiddy,	Tyler,
Coleman,	Haluska,	Miller,	Wade,
Cox	Hevburn,	Reed,	Walker,
Crider,	Homsher,	Ruth,	Watkins,
Crowe,	James,	Scarlett,	Wilson, H. I.,
Deitrick,	Jaspan,	Shapiro,	Wilson, T. B.,
Dent,	Kephart,	Snowden,	Woodward,

NAYS—0

Two-thirds of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Governor be informed accordingly.

EXECUTIVE SESSION RISES

Mr. JAMES. Mr. President, I move that the Executive Session do now rise.

Mr. EALY. Mr. President, I second the motion.

The motion was agreed to.

RESOLUTION AUTHORIZING APPOINTMENT OF SENATE COMMITTEE TO INVESTIGATE RIOTING IN DONALDSON, SCHUYLKILL COUNTY

Mr. MILLER from the Committee on State Government to which was referred resolution offered by Mr. Dent, on July 9, 1941, reported the same with amendment as follows:

In the Senate, July 9, 1941

Whereas, Newspaper dispatches appearing in late newspapers this afternoon and evening carry an account of a civil disturbance in the Town of Donaldson in Schuylkill County; and

Whereas, It is reported that shooting took place between guards of an operating coal company and a number of rioters estimated at between five hundred and fifteen hundred; and

Whereas, It is alleged that this disturbance is serious and far reaching and one in which many issues are involved, and it appears that a thorough investigation should be made by this Senate; therefore be it

Resolved, That the President pro tempore of the Senate name an investigating committee of five members of this Senate to determine the actual and true facts connected with this disturbance, and make a report with appropriate recommendations based upon their findings to the Governor of the Commonwealth.

The Resolution will lie over for one day under the rules.

REPORT OF COMMITTEE OF CONFERENCE ON SENATE BILL No. 24

Mr. WALKER. Mr. President, I am directed to file a report of the Committee on Conference on Senate Bill No. 24, entitled:

An Act defining and prohibiting unfair sales providing remedies for violations thereof, and establishing penalties therefor.

The PRESIDENT. The Report will be noted on tomorrow's Calendar.

HOUSE MESSAGES

SENATE BILL No. 158 RETURNED WITH AMENDMENTS

The Clerk of the House of Representatives being introduced, returned to the Senate, Senate Bill No. 158, entitled:

An Act making an appropriation to the Department of Military Affairs for the maintenance and education of children of certain soldiers, sailors, marines, female field clerks, yoemen (female) and nurses.

with the information that the House has passed the same with amendments, inw hich the concurrence of the Senate is requested.

Mr. EALY. Mr. President, I move that Rule 21, which requires amended bills to be noted on the calendar, be in this case dispensed with, and that the Senate proceed to the consideration of the amendments made by the House of Representatives to the foregoing bill.

Mr. GELTZ. Mr. President, I second the motion.

The motion was agreed to.

SENATE CONCURS IN AMENDMENTS MADE BY THE HOUSE TO SENATE BILL No. 158

Mr. EALY. Mr. President, I move that the Senate con-

cur in the amendments made by the House to the foregoing bill.

Mr. WOODWARD. Mr. President, I second the motion.

On the question,

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—48

Barr,	DiSilvestro,	Lanius,	Stevenson,
Bartlett,	Ealy,	Letzler,	Stiefel
Becker,	Edmonds,	Mallery,	Tallman,
Carr,	Farrell,	McCreesh,	Taylor,
Cavalcante,	Frey,	McGinnis,	Thomas,
Chapman,	Geltz,	McQuiddy,	Tyler,
Coleman,	Haluska,	Miller,	Wade,
Cox,	Heyburn,	Reed,	Walker,
Crider,	Homsher,	Ruth,	Watkins,
Crowe,	James,	Scarlett,	Wilson, H. I.,
Deitrick,	Jaspan,	Shapiro,	Wilson, T. B.,
Dent,	Kephart,	Snowden,	Woodward,

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk inform the House of Representatives accordingly.

SENATE BILL No. 377 RETURNED WITH AMENDMENTS

He also returned to the Senate, Senate Bill No. 377, entitled:

An Act validating certain proceedings and elections of counties, cities, boroughs, school districts, or other municipalities or incorporated districts, had and held pursuant to the provisions of an act, approved the twentieth day of April, one thousand eight hundred seventy-four (P. L. 65), entitled "An act to regulate the manner of increasing the indebtedness of municipalities, to provide for the redemption of the same, and to impose penalties for the illegal increase thereof," and the amendments and supplements thereto; and validating bonds issued or authorized to be issued in pursuance of such proceedings and elections.

with the information that the House has passed the same with amendments, in which the concurrence of the Senate is requested.

Mr. EALY. Mr. President, I move that Rule 21, which requires amended bills to be noted on the calendar, be in this case dispensed with, and that the Senate proceed to the consideration of the amendments made by the House of Representatives to the foregoing bill.

Mr. STIEFEL. Mr. President, I second the motion.

The motion was agreed to.

SENATE CONCURS IN AMENDMENTS MADE BY THE HOUSE TO SENATE BILL No. 377

Mr. EALY. Mr. President, I move that the Senate concur in the amendments made by the House to the foregoing bill.

Mr. STIEFEL. Mr. President, I second the motion.

On the question,

Will the Senate agree to the motion?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—48

Barr,	DiSilvestro,	Lanius,	Stevenson,
Bartlett,	Ealy,	Letzler,	Stiefel
Becker,	Edmonds,	Mallery,	Tallman,
Carr,	Farrell,	McCreesh,	Taylor,
Cavalcante,	Frey,	McGinnis,	Thomas,
Chapman,	Geltz,	McQuiddy,	Tyler,
Coleman,	Haluska,	Miller,	Wade,
Cox,	Heyburn,	Reed,	Walker,
Crider,	Homsher,	Ruth,	Watkins,
Crowe,	James,	Scarlett,	Wilson, H. I.,
Deitrick,	Jaspan,	Shapiro,	Wilson, T. B.,
Dent,	Kephart,	Snowden,	Woodward,

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk inform the House of Representatives accordingly.

CONGRATULATING WILLIAM S. LIVENGOOD, JR., SECRETARY OF INTERNAL AFFAIRS

Messrs. CHAPMAN and STIEFEL offered the following resolution which was twice read, considered and agreed to:

In the Senate, July 11, 1941.

Whereas, The Department of Internal Affairs Bulletin, the official publication of the Department of Internal Affairs of the Commonwealth of Pennsylvania, now rounding out its ninth volume and issued monthly in 15,000 exemplars, has recently been enlarged under the experienced administrative and editorial guidance of Honorable William S. Livengood, Jr., Secretary of Internal Affairs; and

Whereas, Said Bulletin contains, inter alia:

(a) Various informative articles on local government in the counties, cities, boroughs and townships, using the Department's statistics as a background for interpretation, illustration and comparison, whereby local government officials may be inspired to constantly improve methods and services;

(b) Educational articles from the Topographic and Geologic Survey, dealing with the geologic history of Pennsylvania, its natural wonders, mineral resources and development of the same from earliest times to the present;

(c) Articles dealing with the development of industry, especially stressing the part our democratic system of free enterprise and individual initiative has had in the building of the great center of civilization and prosperity which is our Pennsylvania of today;

(d) Articles of especial value to schools, colleges and libraries dealing with the historical background and present status of our industrial and local government system;

(e) Many items of news relating to local government development in Pennsylvania:

(f) Articles stressing the duties of the Bureau of Standard Weights and Measures, with the object of seeing to it that full weight and full measure are delivered to the consumers of Pennsylvania; and

Whereas, By means of these articles said Bulletin spreads the Gospel of Pennsylvania, of its business, industry, history, and government in every state of the Union and many foreign countries; and

Whereas, The crystalline precision of the material appearing in the Bulletin constitutes said publication as a quarry of valuable primary sources for persons engaged in the research study of our state government; and

Whereas, The publication of the many-sided articles, as enumerated herein above, inures to the cultural progress of the Commonwealth of Pennsylvania, now, be it

Resolved, That the Senate of Pennsylvania express its commendation to the Secretary of Internal Affairs, William S. Livengood, Jr. for the constant progress of the Bulletin, the high caliber of the material contained therein, and its constant expansion.

PERMISSION TO ADDRESS SENATE

Mr. HALUSKA. Mr. President, I desire to address the Senate.

The PRESIDENT. The gentleman from Cambria will proceed.

Mr. HALUSKA. First, Mr. President, I desire to interrogate the gentleman from Allegheny, Mr. Geltz.

The PRESIDENT. Will the gentleman from Allegheny permit himself to be interrogated.

Mr. GELTZ. I will, Mr. President.

Mr. HALUSKA. Now, Mr. President, that we are about to enter the seventh month of this session, and once again complete another week, I would like to ask the Republican Floor Leader whether or not he has any knowledge as to when we are going to adjourn sine die.

Mr. GELTZ. I have not, Mr. President.

Mr. HALUSKA. Mr. President, is it not a fact that in previous sessions—I have served in enough regular and special sessions to know—that we always had knowledge of a resolution being presented two or three weeks before the final date of adjournment was set.

Mr. GELTZ. I do not know about that, Mr. President, but this has been a very unusual session in many respects and it may be unusual in that respect also.

Mr. HALUSKA. Mr. President, as one member of this body, I would like to have some information if that is possible from some source, whether we are going to adjourn tomorrow, as has been rumored. I think we should know, to prepare ourselves. If we are coming back next week certainly it is useless to be here tonight, working until four or five o'clock in the morning, coming here in a fog, and we find new amendments being prepared on which none of us have any knowledge of what is going on. We are not physically fit, we are not mentally fit to pass upon important pieces of legislation in the wee hours of the morning, and I think somebody ought to know whether we are going to adjourn this week or whether we are going to come back next week. If we are going to come back next week we should adjourn this afternoon. Leave us go back home to take care of our interests and then come back here Monday and finish up in an orderly manner, but to work here until three or four o'clock in the morning with a handful of members does not make sense.

Mr. HALUSKA. Mr. President, I desire to interrogate the gentleman from Somerset.

The PRESIDENT. Will the gentleman from Somerset permit himself to be interrogated?

Mr. EALY. I will, Mr. President.

Mr. HALUSKA. Mr. President, I am wondering whether the gentleman from Somerset might have knowledge as to the date of adjournment sine die. Mr. Ealy, do you have any knowledge as to the date we will adjourn sine die.

Mr. EALY. I am hoping it will be possible to adjourn tomorrow.

Mr. HALUSKA. Is there any truth to the rumor I have heard, that it is intended to pass a resolution to adjourn tomorrow at noon, rest over Sunday and come back Monday, to continue.

Mr. EALY. No one has told me of such a resolution, Mr. President.

QUESTION OF PERSONAL PRIVILEGE

Mr. SHAPIRO. Mr. President, I rise on a question of what I can truthfully say is personal privilege.

The PRESIDENT. The gentleman from Philadelphia will proceed.

Mr. SHAPIRO. I want to explain first of all, Mr. President, and apologize for my absence yesterday. For the past six weeks I have been torn literally—and not figuratively—between life and duty, and it was because of a situation at home which called me yesterday rather hurriedly that I was obliged to leave, and because I anticipated that, I suggested that two bills in which I was interested as a Senator, and not personally, should not be passed, so that if there were any intentions of passing them I might have an opportunity to say a few words concerning them. Those two bills were Senate Bills Nos. 510 and 512. They were heard before the Banking Committee on two occasions, on both of which occasions we had the pleasure and the benefit of the advice of a man whom I respect in this state as an authority on building and loan associations, Mr. Horace Eshbach, who has charge of that department.

These bills concern insurance of building and loan associations and create a fund for the purpose of guaranteeing to the public that their money would be insured. We were told by Mr. Eshbach that he was not quite sure, in fact he felt the bill as drawn would not guarantee the safety of the fund, and while he believed that some measures should be adopted to eventually get insurance for state building and loan associations, he did not think this bill was surrounded by sufficient protection to warrant it being passed in its then form, and because of that advice the committee unanimously postponed action on the bills.

On another occasion some people had asked the Banking Department whether they would not reconsider the matter. We had another meeting after that and then after the Banking Department would express no further opinion on it, the bill was indefinitely postponed—as we term it defeated. I think the statements I make in that connection can be borne out.

About either Monday of this week or at the end of last week's session, the gentleman from Lebanon, Mr. Becker, suggested, for a reason which I considered sufficient at the time, that he would like to have these bills have one or two readings, but he assured me it was not intended to report these bills out for final passage, and that there was not time to call a meeting, he so told the committee, and he asked whether I would consent to that procedure, and he would assume responsibility that the bills would not pass, and I agreed to that.

Yesterday, before I left, I was afraid that Mr. Becker, the gentleman from Lebanon, might be engaged otherwise, and I called the facts to the attention of two persons, the Majority Floor Leader, and the gentleman from Allegheny, Mr. Cox, not because I did not want the bills to pass or objected to their passing, but because I wanted the understanding brought to Mr .Becker's attention, in case he were not here, because I was confident he would keep his word, if he did not forget it.

I had no personal interest in these bills, excepting as a Senator I would have liked to have had my position on the bills recorded, and I certainly felt I was entitled, under the circumstances I have just stated, not to have those bills passed in my absence. I have no feeling of resentment about it; I can understand in the last few days of a session anything like that is liable to happen.

Now, Mr. President, for my absence yesterday during

what I consider a very important time in the Senate, I apologize and offer the explanation that it was beyond my control. For six weeks I have had a condition at home which has been rather trying, but I shall endeavor to continue without interruption my stay in the session for the balance of the week, which I hope will bring an end to this session.

Mr. MALLERY. Mr. President, in view of the remarks of the gentleman from Philadelphia, Mr. Shapiro, and in view of the action last night, I feel some explanation is necessary. While I have been interested in building and loan associations for quite some years I really did not know these bills were on the Calendar until possibly yesterday. I am not a member of the Banking Committee, and that is possibly the only reason why the bills were not brought to my attention, but a number of my colleagues to the left last night pressed for action and after the debate I made it my business to inquire of an attorney representing possibly the largest building and loan association in the state as to what attitude, if any, he took as to whether or not these bills were favored by the building and loan associations of the state, and he told me that the bills were favored by the Pennsylvania State League of Building and Loan Associations; that there were however some few individual associations which were not in favor of the bills, but that the bills were approved.

The time being so late and the argument having been raised by several of my colleagues on the left, that unless action were taken last night there was the possibility that the bills would not pass. I personally considered it advisable to take action, but I certainly did not mean any affront to my colleague from Philadelphia, Senator Shapiro.

Mr. McGINNIS. Mr. President, I remember back in 1896, William Jennings Bryan advocated insurance on deposits in banks, and I heard orators up and down this country reviling him and calling him an anarchist and all the vile names that he could be called, and yet after many years we now have insurance on federal bank deposits up to five thousand dollars, and I am not surprised that since the federal government has been so concerned about homes and home owners that they have determined in Washington to provide for federal home loan organizations and provide for the guaranteeing of share holders in those organizations up to five thousand dollars, so that leaves the building and loan associations of Pennsylvania working under a handicap.

If a man was going to borrow money from a building and loan association he would prefer to borrow from an organization where deposits are guaranteed up to five thousand dollars.

Of course, as I understand it, Mr. President, the Banking Department had some opposition to these bills at first, but when they investigated them they found out they were sound and approved them, and it then developed last night that these two bills were on our Calendar and unless they passed last night they certainly had not a chance, under the present understanding, of ever becoming law. They were delayed until the end of the Calendar and then passed, and we found then that the House had adjourned for the day, and while the bills are over there, as I understand it now, unless we have a session next week, these bills will only have two readings in the House. Therefore I feel under the circumstances, and because of the great importance of these bills to the home owners and people who are desirous of securing homes in this state, and the struggle they have gone through in the last ten years, many of them losing their homes and their life savings, that every encouragement possible should be given to any man who wants to secure a home in Pennsylvania, and therefore, Mr. President, I feel the very fact that they can not become law unless we have a session next week, that alone is important enough to have a session next week.

We also passed in this body several so-called insurance bills. Forty-five other states came to the rescue of insurance companies and the people who are holding policies with insurance companies; because of the change in industrial conditions and the loaning of money. These bills were passed here several weeks ago. They are now over in the House, and I say to you those bills ought to be brought out by the House and acted upon by the members of the House on the floor.

The reapportionment bill has not seen the light of day or at least enough light to give any indication that it is going to pass, and I feel that those three measures alone ought to warrant us staying here next week for another session.

I say to you, we should listen to the two hundred insurance companies of this state, and to the Banking Department and the Building and Loan Associations of this state, and to the press of this state which is demanding that we put through a reapportionment bill, those three alone should keep us here next week.

HOUSE MESSAGE

SENATE BILL No. 1029 RETURNED WITH AMENDMENTS

The Clerk of the House of Representatives being introduced, returned to the Senate, Senate Bill No. 1029, entitled:

An Act creating a Joint Legislative Committee for the purpose of making a thorough study and investigation of the State Employes' Retirement System providing for its appointment authorizing the employment of necessary clerks and assistants authorizing the subpoenaing of witnesses and records and making an appropriation

with the information that the House has passed the same with amendments, in which the concurrence of the Senate is requested.

Mr. EALY. Mr. President, I move that Rule 21, which requires amended bills to be noted on the calendar, be in this case dispensed with, and that the Senate proceed to the consideration of the amendments made by the House of Representatives to the foregoing bill.

Mr. JAMES. Mr. President, I second the motion.

The motion was agreed to.

SENATE NONICONCURS IN ADMENDMENTS BY THE HOUSE TO SENATE BILL No. 1029

Mr. EALY. Mr. President, I move that the Senate non-concur in the amendments made by the House to the foregoing bill.

Mr. JAMES. Mr. President, I second the motion.

On the question,

Will the Senate agree to the motion?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—46

Barr,	Ealy,	Mallery,	Stiefel,
Bartlett,	Edmonds,	McCreesh,	Tallman,
Becker,	Farrell,	McGinnis,	Taylor,
Carr,	Frey,	McQuiddy,	Thomas,
Chapman,	Geltz,	Miller,	Tyler,
Coleman,	Haluska,	Mundy,	Wade,
Cox,	Heyburn,	Reed,	Walker,
Crider,	Homsher,	Ruth,	Watkins,
Crowe,	James,	Scarlett,	Wilson, H. I.,
Deitrick,	Kephart,	Snowden,	Wilson, T. B.,
Dent,	Lanius,	Stevenson,	Woodward,
DiSilvestro,	Letzler,		

NAYS—2

Cavalcante,	Shapiro,

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk inform the House of Representatives accordingly.

SENATE BILL No. 619 RETURNED WITH AMENDMENTS CALLED UP FROM THE TABLE

Mr. EALY. Mr. President, I now call up from the table Senate Bill No. 619 returned with amendments.

Mr. TALLMAN. Mr. President, I second the motion.

The motion was agreed to.

SENATE BILL No. 619 RETURNED WITH AMENDMENTS

He also returned to the Senate, Senate Bill No. 619, entitled:

An Act to further amend section two of the act, approved the twenty-ninth day of November, one thousand nine hundred thirty-three (P. L. 15, 1933-34), entitled "An act to regulate and restrain the sale, manufacture, possession, transportation, importation, traffic in, and use of alcohol, and alcoholic and malt or brewed beverages; conferring powers and imposing duties upon the Pennsylvania Liquor Control Board and its agents, the Department of Public Instruction, other officers of the State government, courts, and district attorneys, authorizing the establishment and operation of State stores for the sale of such beverages not for consumption on the premises, and the granting of licenses, subject to local option, to sell such beverages for consumption on and off the premises; forbidding importation or bringing of such beverages into the State except as herein provided; prohibiting certain sales or practices in, connection with, and transactions in such beverages by licensees and others; providing for the forfeiture of certain property; making disposition of the receipts from State stores and of fees; and imposing penalties," by permitting clubs to waive or reduce dues payable by members in military service.

with the information that the House has passed the same with amendments, in which the concurrence of the Senate is requested.

Mr. TALLMAN. Mr. President, I move that Rule 21, which requires amended bills to be noted on the calendar, be in this case dispensed with, and that the Senate proceed to the consideration of the amendments made by the House of Representatives to the foregoing bill.

Mr. EALY. Mr. President, I second the motion.

The motion was agreed to.

SENATE CONCURS IN AMENDMENTS BY THE HOUSE TO SENATE BILL No. 619

Mr. TALLMAN. Mr. President, I move that the Senate concur in the amendments made by the House to Senate Bill No. 619.

Mr. EALY. Mr. President, I second the motion.

On the question,

Will the Senate agree to the motion?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—48

Barr,	DiSilvestro,	Lanius,	Stevenson,
Bartlett,	Ealy,	Letzler,	Stiefel,
Becker,	Edmonds,	Mallery,	Tallman,
Carr,	Farrell,	McCreesh,	Taylor,
Cavalcante,	Frey,	McGinnis,	Thomas,
Chapman,	Geltz,	McQuiddy,	Tyler,
Coleman,	Haluska,	Miller,	Wade,
Cox,	Heyburn,	Reed,	Walker,
Crider,	Homsher,	Ruth,	Watkins,
Crowe,	James,	Scarlett,	Wilson, H. I.,
Deitrick,	Jaspan,	Shapiro,	Wilson, T. B.,
Dent,	Kephart,	Snowden,	Woodward,

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk inform the House of Representatives accordingly.

SENATE BILL No. 618 RETURNED WITH AMENDMENTS

He also returned to the Senate, Senate Bill No. 618, entitled:

An Act to further amend section two of the act, approved the sixteenth day of June, one thousand nine hundred thirty-three (P. L. 252, 1933-34), entitled, as amended "An act to regulate and restrain the traffic in malt and brewed beverages, as herein defined; providing for the licensing of the manufacture, transportation, sale and distribution of such beverages; imposing license and permit fees, and providing for collection and distribution thereof; restricting ownership and interest in licensed places; permitting municipalities and townships, by vote of the electors, to prevent the licensing therein of places where such beverages may be sold for consumption on the premises, and regulating elections for this purpose; imposing duties upon the Pennsylvania Liquor Control Board, quarter sessions courts, district attorneys, the Department of Justice, proper authorities of political subdivisions of the State, and election officers; providing penalties; and repealing existing acts," by permitting clubs to waive or reduce dues payable by members in military service.

with the information that the House has passed the same with amendments, in which the concurrence of the Senate is requested.

Mr. TALLMAN. Mr. President, I move that Rule 21, which requires amended bills to be noted on the calendar, be in this case dispensed with, and that the Senate proceed to the consideration of the amendments made by the House of Representatives to the foregoing bill.

Mr. EDMONDS. Mr. President, I second the motion.

The motion was agreed to.

SENATE CONCURS IN AMENDMENTS BY THE HOUSE TO SENATE BILL No. 618

Mr. TALLMAN. Mr. President, I move that the Senate

concur in the amendments made by the House to Senate Bill No. 618.

Mr. EDMONDS. Mr. President, I second the motion.

On the question,

Will the Senate agree to the motion?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—48

Barr,	DiSilvestro,	Lanius,	Stevenson,
Bartlett,	Ealy,	Letzler,	Stiefel,
Becker,	Edmonds,	Mallery,	Tallman,
Carr,	Farrell,	McCreesh,	Taylor,
Cavalcante,	Frey,	McGinnis,	Thomas,
Chapman,	Geltz,	McQuiddy,	Tyler,
Coleman,	Haluska,	Miller,	Wade,
Cox,	Heyburn,	Reed,	Walker,
Crider,	Homsher,	Ruth,	Watkins,
Crowe,	James,	Scarlett,	Wilson, H. I.,
Deitrick,	Jaspan,	Shapiro,	Wilson, T. B.,
Dent,	Kephart,	Snowden,	Woodward,

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk inform the House of Representatives accordingly.

SENATE APPOINTS COMMITTEE OF CONFERENCE ON HOUSE BILL No. 1769, (SENATE BILL No. 1210.)

Mr. GELTZ. Mr. President, I move that a Committee of Conference be appointed to confer with a similar committee of the House of Representatives (already appointed) to consider the differences existing between the two houses in relation to said bill.

Mr. EALY. Mr. President, I second the motion.

The motion was agreed to.

The PRESIDENT. The President Pro Tempore appoints Messrs. CROWE, WATKINS, and BARR to be said committee on the part of the Senate, and that the Clerk inform the House of Representatives accordingly.

SENATE APPOINTS COMMITTEE OF CONFERENCE ON SENATE BILL No. 1036, (HOUSE BILL No. 1526).

Mr. GELTZ. Mr. President, I move that a Committee of Conference be appointed to confer with a similar committee of the House of Representatives (already appointed) to consider the differences existing between the two houses in relation to said bill.

Mr. EALY. Mr. President, I second the motion.

The motion was agreed to.

The PRESIDENT. The President Pro Tempore appoints Messrs. EDMONDS, WALKER and REED to be said committee on the part of the Senate, and that the Clerk inform the House of Representatives accordingly.

SENATE APPOINTS COMMITTEE OF CONFERENCE ON HOUSE BILL No. 1466.

Mr. GELTZ. Mr. President, I move that a Committee of Conference be appointed to confer with a similar committee of the House of Representatives (already appointed) to consider the differences existing between the two houses in relation to said bill.

Mr. EALY. Mr. President, I second the motion.

The motion was agreed to.

The PRESIDENT. The President Pro Tempore appoints Messrs. MILLER, CRIDER, and McQUIDDY to be said committee on the part of the Senate, and that the Clerk inform the House of Representatives accordingly.

SENATE APPOINTS COMMITTEE OF CONFERENCE ON HOUSE BILL No. 1467.

Mr. GELTZ. Mr. President, I move that a Committee of Conference be appointed to confer with a similar committee of the House of Representatives (already appointed) to consider the differences existing between the two houses in relation to said bill.

Mr. EALY. Mr. President, I second the motion.

The motion was agreed to.

The PRESIDENT. The President Pro Tempore appoints Messrs. MILLER, CRIDER, and McQUIDDY to be said committee on the part of the Senate, and that the Clerk inform the House of Representatives accordingly.

SENATE APPOINTS COMMITTEE OF CONFERENCE ON HOUSE BILL No. 1469.

Mr. GELTZ. Mr. President, I move that a Committee of Conference be appointed to confer with a similar committee of the House of Representatives (already appointed) to consider the differences existing between the two houses in relation to said bill.

Mr. EALY. Mr. President, I second the motion.

The motion was agreed to.

The PRESIDENT. The President Pro Tempore appoints Messrs. MILLER, CRIDER, and McQUIDDY to be said committee on the part of the Senate, and that the Clerk inform the House of Representatives accordingly.

SENATE APPOINTS COMMITTEE OF CONFERENCE ON HOUSE BILL No. 1468.

Mr. GELTZ. Mr. President, I move that a Committee of Conference be appointed to confer with a similar committee of the House of Representatives (already appointed) to consider the differences existing between the two houses in relation to said bill.

Mr. EALY. Mr. President, I second the motion.

The motion was agreed to.

The PRESIDENT. The President Pro Tempore appoints Messrs. MILLER, CRIDER, and McQUIDDY to be said committee on the part of the Senate, and that the Clerk inform the House of Representatives accordingly.

SENATE APPOINTS COMMITTEE OF CONFERENCE ON HOUSE BILL No. 1465.

Mr. GELTZ. Mr. President, I move that a Committee of Conference be appointed to confer with a similar committee of the House of Representatives (already appointed) to consider the differences existing between the two houses in relation to said bill.

Mr. EALY. Mr. President, I second the motion.

The motion was agreed to.

The PRESIDENT. The President Pro Tempore appoints Messrs. MILLER, CRIDER, and McQUIDDY to be said committee on the part of the Senate, and that

the Clerk inform the House of Representatives accordingly.

SENATE APPOINTS COMMITTEE OF CONFERENCE ON HOUSE BILL No. 1577.

Mr. GELTZ. Mr. President, I move that a Committee of Conference be appointed to confer with a similar committee of the House of Representatives (already appointed) to consider the differences existing between the two houses in relation to said bill.

Mr. EALY. Mr. President, I second the motion.

The motion was agreed to.

The PRESIDENT. The President Pro Tempore appoints Messrs. FARRELL, KEPHART, and STIEFEL to be said committee on the part of the Senate, and that the Clerk inform the House of Representatives accordingly.

SENATE APPOINTS COMMITTEE OF CONFERENCE ON HOUSE BILL No. 1210.

Mr. GELTZ. Mr. President, I move that a Committee of Conference be appointed to confer with a similar committee of the House of Representatives (already appointed) to consider the differences existing between the two houses in relation to said bill.

Mr. EALY. Mr. President, I second the motion.

The motion was agreed to.

The PRESIDENT. The President Pro Tempore appoints Messrs. WALKER, THOMAS, and DENT to be said committee on the part of the Senate, and that the Clerk inform the House of Representatives accordingly.

SENATE APPOINTS COMMITTEE OF CONFERENCE ON HOUSE BILL No. 1107.

Mr. GELTZ. Mr. President, I move that a Committee of Conference be appointed to confer with a similar committee of the House of Representatives (already appointed) to consider the differences existing between the two houses in relation to said bill.

Mr. EALY. Mr. President, I second the motion.

The motion was agreed to.

The PRESIDENT. The President Pro Tempore appoints Messrs. KEPHART, WATKINS, and LANIUS to be said committee on the part of the Senate, and that the Clerk inform the House of Representatives accordingly.

SENATE APPOINTS COMMITTEE OF CONFERENCE ON HOUSE BILL No. 551.

Mr. GELTZ. Mr. President, I move that a Committee of Conference be appointed to confer with a similar committee of the House of Representatives (already appointed) to consider the differences existing between the two houses in relation to said bill.

Mr. EALY. Mr. President, I second the motion.

The motion was agreed to.

The PRESIDENT. The President Pro Tempore appoints Messrs. STEVENSON, TYLER, and McGINNIS to be said committee on the part of the Senate, and that the Clerk inform the House of Representatives accordingly.

RESOLUTION SERIAL No. 67 CALLED UP FROM THE TABLE

Mr. GELTZ. Mr. President, I now call up from the table Senate Resolution, Serial No. 67, introduced by Mr. Edmonds on July 9, 1941, and laid on the table, and move its immediate adoption.

Mr. WOODWARD. Mr. President, I second the motion.

The resolution was read as follows:

EXECUTIVE BOARD TO GIVE CAREFUL CONSIDERATION TO SALARIES AND CLASSIFICATION OF ADMINISTRATIVE EMPLOYES OF COMMONWEALTH

In the Senate, July 9, 1941.

Whereas, The Commonwealth of Pennsylvania in its administrative departments, exclusive of the Auditor General and State Treasurer, gives employment to approxmately 20,118 men and women whose services are utilized by the Commonwealth, and whose loyalty and efficiency are great assets to the Commonwealth; and

Whereas, The Administrative Code of 1929 created an Executive Board consisting of the Governor and six other heads of administrative departments to be designated from time to time by the Governor; and

Whereas, The said Code entrusts the following duties to the said Board as set forth in the language of the Code:

"Section 709. Executive Board.—Subject to the provisions of this act, the Executive Board shall have the power:

(a) To standardize the qualifications for employment, and all titles, salaries, and wages, of persons employed by the administrative departments, boards, and commissions, except the Department of the Auditor General and the Treasury Department. In establishing such standards the board may:

(1) Take into consideration the location of the work and the conditions under which the service is rendered,

(2) Establishing different standards for different kinds, grades and classes of similar work or service, etc.;" and

Whereas, It is evident from economic and social statistics that a shift is occuring in the cost of living which will affect all of the employes of the State, and particularly those whose salaries are in the lowest brackets; and

Whereas, The revision of the said salaries in an administrative function to be performed by the Executive Board as set forth in the Act of Assembly above cited; now therefore be it

Resolved by the Senate of Pennsylvania, That the Executive Board of the Commonwealth be and it is hereby requested to give careful consideration to the salaries and classification of employes in the administrative departments with reference to changes in the cost of living in this Commonwealth, and that the said Executive Board be and it is hereby requested to provide at all times such salaries as will insure just compensation for the service performed, and the maintenance of the American standard of living.

On the Question,

Will the Senate agree to the Resolution?

Mr. COLEMAN. Mr. President, I desire to interrogate the sponsor of this resolution, the gentleman from Montgomery, Senator Edmonds.

The PRESIDENT. Will the gentleman from Montgomery permit himself to be interrogated?

Mr. EDMONDS. I will, Mr. President.

Mr. COLEMAN. Mr. President, I desire to inquire of the sponsor of the resolution whether, if the Senate passes this resolution it will result in abandoning action on House Bill No. 909, which would increase the salaries of the employees of the Liquor Control Board?

Mr. EDMONDS. My answer to that, Mr. President, would be "no," although I am not a prophet.

Mr. SHAPIRO. Mr. President, I have no objection to this resolution. I think it is innocuous, but I do not think it is an answer to the Liquor Control Board situation. I think there is an entirely different situation between that department, if we may call it such, and the rest of the departments of the state.

That department earns from fifteen to thirty million dollars a biennium; it is a business and for years that department has been employing people at what I consider a low rate of pay.

I realize the difficulty in passing a resolution such as this, because of the psychological effect upon the other departments, and I would not like the passage of this resolution to be the forerunner for the creation of organizations in other departments for the purpose of bringing about the same results. I think the only value of this resolution is that it would indicate to the other departments and to the people who have the duty of investigating salaries and trying to make them more reasonable under the situations which arise, it may attract their attention and put them both on notice that something will be done about that; but that is an entirely different situation, as I see it, from the situation presented by the Liquor Control Board.

When these people come here with their signs asking for only twenty-seven dollars a week, those of us who have had any occasion to go into liquor stores realize these people spend a full week of hard work, and they are getting less than twenty-seven dollars a week.

The Liquor Control Board could have attended to that matter themselves or brought it to the attention of the Legislature, if they could not have taken care of it.

I am going to vote for this resolution in the hope that those who have some power to change the situation throughout all the departments in the state will be put on notice we want them to do something about it, but I am going to protest against any failure to act and I hope when we do act, we will act favorably on the bill increasing salaries of employes of the Liquor Control Board. It seems to me although we can object to telling other people who have respnsibilities for departments or businesses what to do, if those departments or businesses do not do it we have no other alternative but to do it ourselves.

I think all of us ought to know that salaries paid by the Commonwealth to people who come here from other cities and counties to live are not conductive of good morals, and I say that without any intent to reflect upon anybody, but to put the Senate on notice that at least I have bumped into that condition and I think other members have. You can not bring people here from out of town on a nine hundred dollar a year salary and expect them to stay honest and decent, and I hope we will do something about it. They started out with nine hundred dollars and until we did something about it nothing was done by anybody else, and we eventually got it increased to $1,020 per annum as a minimum, which is about twenty dollars a week.

Now, Mr. President, we know how far twenty dollars a week will go in the City of Harrisburg, considering the hotel expenses and meals that these people who come from out of town have to pay, and it strikes me we ought to do both pass this resolution and pass the Liquor Control Bill.

Mr. THOMAS B. WILSON. Mr. President, without referring exactly to the merits of the resolution, I want to express my admiration for the fine legal ability of the Democratic Floor Leader and say that nobody except as good a lawyer as he could find a way to draw the very fine distinction he has drawn between principles to believe in and the action he is going to take.

I want to enter my protest against anyone saying on this floor that in Pennsylvania honesty and decency and respectability are measured by the amount of money that anybody gets. That is not so. It is not so, either in Harrisburg or any other place, that respectability and decency and correct behavior are in any way measured by the amount of money that anybody receives.

Mr. SHAPIRO. Mr. President, may I merely suggest that I did not say honesty and decency were dependent on salaries. I said low salaries are not conducive to good morals and clean living. I reiterate that statement, even though it be on the floor of this Senate. My experience has taught me that.

Mr. EDMONDS. Mr. President, this resolution was framed as the result of information that had come to me that there were certain other classes or groups of employes of the state that were organizing for the purpose of presenting their claims to the General Assembly.

As one of those who was in the General Assembly prior to the Administrative Code of 1923, I knew what that involved, and I knew it meant snap decisions without adequate testimony and without a sufficient study of the facts upon which that question of salary action could be justified. It seemed to me, therefore, it was worth while to direct attention to the orderly method that had been provided by the act of 1923, which sometimes may be forgotten in the lapse of time, an orderly method whereby cases of this kind might be considered and eventually justice be done, not only with regard to one particular group but with regard to all groups that were in the same general situation. It was from that point of view the resolution was framed, and I hope from that point of view it will appeal to my colleagues.

Mr. DENT. Mr. President, may I interrogate the gentleman from Montgomery.

The PRESIDENT. Will the gentleman from Montgomery permit himself to be interrogated?

Mr. EDMONDS. Yes, Mr. President, with pleasure.

Mr. DENT. Mr. President, I believe in what the resolution starts out to be. I just want to ask the gentleman from Montgomery, does he believe, by voting for this resolution, it relieves him of the necessity, I might say of the responsibility, of voting for a bill directly increasing the salaries of the Liquor Control Board employes.

Mr. EDMONDS. Mr. President, I have my own opinion about that bill and I will express it at the time the bill itself is before us. I do not believe in mixing legislation in this way, but at least this resolution is correct so far as it goes, and from that point of view, I do not see how anyone could vote against it.

Mr. DENT. Mr. President, I thank the gentleman for his answer. I might say it would be a trifle unfair to come before us with the fine sentiments expressed by the gentleman from Montgomery urging passage of this resolution, and then when a bill comes up which specifically does what he intends to do by the resolution and knows he can not do by resolution, then defeat the bill on the

ground that they have passed a resolution. I should say the proper thing to do would be to postpone action upon this resolution until we decide what we want to do about the bill.

I TION THAT RESOLUTION BE LAID ON TABLE

Mr. DENT. Therefore, Mr. President, I move that the resolution be laid on the table temporarily.

Mr. CAVALCANTE. I second the motion, Mr. President.

Mr. COX. I second the motion, Mr. President.

On the question,

Will the Senate agree to the motion?

Mr. GELTZ. Mr. President, before a vote is taken on that motion, I would like to state that it was our intention to call the bill in question up for action immediately following the action on this resolution. However, Mr. President, if this motion is persisted in, then we will ask that the bill go over in order.

Mr. DENT. Mr. President, that is the sort of tactics I do not like. What is the difference whether you act on this now or wait a few minutes and then act? Your point is one that is very finely drawn—if I persist in my motion to lay the resolution upon the table, then you are going to defeat the bill. What is the idea?

Mr. GELTZ. Mr. President, the gentleman himself has answered the question. He says, what difference does it make which is done first? Therefore, we would like the motion to adopt the Edmonds resolution voted on now, Mr. President.

Mr. DENT. Mr. President, I will tell the gentleman from Allegheny the difference, from my point of view. My point of view is this, that if the resolution is passed now, by a unanimous vote, which I assume it would be, because we all want to do what the resolution wants to do, if we do that now, then when it comes time to vote on the bill you do not have to do it, because you have passed the resolution. I am willing to vote on the bill and stand up and be counted on it, and then if the bill passes, we will discuss whether or not we will pass this resolution. I am not going to substitute the resolution for the bill by my vote.

Therefore I ask that we take first things first and the bill is first.

Mr. MALLERY. Mr. President, I would like to suggest to the Senator from Westmoreland that his fears are unjustified. We must have order here, and if the members on both sides will permit the majority party to proceed, I think that we will consider all of these bills and every man here will have afforded to him an opportunity to vote one way or another on all of the bills on the Calendar.

The PRESIDENT. The question is on the motion to lay the resolution on the table.

POINT OF ORDER

Mr. WADE. I rise to a point of order, Mr. President.

The PRESIDENT. The gentleman from Cumberland will state his point of order.

Mr. WADE. Mr. President, did not the gentleman from Allegheny, Mr. Geltz, call up the resolution and move its immediate adoption.

The PRESIDENT. Yes, but a motion to lay it on the table is always in order.

Mr. WADE. Mr. President, the gentleman from Allegheny moved to take the resolution from the table and moved its immediate adoption.

The PRESIDENT. That is correct.

Mr. WADE. Then, Mr. President, the gentleman from Westmoreland moved that the resolution be laid on the table.

The PRESIDENT. That is correct.

Mr. DENT. Mr. President, I have been assured this is a matter which has received serious consideration on the other side and there is no plan to supplant the bill by the resolution, so we will wait a few minutes.

MOTION WITHDRAWN

Mr. DENT. Therefore, Mr. President, I will withdraw my motion to lay the resolution upon the table.

Mr. COX. Mr. President, I withdraw my seconding of the motion.

Mr. CAVALCANTE. I withdraw my seconding, Mr. President.

And the question recurring,

Will the Senate agree to the resolution?

It was agreed to.

BILLS SIGNED

The PRESIDENT (Lieutenant-Governor Samuel S. Lewis) announced that the Chief Clerk having reported that the following bills had passed both houses of the General Assembly and the same being correct, the titles were publicly read as follows:

House Bill No. 230, entitled:

An Act to reenact and amend the title and the act, approved the twenty-second day of June, one thousand nine hundred thirty-five (P. L. 414), entitled "State Personal Property Tax Act," as previously reenacted and amended, by continuing the State personal property tax and the emergency rate of tax on script bonds, certificates and evidence of indebtedness, assumed or on which interest is paid by corporations, for a further limited period of time.

House Bill No. 234, entitled:

An Act to further amend section one of the act, approved the fifteenth day of July, one thousand eight hundred ninety-seven (Pamphlet Laws, two hundred ninety-two), entitled "An act to provide revenue by taxation," by increasing the rate of tax for a further limited period of time.

House Bill No. 663, entitled:

An Act authorizing the Commonwealth to negotiate temporary emergency loans to defray the current and other expenses of the State government during the two fiscal years beginning the first day of June one thousand nine hundred forty-one evidenced by tax anticipation notes secured by and payable from current revenues levied assessed collectible and accruing during such two fiscal years defining the powers and duties of the Governor the Auditor General and the State Treasurer in relation thereto providing for the payment of interest on and the repayment of such loans and making an appropriation

Whereupon,

The PRESIDENT (Lieutenant-Governor Samuel S. Lewis) in the presence of the Senate signed the same.

SENATE BILL No. 1121, (HOUSE BILL No. 909), ON THIRD READING AND FINAL PASSAGE CALLED UP

Mr. GELTZ. Mr. President, I now call up Senate Bill No. 1121, (House Bill No. 909), on third reading and final passage on page 11 of the Calendar.

Mr. MILLER. Mr. President, I second the motion.

The motion was agreed to.

BILL ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 1121, (House Bill No. 909), as follows:

An Act to further amend section three hundred three of and to add section three hundred seven of the act approved the twenty-fifth day of November one thousand nine hundred and thirty-three (P. L. 15 1933-34) entitled as amended "An act to regulate and restrain the sale manufacture possession transportation importation traffic in and use of alcohol and alcoholic and malt or brewed beverages conferring powers and imposing duties upon the Pennsylvania Liquor Control Board and its agents the Department of Public Instruction other officers of the State government courts and district attorneys authorizing the establishment and operation of State stores for the sale of such beverages not for consumption on the premises and the granting of licenses subject to local option to sell such beverages for consumption on and off the premises forbidding importation or bringing of such beverages into the State except as herein provided prohibiting certain sales or practices in connection with and transactions in such beverages by licensees and others providing for the forfeiture of certain property making disposition of the receipts from State stores and of fees and imposing penalties" by providing for the appointment of assistant managers in Pennsylvania Liquor Stores and by establishing minimum salaries for certain employes of the Pennsylvania Liquor Control Board working in Pennsylvania Liquor Stores

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section three hundred three of the act approved the twenty-ninth day of November one thousand nine hundred and thirty-three (P. L. 15 1933-34) entitled as amended "An act to regulate and restrain the sale manufacture possession transportation importation traffic in and use of alcohol and alcoholic and malt or brewed beverages conferring powers and imposing duties upon the Pennsylvania Liquor Control Board and its agents the Department of Public Instruction other officers of the State government courts and district attorneys authorizing the establishment and operation of State stores for the sale of such beverages not for consumption on the premises and the granting of licenses subject to local option to sell such beverages for consumption on and off the premises forbidding importation or bringing of such beverages into the State except as herein provided prohibiting certain sales or practices in connection with and transactions in such beverages by licensees and others providing for the forfeiture of certain property making disposition of the receipts from State stores and of fees and imposing penalties" as last reenacted by the act approved the sixteenth day of June one thousand nine hundred and thirty-seven (P. L. 1762) is hereby further amended to read as follows

Section 303 Management of Pennsylvania Liquor Stores Every Pennsylvania Liquor Store shall be conducted by a person appointed in the manner provided in this article who shall be known as the "manager" and who shall under the directions of the board be responsible for carrying out the provisions of this act and the regulations adopted by the board under this act as far as they relate to the conduct of such stores If there is one or more than one employe subordinate to the manager in any Pennsylvania Liquor Store one of such subordinate employes shall be known as the "assistant manager" who shall be appointed in the manner provided in this article and who shall perform the functions of the manager in the absence of the latter

Section 2 Said act is hereby amended by adding thereto after section three hundred six a new section to read as follows

Section 307 Minimum Salaries of Certain Employes of Pennsylvania Liquor Stores The minimum salary for all "managers" shall be not less than eighteen hundred and sixty dollars per annum The minimum salary for all "assistant managers" shall be not less than sixteen hundred and twenty dollars per annum The minimum salary for all other employes handling stock or moneys shall be not less than thirteen hundred and eighty dollars per annum

And said bill having been read at length the third time,

On the question,

Will the Senate agree to the bill?

Mr. EDMONDS. Mr. President, with reference to Senate Bill No. 1121, I am very free to state to my colleagues I expect to vote against this bill. I shall vote against it because it is the wrong way to go about getting an increase in salaries and it is a way, if once encouraged by the General Assembly, that will cause infinite difficulty in the administrative service of the state. If "A" group organizes for a particular purpose, then group "B" may also organize for another purpose; if group "A" wants a five dollar increase then group "B" will want a ten dollar increase; then group "C" will come into the matter and then we will have a flood of applications of this kind.

Mr. President, I have been interested sufficiently in this matter to confer with members of the Liquor Control Board, who have this department under their control, and I find that two or three months ago they started an inquiry, which has been conducted by their supervisors and their chiefs, with reference to remuneration. There are, I think, six or eight states in the union in which the state takes control of the sale of liquor. They have obtained statistics from those states as to the rate of pay of those who serve in the stores, and the various privileges that are given to them. All of this data is going to be made the subject of a report to the Executive Board and when the Executive Board shall have received that report they will have before them the conditions in the liquor stores. Alongside of those conditions they can place the conditions in other lines of employment by the state and decide just where the urgency is and what can be done.

To my mind that is the only orderly way to proceed with a question of this kind. Anything else involves the preference of one group which is organized over other groups that are not organized and it seems to me that would be bound to lead to chaos in any administration.

I have confidence personally in the Executive Board. I have confidence in the Liquor Board and I have confidence that if those in control of this situation in any way feel that twenty-three dollars a week, or whatever the salary may be, is inadequate compensation for a high grade employe and that there ought to be regulated increases given from time to time to reward those who are more experienced in the service, and thus retain their services for the Commonwealth, they will be

governed accordingly, but this is one of the things we can not accomplish by an act of Assembly, particularly an act of Assembly that merely raises the minimum and makes no distinction all along the line except by raising the minimum, that to my mind is impossible and therefore I shall vote against the bill on the general grounds that it is a disorderly way of accomplishing a purpose when an orderly way has been pointed out, and I think supported by unanimous vote of the Senate.

Mr. DENT. Mr. President, that is exactly what I feared would happen when we voted on the resolution; the gentleman from Montgomery has stated that an orderly way has been pointed out by unanimous vote on the resolution. I want to say the whole truth of the matter has not been told by the gentleman from Montgomery—I do not believe he knows the whole truth; I do not think he would deliberately hide anything, but he speaks about a seven-state survey of the facts.

There are eleven states that have monopolies in the liquor control business, and out of eighteen states altogether, there are seven that pay less than Pennsylvania, but ten of them pay more, considerably more than Pennsylvania, and so they are using the figures of seven states in order to make it look as though Pennsylvania is in an equitable position in the matter. Maybe it is the wrong thing to do; maybe it is the wrong method of attacking the problem, but will the gentleman from Montgomery point out to me what is the right method, when we have a stubborn board that will not take up the cudgels and go out and swing them in behalf of state employes who are receiving a salary of twenty-three dollars a week?

I do not believe a salary of twenty-three dollars a week is sufficient. I do not think the Legislature ought to go into the salary setting business, but I think they are doing it fairly, because they are only establishing a minimum; I mean, they are saying to the people of Pennsylvania, we do not believe twenty-three dollars is enough per week and so we are giving a slight increase to try to make up for the increased cost of living in the State of Pennsylvania. Those who are getting over twenty-seven dollars a week do not have to pay one cent more for the necessities of life than those who are getting twenty-three dollars a week, and so we are letting that become purely a business proposition. I do not think we ought to raise salaries of those who are receiving nine thousand, seven thousand or six thousand dollars a year. We are dealing in the necessities of life on the basis of a standard of living, so we are only raising the minimum wage, we are saying to these liquor store employes whom we all know are underpaid—if any private industry in Pennsylvania had a monopoly such as this and paid the wages that the Liquor Control Board pays, there would be more speeches on this floor than you have ever heard in your life about exploiters running the business. We are the exploiters of those persons working in the Liquor Control Board for twenty-three dollars a week, and I hope enough of you Republican members over there will support us on this side in giving this slight wage raise to every deserving employe in the Liquor Control Board.

Mr. WOODWARD. Mr. President, when the Senator from Philadelphia, Mr. Farrell, introduced those two bills raising the salaries of firemen and policemen in Philadelphia, I had the hardihood to move to recommit those bills, and then within three days I found it was rather difficult for me to park my car in the streets of Philadelphia because some officer would tell my man to move on, he did not like his boss.

Now, Mr. President, this House Bill No. 909 has become a household number in my house. I have received not only letters and postcards but I have had perennial visits from the very attractive employes, liquor control clerks—I like them very much—but at the same time I had sense enough not to commit myself. There are certain very intelligent gentlemen sitting on this side who did commit themselves and are going to vote for this bill, and I might say I am very sorry they did commit themselves, because it seems to me when we turn down requests for salary raises from the firemen and policemen, it is very inconsistent for us to do it for a single group of men like this. It is like the Game and Fish Commissions—we never get any employes of the Fish or the Game Commission who can not get what they want from the Commission, and then come and tell teacher about it, and go over the heads of the Game Commission or the Fish Commission. These liquor clerks—of course, I can not apply home rule to them because they all seem to come in from the outside, according to Senator Shapiro, and live at expensive hotels but the rule is there just the same, and if the liquor clerks have no place to go, no place they can call home, they at least have the home rule idea, they can go to their own Liquor Control Board or to the Executive Board. These Boards are set up for that very purpose. If we grant them this increase, and I would like them to be paid a fair rate, but there is no use of these gentlemen getting emotional about it; we all feel the same way without taking the time to be emotional, but if we do this for this group we are not only opening the door—this is one of those hotel revolving doors which goes around and around and around. We have sat in the Republican caucus and heard arguments over the bill and we have spent literally hours talking about it.

Mr. DENT. Mr. President, I do not want to add anything to what has already been said but in answer to the gentleman from Germantown, I just want to tell him that when I become emotional I am thinking of a man earning twenty-three dollars a week who has to pay eighty cents a pound for beefsteak and forty cents for potatoes and thirty-five cents for flour and in the same proportion for all the other little necessities of life that these people have to buy. It is a very nice thing when you and I can go into our larder and in there have provisions for an entire army, because you and I can go out and buy them, but I want to say that these employes have to feed their families and the difference between twenty-seven and twenty-three dollars a week will help them meet the increased costs of living.

Mr. EALY. Mr. President, I am willing to concede that there is great inequality in the salaries paid to employes on Capitol Hill, but that probably should be the subject of investigation by a legislative committee at some future date.

Last Saturday a group of young men who were clerks or managers of liquor stores came to call upon me. I was agreeably surprised at their appearance and their intelligence. I realize the fact that we should keep the

standards of employes in these liquor stores at a high point. Fortunately, in my county, however, they expect a person to say what he thinks and be willing to stand up for his principles at all times, and I let those young men know, while I had an appreciative point of view respecting their cause, and was willing to do what I could to help them get a increase, that I would not vote for this bill. I do not expect to be in the next regular session of the Senate; my term will close at the end of 1942, and I will not have the worry and the trouble of another regular session of this Senate. I am telling you men who will be here that if you open the door to this sort of thing your peace of mind will be gone from the beginning of the session until the end of it.

The right thing to do is to leave this matter up to the Executive Board, and as the gentleman from Philadelphia, Senator Woodward has pointed out, there are other commissions that are paid out of their own funds or paid from profits realized from their own activities. They are in the same position as this Liquor Board Commission, and it does not help to say that this is not costing the state anything, because it is taking the money of the Commonwealth just as much as though it were paid directly from the general fund or from other receipts.

I believe these young men should have increases in salaries, in some cases, but I think this bill does not do it in the right way, it does not provide for distinction between various classes of employes of the stores. Even if the bill should pass, Mr. President, the whole principle of the bill is wrong, and if this legislature once starts to provide for salaries of the groups upon this Hill, you will not only have an ocassional pressure group coming in here, but you will be besieged from the very day the next session starts until it closes. I am not afraid to vote against this bill.

Mr. HALUSKA. Mr. President, of course I disagree with the remarks made by the gentleman from Somerset, and the gentleman from Montgomery. They have a right to their own opinions, of course, when they say they are very fearful that other groups or various groups might come before the Legislature in times to come and ask for a raise. That possibly is true. However, we are elected for that purpose, to judge them all upon their own merits, and I think we can stand up and be counted and if some group comes in here in 1943, 1944 and 1945, we shall judge them upon their own merits.

I have been informed, when this bill first passed, under the Pinchot administration, that the examinations taken at that time were taken with the distinct understanding that these positions called for a minimum salary of $1,380, and the various men who are now employed in these liquor stores took the examinations.

However, after they passed the civil service examination and they received their appointments they were then informed by the Pinchot administration that they were to go to work at a salary of $1,020. Later on, during the Earle administration, there was some adjustments up to $1,140. After that I am informed that the various members representing the liquor employes made a call on the present Liquor Control Board, last fall, and they were informed there that they were in the wrong place, that they should take their problem to the Legislature. Now, we tell them that once again they have come to the wrong place, they should go back to the Board.

Well, I believe you all know my position, that I am pretty much tired of these various departments given all the powers to make all their own rules and regulations. I think that is the problem of this Legislature, to adjust these rules within themselves, and I am satisfied that we have members on both sides who are very much open minded upon this question and will vote accordingly to their own wishes. I trust, of course, they will vote for the bill.

Mr. GELTZ. Mr. President, it was my intention to vote against this bill, because I was convinced that in principle the bill is wrong. I am more convinced than ever now, Mr. President, since I find the Senators on the other side of the Senate, Senator Shapiro and Senator Dent, saying in effect that maybe this bill is wrong, or in other words, Mr. President, maybe this is bad legislation and should not be passed. If that is what they mean, and that is what both said, I wonder what the real reason is, then, for their voting for this bill, if they are going to vote for it, and they have both said they are.

I think the proper way to go about this is by means of a resolution or by means of something being done to let those who have the authority to set these salaries know that we believe the pay which these employes are getting is too low at this time. I think they should receive an increase, even though, Mr. President, they do have many advantages that the ordinary citizen of this state does not have; they have the protection of civil service, they have steady employment and they have had that steady employment during most of the years of this depression, but notwithstanding those facts, we still believe these employes are entitled to an increase in pay They have certain responsibilities, they have important positions and they should receive salaries commensurate with those responsibilities and those positions.

I do, however, believe, as I said at the start, that this bill is wrong in principle. There is not the slightest question in my mind, but what, if this bill is passed, it is the first and the forerunner of many pressure groups, similar groups, which will come in here for the same purpose, and if this group is successful through our activity or our vote, then the other groups certainly should never be censored or never blamed for coming in here and trying to do the same thing, because we will by our action today say to all of those groups whether or not we think it is right or we think it is wrong.

Mr. President, another objection in my judgement to this bill in connection with principle, is the fact that there are floors, not ceilings, but floors set in the various classifications. There is no distinction, Mr. President, made in this bill for an employe's meritorious service. There is nothing provided in this bill which would assure a diligent, hardworking employe, a consciencious employe, receiving possibly a little bit more than a shirker and a loafer, and that, Mr. President, is a principle which is becoming too prevalent in this nation. We are regarding today the idea of groups instead of individuals and I think, Mr. President, the welfare of this nation and the welfare of this great Commonwealth demands that we soon and as quickly as possible get back to the old fashioned ideal and idea that the individual can make or break himself to a great extent.

Mr. KEPHART. Mr. President, I do not blame any man for going to his boss and asking for a raise in his pay

when he is not getting enough. These liquor store clerks are not getting enough and they went to the boss and asked for a raise and they did not get it. When they did not get a raise from the boss I do not blame them for going higher up, and we are that higher up—we are the boss here—and we are entitled to give these people a raise if they deserve it. Everybody admits they do deserve it but they say this is the wrong way to do it. What is wrong with a boss giving his employes a raise, I should like to know? We are the Board of Directors of this big business and we have the right to raise these salaries if we want to do so, or establish a minimum at least.

This is not like the Philadelphia police. The Board of Directors of the Philadelphia police is the city council; I do not condone the action in not passing those bills raising the salaries of the Philadelphia police; I voted for them. However, that is not the question here. We are the Board of Directors, the General Assembly, and we have the right and duty to raise those salaries if we feel they are not enough. I have been treated with courtesy and these employes of the liquor stores are efficient and they deserve a raise so they can live the way they ought to be able to live and I propose to vote for this bill.

Mr. SHAPIRO. Mr. President, I have been misunderstood and so has the bill and I should like to clarify both. I am glad my friend from Philadelphia, Senator Kephart, brought up the question which was in my mind when the gentleman from Philadelphia, Senator Woodward, was talking. This is home rule to the fullest extent, as he pointed out. This is not the Commonwealth saying to the City of Philadelphia how much money they should pay to their employes. this bill provides not for any salaries at all but it expresses the views of the Legislature that in this particular department over which we have control and for which we appropriated money in the beginning and from which we receive money and which money we dispose of, we are saying to them we feel that in times like these, considering the intelligence of the men and the character of the work that they do, that managers shall receive not less than $1,860, and assistant managers shall receive not less than $1,620.

I would like to answer my colleague from Allegheny, Senator Geltz, by saying we do not by that method stop any employe who shows good merit, prevent him rather from getting an increase.

We were hoping that these managers, three of whom get ten thousand dollars a year, would have the intelligence to understand that they would get better service if they would give more money to those who show some aptitude and more diligence, and not stabilize and fix the salaries, freeze them at one rate so that everybody, irrespective of his ability, gets the same amount of money. We had hoped that they would have shown intelligence to that effect before this, but they have not done so. I happen to know some of the types of people who are employed, of whom the gentleman from Somerset spoke. Senator Ealy said these men were intelligent people. Well, I should like the gentleman from Somerset to remember that these men took examinations that required some intelligence. I happen to know four or five men who started out to practice law, who were not doing well, who are now managers in these stores, and we are asking that they shall receive $1,860 a year. Certainly that is not too high for those men. These men are subject to be shifted from one district to another, men living in Philadelphia may be sent as far as Williamsport, and when they have to go out of their own sphere they have to make their arrangements for their food and for their lodging. They can not do a good job and keep their minds on their jobs if they do not get a decent salary.

I agree with Senator Kephart as to the treatment these men have gotten previously and that is why I am voting for this bill. They have asked for an increase and they were turned down by men who sit in upholstered chairs and receive ten thousand dollars a year and who do not pay proper attention to the job, and I say that I am not talking politically now.

Other departments will not have to come before us. I say psychologically this may be bad but when you analyze it, it is not a bad procedure at all. It is the only way to do this. Employes in other departments have been appointed politically. Men who have some political influence in various cities go to the head of a department and say, "I would like to have John Smith placed in this $2,000 job, I would like to put Bill Jones in this $1,800 job." They do not even know the job they are going to get; it is selected by politicians.

These employes of the Liquor Control Board must take examinations and they can only get the salaries that these liquor control managers will give them, which will not be very much. Their salaries are fixed.

Now, Mr. President, I am trying to make the point that anybody who votes for this bill does not have to worry that he will be called upon by some other department. The other departments are taken care of before they come to us: political leaders down in the same town take care of them; and if a man does not get enough money the politician comes up and he says to the head of the department, "This person who is receiving $2,000 a year should get $2,400; he is an excellent committeeman and he does fine work in the division and he brings in a certain number of votes."

Let us talk about this thing fairly, and we will acknowledge that there is not a department in this state that we have to worry about as much as we do about this department. This is a department that brings to the state, Mr. President, a return of thirty million dollars a year.

In every other department the employes are taken care of because they are voters and they get votes; these people can not get votes, they can not be committeemen, they have to confine themselves to their jobs. That is why I am going to vote for this bill.

Mr. WOODWARD. Mr. President, it does not seem to make a particle of difference whether the employes are in a self-liquidating position, like the liquor store group, or not, and the Senator from Philadelphia, Mr. Shapiro, saying this bill does not set salaries—it certainly sets minimum salaries of employes as I read the bill on the last page.

Now, the reason I want to stand up and say a word is that I do not think that I should allow the Senator from Cambria, Senator Haluska, to get away with the statement that he made, and let you suppose Senator Haluska is one hundred per cent right in everything he says. This was his error, namely, that the Liquor Control Board has passed the buck to "teachers," I call them, the General Assembly. I know ex-Senator Rial very well and we all

know Senator Gelder very well. I have talked to them about this bill, and they have not given the slightest indication of wishing to pass the buck to the General Assembly. They said they were trying to do the right thing by these clerks, through the administrative code and the executive board. That is what we have an administrative code for.

And the question recurring,

Will the Senate agree to the bill on third reading?

It was agreed to.

On the uestion,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—38

Barr,	DiSilvestro,	Letzler,	Shapiro,
Bartlett,	Farrell,	Mallery,	Stevenson,
Cavalcante,	Frey,	McCreesh,	Stiefel,
Chapman,	Haluska,	McGinnis,	Tallman,
Coleman,	Heyburn,	McQuiddy,	Taylor,
Cox,	James,	Miller,	Tyler,
Crider,	Jaspan,	Mundy,	Wade,
Crowe,	Kephart,	Reed,	Walker,
Deitrick,	Lanius,	Ruth,	Watkins,
Dent,			Ziesenheim,

NAYS—11

Becker,	Edmonds,	Snowden,	Wilson, T. B.,
Carr,	Geltz,	Thomas,	Woodward,
Ealy,	Homsher,	Wilson, H. I.,	

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

PERMISSION TO ADRESS SENATE

Mr. WADE. Mr. President, I ask permission to make a short statement on behalf of the Congressional Apportionment Committee.

The PRESIDENT. The gentleman from Cumberland will proceed.

Mr. WADE. Mr. President, first of all I would like to call a committee meeting of the entire Committee on Congressional Apportionment, to consider the resolution referred to that committee last evening. Secondly, I want to say the resolution deals with the extention of sessions of this Legislature for a week or two weeks more, and that statement has also been made on the floor of this Senate today.

We recognize this is a very important matter and I am sure I am speaking for the other members of the conference committee, Senator Mundy and Senator Taylor, when I say to you we have had many meetings of that conference committee we have tried hard to arrive at a solution of the problem, and it certainly is not the desire of any of one of the three of us to prolong or extend this session one minute.

Therefore, if you will, Mr. President, I should like to have a meeting called of this committee immediately after we recess, to be held in Room 542. I have also taken the liberty of inviting the sponsors of the resolution to attend the meeting.

HOUSE MESSAGES

HOUSE BILLS FOR CONCURRENCE

The Clerk of the House of Representatives being introduced presented for concurrence bills of the House, as follows:

House Bill No. 1851, (Senate Bill No. 1343), entitled:

An Act to amend sections three thousand seven hundred ninteen, four thousand four hundred one and four thousand four hundred two of the act, approved the twenty-third day of June, one thousand nine hundred and thirty-one (P. L. 932), entitled "Third Class City Law" by extending civil service provisions to include park guards.

Which was committed to the committee on Municipal Government

House Bill No. 1955, (Senate Bill No. 1344), entitled:

An Act to amend section two hundred and fifty-four of the act, approved the second day of May, one thousand nine hundred and twenty-five (P. L. 448), entitled "Fish Law of 1925," limiting the right of certain lessees or owners of or holders of certain rights in property for fishing purposes, to exclude the general public from fishing from such property.

Which was committed to the Committee on Forests and Waters, Game and Fish

PERMISSION TO ADDRESS SENATE

Mr. HALUSKA. Mr. President, I ask permission to address the Senate.

The PRESIDENT. The gentleman from Cambria will proceed.

Mr. HALUSKA. Mr. President, in view of the remarks made by my colleague from Allegheny, Senator McGinnis, with reference to several important bills, we are fearful those bills can not be passed in the event we adjourn finally this week. Quite a number of us are much interested in Senate Bills Nos. 510 and 512, which passed this body last night, and in the event we should adjourn sine die tomorrow, we definitely know those two bills can not become law.

TIME OF NEXT MEETING

Mr. HALUSKA and Mr. McGINNIS offered the following resolution which was twice read;

In the Senate, July 11, 1941.

Resolved, (if the House of Representatives concur), That when the Senate adjourns this week it reconvene on Thursday, July 17, 1941, at 4:00 o'clock, p. m. and when the House of Representatives adjourns this week it reconvene on Thursday, July 17, 1941, at 4:00 o'clock, p. m.

The PRESIDENT. Is there objection?

Mr. GELTZ. Mr. President, I object.

The PRESIDENT. The Resolution is referred to the Committee on Rules.

RECESS

Mr. GELTZ. Mr. President, I move that the Senate do now take a recess until 9:00 o'clock, p. m., E. S. T.

Mr. MILLER. Mr. President, I second the motion.

The motion was agreed to.

AFTER RECESS

The PRESIDENT. The time of recess having elapsed the Senate will be in order.

HOUSE MESSAGES

HOUSE CONCURS IN SENATE BILL No. 241

The Clerk of the House of Representatives being introduced, returned to the Senate, Senate Bill No. 241, entitled:

An Act to further amend section two thousand six hundred and four of an act approved the eighteenth day of May, one thousand nine hundred and eleven, (P. L. 309), entitled "An act to establish a public school system in the Commonwealth of Pennsylvania, together with the provisions by which it shall be administered, and prescribing penalties for the violation thereof; providing revenue to establish and maintain the same, and the method of collecting such revenue; and repealing all laws, general, special, or local, or any parts thereof, that are or may be inconsistent therewith," by providing for the audit of accounts of fourth class school districts by the borough or township controller or auditors.

with the information that the House has passed the same without amendments.

HOUSE CONCURS IN SENATE BILL No. 338

He also returned to the Senate, Senate Bill No. 338, entitled:

An Act to further amend sections four and five of the act, approved the sixth day of April, one thousand nine hundred thirty-five (P. L. 90), entitled "An act to promote uniformity in the assessment and taxation of properties and persons within the territorial limits of cities of the second class A, by providing that city and school taxes within such territorial limits shall be assessed, levied, and collected upon the basis of the assessments for taxation for county purposes; and requiring the furnishing of tax duplicates by the county taxing authorities to such cities and to school districts coterminous therewith; adolishing the department of assessors in cities of the second class; consolidating tax statements covering city, school, county, and poor taxes therein, and making uniform the time for levy and collection of said taxes respectively, and regulating the discounts therefrom and penalties thereon," by further regulating discounts for prompt payment of taxes and penalties and interest imposed on said taxes and by changing the date of certain tax payments.

with the information that the House has passed the same without amendments.

HOUSE CONCURS IN SENATE BILL No. 367

He also returned to the Senate, Senate Bill No. 367, entitled:

An Act authorizing the Department of Public Instruction, with the approval of the Board of Trustees of the Millersville State Teachers' College, to contract with the Borough of Millersville for the erection of a sewage disposal plant and the connection therewith and use thereof by the Millersville State Teachers' College, and the payment of part of the cost of maintenance thereafter; and making an appropriation.

with the information that the House has passed the same without amendments.

HOUSE CONCURS IN SENATE BILL No. 509

He also returned to the Senate, Senate Bill No. 509, entitled:

An Act making an appropriation to the State Council for the Blind for use in supplying medical treatment, surgical operations, eyeglasses or other necessary aids or services to needy blind persons or persons with impaired vision.

with the information that the House has passed the same without amendments.

HOUSE CONCURS IN SENATE BILL No. 574

He also returned to the Senate, Senate Bill No. 574, entitled:

An Act to amend section twenty of the act, approved the thirtieth day of April, one thousand nine hundred and twenty-nine (P. L. 885), entitled "An act to provide for the incorporation and regulation of cooperative agricultural associations having capital stock; and defining agriculture so as to include persons engaged in agriculture, dairying, livestock raising, poultry raising, floriculture, mushroom growing, bee keeping, horticulture, and other allied occupations; and providing penalties," by further limiting exemptions of and exempting certain classes of associations formed under such act from State, county and municipal taxation, and from the duty of filing certain tax reports with State county or municipal agencies.

with the information that the House has passed the same without amendments.

HOUSE CONCURS IN SENATE BILL No. 587

He also returned to the Senate, Senate Bill No. 587, entitled:

An Act to amend section three hundred six of the act, approved the twenty-fourth day of June, one thousand nine hundred thirty-seven (P. L. 2017), entitled "An act creating in each county (except of the first class) as a separate corporation, and in each city of the first and second class as a part of the city government, an institution district for the care and maintenance of certain indigent persons and children; prescribing the powers and duties of county commissioners, county treasurers, city departments of public welfare, the State Department of Welfare, and the State Department of Public Assistance in respect thereto; abolishing certain poor districts and terminating the terms of directors, overseers, guardians and managers of the poor and poor district auditors, and providing for the temporary employment of certain of them, providing for the transfer, vesting, sale and disposition of the property of poor districts and the payment of their obligations; imposing certain existing obligations on institution districts and on the Commonwealth; regulating the affairs of poor districts until abolished; revising, amending, changing and consolidating the law relating to the care of the poor; and repealing existing laws," authorizing the county commissioners to appoint and fix the compensation of a solicitor for county institution districts, in counties of the third class.

with the information that the House has passed the same without amendments.

HOUSE CONCURS IN SENATE BILL No. 785

He also returned to the Senate, Senate Bill No. 785, entitled:

An Act to further amend section nine of the act, approved the first day of May, one thousand nine hundred and thirteen (P. L. 138), entitled "An act defining vocational education; providing for the establishment and regulation of vocational schools; and providing for State aid in the maintenance thereof; and for the payment of tuition by certain school districts, and reimbursement

thereof by the State," further regulating State reimbursements to school districts for vocational education and making provision for additional types of vocational education for which funds may be provided by Congress

with the information that the House has passed the same without amendments.

HOUSE CONCURS IN SENATE BILL No. 883

He also returned to the Senate, Senate Bill No. 883, entitled:

An Act to enlarge the powers of the Navigation Commission for the Delaware River and its navigable tributaries with respect to the maintenance, operation and financing of a nautical school for the Commonwealth of Pennsylvania.

with the information that the House has passed the same without amendments.

HOUSE CONCURS IN SENATE BILL No. 905

He also returned to the Senate, Senate Bill No. 905, entitled:

An Act to further amend clause (a) of section two of the act, approved the seventh day of June, one thousand nine hundred and seventeen (P. L. 388), entitled "An act relating to the jurisdiction, powers, and procedure of the orphans' court and the court of common pleas as to sales, mortgages, conveyances on ground-rents, leases, extinguishment of ground-tents, partition, exchange, squaring and adjusting of lines between adjoining owners, consolidation and combination of mining lands and the leasing thereof, the joining by owners of undivided interests in making and taking conveyances in order to change the route or location of any right of way or passage over adjoining or other lands, and the subdivision of premises so as to command the highest price or greatest rents, and, for such purpose, the laying out or dedicating of roads, streets, and alleys, or the vacation of such as have not been accepted by the public authorities, where the court shall be of opinion that such decree will be to the interest and advantage of all those interested; and where the legal title is held by minors, lunatics, habitual drunkards, or weak-minded persons, a married person whose spouse is a lunatic, or has abandoned him or her for one year or has been absent and unheard of for seven years, by corporations having no capacity to convey or by any unincorporated association, by any religious, beneficial, or charitable society or association, incorporated or unincorporated, and the title is subject to forefeiture if real estate is held in excess of the amount prescribed by its charter or by law; by a corporation, or individual or individuals, and is subject to a trust of any description whatever; by any person as to whom a presumption of death may have arisen, or any interest wherein is held by any person under legal disability to dispose thereof; where the legal title is an estate tail or is subject to the lien of debts of a decedent not of record, contingent remainders, executory devises, or remainders to a class, some or all of whom may not be in being or ascertained; where estates shall have been devised or granted for special or limited purposes, where there is a power of sale but the time may not have arrived for its exercise, any preliminary act may not have been done to bring it into exercise, the time limited for its exercise may have expired, or any one or more persons required to consent or join in its exercise may be non compos mentis, have removed out of the State, have died refuse to act, unreasonably withold consent, or be absent and unheard of; where there has been or shall be a defective appointment in any deed or will, and the necessary power is not given to the executor, devisee, or appointee to make sale and conveyance, where a trust has been created, and no power conferred on the trustee to do any of the acts which the court is hereby empowered to authorize or confirm; and to the effects of such decrees," by extending the provisions of said act to cases where real estate is held by entireties, and the one spouse has been declared weak-minded

with the information that the House has passed the same without amendments.

HOUSE CONCURS IN SENATE BILL No. 994

He also returned to the Senate, Senate Bill No. 994, entitled:

An Act making an appropriation to the Thomas Jefferson Bicentennial Commission of Pennsylvania.

with the information that the House has passed the same without amendments.

HOUSE CONCURS IN SENATE BILL No. 1006

He also returned to the Senate, Senate Bill No. 1006, entitled:

An Act to amend Route 18033 established by amendment to the act, approved the twenty-second day of June, one thousand nine hundred and thirty-one (P. L. 594), entitled "An act establishing certain township roads as State highways; authorizing their construction, maintenance and improvement under certain conditions and restrictions; limiting the obligation of the Commonwealth in the construction of certain structures located on such highways; conferring certain powers upon the Department of Highways and local authorities, persons, associations and corporations for sharing the cost of the maintenance and construction of such highways; and making an appropriation to carry out the provisions of said act."

with the information that the House has passed the same without amendments.

HOUSE CONCURS IN SENATE BILL No. 1019

He also returned to the Senate, Senate Bill No. 1019, entitled:

An Act authorizing the Department of Property and Supplies, with the approval of the Governor and the Board of Trustees of Pennsylvania Soldiers' Orphan School to acquire a certain tract of land for the use of said school and making an appropriation therefor.

with the information that the House has passed the same without amendments.

HOUSE CONCURS IN SENATE BILL No. 1095

He also returned to the Senate, Senate Bill No. 1095, entitled:

An Act to further amend paragraph nineteen of section one thousand two hundred and ten of the act approved the eighteenth day of May one thousand nine hundred and eleven (P. L. 309), entitled "An act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith" providing for minimum salary and increments of part-time teachers of children of exceptional physical or mental condition unable to attend regular public school and for payments by the Commonwealth on account thereof.

with the information that the House has passed the same without amendments.

HOUSE CONCURS IN SENATE BILL No. 1186

He also returned to the Senate, Senate Bill No. 1186, entitled:

An Act authorizing the Department of Military Affairs of the Commonwealth of Pennsylvania to arrange for the design and permanent display in the County of Philadelphia of a plaque or monument in memory of the Honorable Theodore Rosen and making an appropriation.

with the information that the House has passed the same without amendments.

HOUSE CONCURS IN SENATE BILL No. 1256

He also returned to the Senate, Senate Bill No. 1256, entitled:

An Act authorizing the Department of Property and Supplies with the approval of the Governor to sell and convey certain plots of land.

with the information that the House has passed the same without amendments.

SENATE BILL No. 1, (HOUSE BILL No. 1209), RETURNED WITH AMENDMENTS

He also returned to the Senate, Senate Bill No. 1, entitled:

An Act providing that when inmates of an orphans' home or other children's institution or private home are maintained at the cost of any county, and attend public school and are not legal residents of and collect the same from the school district liable therefor.

with the information that the House has passed the same with amendments, in which the concurrence of the Senate is requested.

Mr. EALY. Mr. President, I move that Rule 21, which requires amended bills to be noted on the calendar, be in this case dispensed with, and that the Senate proceed to the consideration of the amendments made by the House of Representatives to the foregoing bill.

Mr. TAYLOR. Mr. President, I second the motion.

The motion was agreed to.

SENATE CONCURS IN AMENDMENTS BY THE HOUSE TO SENATE BILL No. 1

Mr. EALY. Mr. President, I move that the Senate concur in the amendments made by the House to Senate Bill No. 1.

Mr. TAYLOR. Mr. President, I second the motion.

On the question,

Will the Senate agree to the motion?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—48

Barr,	Ealy,	Letzler,	Stiefel,
Bartlett,	Edmonds,	Mallery,	Tallman,
Becker,	Farrell,	McCreesh,	Taylor,
Carr,	Frey,	McGinnis,	Thomas,
Cavalcante,	Geltz,	Miller,	Tyler,
Chapman,	Haluska,	Mundy,	Wade,
Coleman,	Heyburn,	Reed,	Walker,
Cox,	Homsher,	Ruth,	Watkins,
Crowe,	James,	Scarlett,	Wilson, H. I.,
Deitrick,	Jaspan,	Shapiro,	Wilson, T. B.,
Dent,	Kephart,	Snowden,	Woodward,
DiSilvestro,	Lanius,	Stevenson,	Ziesenheim,

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk inform the House of Representatives accordingly.

SENATE BILL No. 344 RETURNED WITH AMENDMENTS

He also returned to the Senate, Senate Bill No. 344, entitled:

An Act to amend further section five of the act approved the thirteenth day of June one thousand eight hundred and thirty-six (P. L. 551) entitled "An act relating to roads highways and bridges" as amended by permitting the maximum width of a public road to be two hundred feet when the right of way is acquired by the Federal Government and providing for the cost of relocating public service lines.

with the information that the House has passed the same with amendments, in which the concurrence of the Senate is requested.

Mr. EALY. Mr. President, I move that Rule 21, which requires amended bills to be noted on the calendar, be in this case dispensed with, and that the Senate proceed to the consideration of the amendments made by the House of Representatives to the foregoing bill.

Mr. WADE. Mr. President, I second the motion.

The motion was agreed to.

SENATE CONCURS IN AMENDMENTS BY THE HOUSE TO SENATE BILL No. 344

Mr. EALY. Mr. President, I move that the Senate concur in the amendments made by the House to Senate Bill No. 344.

Mr. WADE. Mr. President, I second the motion.

On the question,

Will the Senate agree to the motion?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—48

Barr,	Ealy,	Letzler,	Stiefel,
Bartlett,	Edmonds,	Mallery,	Tallman,
Becker,	Farrell,	McCreesh,	Taylor,
Carr,	Frey,	McGinnis,	Thomas,
Cavalcante,	Geltz,	Miller,	Tyler,
Chapman,	Haluska,	Mundy,	Wade,
Coleman,	Heyburn,	Reed,	Walker,
Cox,	Homsher,	Ruth,	Watkins,
Crowe,	James,	Scarlett,	Wilson, H. I.,
Deitrick,	Jaspan,	Shapiro,	Wilson, T. B.,
Dent,	Kephart,	Snowden,	Woodward,
DiSilvestro,	Lanius,	Stevenson,	Ziesenheim,

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk inform the House of Representatives accordingly.

SENATE BILL No. 784 RETURNED WITH AMENDMENTS

He also returned to the Senate, Senate Bill No. 784, entitled:

An Act to amend section four hundred three of the act approved the fifteenth day of May, one thousand nine hundred and thirty-three (P. L. 565), entitled "An act

relating to the powers and duties of the Department of Banking and the Secretary of Banking in exercising supervision over, and taking possession of and conducting or liquidating the business and property of, corporations, associations, and persons receiving deposits or otherwise transacting a banking business, corporations acting as fiduciaries, and building and loan associations; providing for the payment of the expenses of the Department of Banking by supervised corporations, associations, or persons, and appropriating the Banking Department Fund; authorizing the Department of Banking, under certain circumstances, to examine corporations, associations, or persons affiliated, or having business transactions with supervised corporations, associations or persons; authorizing appeals to the Supreme Court, and prescribing and limiting the powers and duties of certain other courts and their prothonotaries, registers of wills, recorders of deeds, and certain State departments, commissions, and officers; authorizing certain local public officers and State departments to collect fees for services rendered under this act; providing penalties; and repealing certain acts and parts of acts," further regulating the publication of advertisements and notices required under the provisions of said act.

with the information that the House has passed the same with amendments, in which the concurrence of the Senate is requested.

Mr. EALY. Mr. President, I move that Rule 21, which requires amended bills to be noted on the calendar, be in this case dispensed with, and that the Senate proceed to the consideration of the amendments made by the House of Representatives to the foregoing bill.

Mr. WATKINS. Mr. President, I second the motion.

The motion was agreed to.

SENATE CONCUR IN AMENDMENTS BY THE HOUSE TO SENATE BILL No. 784

Mr. EALY. Mr. President, I move that the Senate concur in the amendments made by the House to Senate Bill No. 784.

Mr. WATKINS. Mr. President, I second the motion.

On the question,

Will the Senate agree to the motion?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—48

Barr,	DiSilvestro,	Lanius,	Stiefel.
Bartlett,	Ealy	Letzler.	Tallman.
Becker.	Edmonds,	Mallery.	Taylor.
Carr	Farrell,	McCreesh,	Thomas.
Cavalcante,	Frey.	McGinnis,	Tyler.
Chapman,	Geltz.	Mundy,	Wade.
Coleman,	Haluska.	Reed,	Walker.
Cox.	Heyburn.	Ruth.	Watkins.
Crider.	Homsher.	Scarlett,	Wilson. H. I.,
Crowe.	James	Shapiro.	Wilson. T B..
Deitrick.	Jaspan,	Snowden.	Woodward.
Dent.	Kephart.	Stevenson.	Ziesenheim.

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk inform the House of Representatives accordingly.

SENATE BILL No. 594 RETURNED WITH AMENDMENTS

He also returned to the Senate, Senate Bill No. 594, entitled:

An Act to amend the act, approved the twenty-fourth day of June, one thousand nine hundred and thirty-seven (P. L. 2051), entitled "An act relating to public assistance; providing for and regulating assistance to certain classes of persons designated and defined as dependent children, aged persons, blind persons and other persons requiring relief; providing for the administration of this act by the Department of Public Assistance and county boards of assistance hereby created for this purpose; authorizing the Department of Public Assistance to cooperate with, and to accept and disburse moneys received from, the United States Government for assistance to such persons; providing for the liquidation of the State Emergency Relief Board, Boards of Trustees of the Mothers' Assistance Fund, and Boards of Trustees of Pension Fund for the Blind; and repealing laws relating to mothers' assistance, pensions for the blind, old age assistance, and the State Emergency Relief Board," as amended, by redefining assistance to include work relief, and authorizing the Department of Public Assistance, with the approval of the Governor, to administer work relief projects.

with the information that the House has passed the same with amendments, in which the concurrence of the Senate is requested.

Mr. EALY. Mr. President, I move that Rule 21, which requires amended bills to be noted on the calendar, be in this case dispensed with, and that the Senate proceed to the consideration of the amendments made by the House of Representatives to the foregoing bill.

Mr. THOMAS. Mr. President, I second the motion.

The motion was agreed to.

SENATE NON-CONCUR IN AMENDMENTS BY THE HOUSE TO SENATE BILL No. 594

Mr. EALY. Mr. President, I move that the Senate non-concur in the amendments made by the House to Senate Bill No. 594.

Mr. THOMAS. Mr. President, I second the motion.

On the question,

Will the Senate agree to the motion?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—48

Barr,	Ealy,	Letzler,	Stiefel.
Bartlett.	Edmonds,	Mallery.	Tallman
Becker	Farrell,	McCreesh,	Taylor.
Carr	Frey	McGinnis,	Thomas,
Cavalcante,	Geltz,	Miller.	Tyler,
Chapman,	Haluska,	Mundy,	Wade,
Coleman,	Heyburn,	Reed,	Walker.
Cox.	Homsher,	Ruth,	Watkins,
Crowe.	James.	Scarlett,	Wilson, H. I.,
Deitrick.	Jaspan.	Shapiro.	Wilson, T. B.,
Dent	Kephart,	Snowden,	Woodward,
DiSilvestro,	Lanius,	Stevenson,	Ziesenheim,

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk inform the House of Representatives accordingly.

SENATE BILL No. 1308 RETURNED WITH AMENDMENTS

He also returned to the Senate Bill No. 1308, entitled:

An Act to further amend the first paragraph of section three of the act, approved the twenty-second day of May, one thousand nine hundred thirty-three (P. L. 912), entitled "An act to protect the public health; de-

fining and providing for the licensing of bakeries, and regulating the inspection, maintenance, and operation of bakeries and premises, stores and shops connected therewith; defining and regulating the manufacture, sale, and offering for sale of bakery products; conferring powers on the Department of Agriculture; and providing penalties," by extending the exception from registration and licensing requirements.

with the information that the House has passed the same with amendments, in which the concurrence of the Senate is requested.

Mr. EALY. Mr. President, I move that Rule 21, which requires amended bills to be noted on the calendar, be in this case dispensed with, and that the Senate proceed to the consideration of the amendments made by the House of Representatives to the foregoing bill.

Mr. WALKER. Mr. President, I second the motion.

The motion was agreed to.

SENATE NON-CONCURS IN AMENDMENTS MADE BY THE HOUSE TO SENATE BILL No. 1308

Mr. EALY. Mr. President, I move that the Senate non-concur in the amendments made by the House to Senate Bill No. 1308.

Mr. WALKER. Mr. President, I second the motion.

On the question,

Will the Senate agree to the motion?

Mr. SHAPIRO. Mr. President, I do not believe the members of the Senate can vote intelligently on this bill without someone telling us what the bill does, and what is proposed by the amendments, so I request that someone give us an idea as to the meaning of the amendments.

Mr. REED. That is a point I was seeking information on Mr. President.

Mr. EALY. This is a bill, Mr. President, introduced at the behest of the Department of Agriculture to provide a regulation which was made necessary by a decision of Judge Sofel of the Allegheny County Court. The House has placed a considerable number of amendments in this, I am told, which are objectionable to most everybody, and that is the reason we are asking that the Senate non-concur in these amendments, so that the bill can go to a conference committee.

I should have made this explanation before, Mr. President.

And the question recurring,

Will the Senate agree to the motion?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—48

Barr,	Ealy,	Letzler,	Stiefel,
Bartlett,	Edmonds,	Mallery	Tallman,
Becker,	Farrell,	McCreesh,	Taylor,
Carr,	Frey,	McGinnis,	Thomas,
Cavalcante,	Geltz,	Miller,	Tyler,
Chapman,	Haluska,	Mundy,	Wade,
Coleman,	Heyburn,	Reed,	Walker,
Cox,	Homsher,	Ruth,	Watkins,
Crowe,	James,	Scarlett,	Wilson, H. I.,
Deitrich,	Jaspan,	Shapiro,	Wilson, T. B.,
Dent,	Kephart,	Snowden,	Woodward,
DiSilvestro,	Lanius,	Stevenson,	Ziesenheim,

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk inform the House of Representatives accordingly.

HOUSE BILL No. 943, (SENATE BILL No. 923), CALLED UP FROM TABLE

Mr. EALY. Mr. President, I now call up House Bill No. 943, (Senate Bill No. 923), from the table.

Mr. ZIESENHEIM. Mr. President, I second the motion.

The motion was agreed to.

SENATE INSISTS UPON ITS AMENDMENTS NON-CONCURRED IN BY THE HOUSE TO HOUSE BILL No. 943

Mr. EALY. Mr. President, I move that the Senate insists upon its amendments non-concurred in by the House to House Bill No. 943, entitled:

An Act to reenact and amend section 441 of the act approved the second day of May, one thousand nine hundred twenty-nine (P. L. 1278) entitled "General County Law" by authorizing boards of county commissioners to appropriate county moneys for the support of charitable hospitals.

Mr. ZIESENHEIM. Mr. President, I second the motion.

On the question,

Will the Senate agree to the motion?

Mr. EALY. Mr. President, this is a bill which permitted the appropriations of county monies for the support of local hospitals. When it came over to the Senate the Senate inserted counties of the second class, so that this bill applied alike to all counties of the state. The House refused to concur in those amendments. I am asking that the Senate insist on its amendments so that this bill applies to all counties of the State.

On the question,

Will the Senate agree to the motion?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—48

Barr,	DiSilvestro,	Lanius,	Stiefel,
Bartlett,	Ealy,	Letzler,	Tallman,
Becker,	Edmonds,	Mallery,	Taylor,
Carr,	Farrell,	McCreesh,	Thomas,
Cavalcante,	Frey,	McGinnis,	Tyler,
Chapman,	Geltz,	Mundy,	Wade,
Coleman,	Haluska,	Reed,	Walker,
Cox,	Heyburn,	Ruth,	Watkins,
Crider,	Homsher,	Scarlett,	Wilson, H. I.,
Crowe,	James,	Shapiro,	Wilson, T. B.,
Deitrick,	Jaspan,	Snowden,	Woodward,
Dent,	Kephart,	Stevenson,	Ziesenheim,

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk inform the House of Representatives accordingly.

REPORTS FROM COMMITTEES

Mr. STIEFEL. Mr. President, I ask unanimous consent to make report from committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. STIEFEL, from the Committee on Appropriations re-reported as committed, Senate Bill No. 1159, (House Bill No. 1570), entitled:

An Act authorizing the Department of Property and Supplies to have a certain number of copies printed of the Report of the Joint State Government Commission on the Organization and Administration of Pennsylvania's State Government; providing for the distribution and sale of such copies; imposing new duties on the Joint State Government Commission; and making an appropriation.

Mr. ZIESENHEIM. Mr. President, I ask unanimous consent to make report from committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. ZEISENHEIM, from the Committee on Forests and Waters, Game and Fish, reported as committed, Senate Bill No. 1344, (House Bill No. 1955), entitled:

An Act to amend section two hundred and fifty-four of the act approved the second day of May one thousand nine hundred and twenty-five (P. L. 448) entitled "An act relating to fish and amending consolidating and changing the law relating to fish in the inland waters and the boundary lakes and boundary rivers of the Commonwealth" limiting the right of certain lessees or holders of certain rights in property for fishing purposes to exclude the general public from fishing from such property.

BILLS SIGNED

The PRESIDENT (Lieutenant-Governor Samuel S. Lewis) announced that the Chief Clerk having reported that the following bills had passed both houses of the General Assembly and the same being correct, the titles were publicly read as follows

House Bill No. 426, entitled:

An Act making an appropriation to the Pennsylvania Historical Commission, to cover the expenses of restoring and maintaining the Daniel Boone Homestead.

House Bill No. 1282, entitled:

An Act providing that taxes on unseated lands shall be collected and returned in the same manner and at the same time as taxes on seated lands.

House Bill No. 1323, entitled:

An Act authorizing the Department of Property and Supplies, with the consent of the Department of Military Affairs and the approval of the Governor, to sell and convey the property of the Pennsylvania State Arsenal at Harrisburg to the City of Harrisburg, in excxhange for the conveyance by said city of Wildwood Park to the Commonwealth, for the use of the Pennsylvania Game Commission in maintaining a wild life sanctuary.

House Bill No. 1397, entitled:

An Act to amend the act approved the fifth day of May, one thousand nine hundred thirty-three (P. L. 457), entitled "Building and Loan Code," as amended, by requiring certificates of the payment of taxes and other charges to be filed with the Department of State in certain cases.

House Bill No. 1399, entitled:

An Act to amend the act, approved the fifteenth day of May, one thousand nine hundred thirty-three (P. L. 624) entitled "Banking Code," as amended by requiring certificates of the payment of taxes and other charges to be filed with the Department of State in certain cases.

House Bill No. 1652, entitled:

An Act to further amend sections eight and eleven of the act, approved the fifteenth day of May, one thousand nine hundred and thirty-three (P. L. 553), entitled "Uniform Automobile Liability Security Act," by giving the secretary discretionary power, under certain circumstances to suspend operators' licenses; and providing for notice and hearing before suspension of licenses and registrations.

House Bill No. 1676, entitled:

An Act to further amend the act, approved the second day of May. one thousand nine hundred and twenty-nine (P. L. 1518), entitled, as amended, "Elevator Regulation Law," by defining and making further provision relative to the installation and use of "man lift" elevators.

House Bill No. 1857, entitled:

An Act making an appropriation to the Department of Revenue for the payment of claims against the Commonwealth arising from damage by fire caused by defective wires used for operating airplane beacons.

Whereupon,

The PRESIDENT (Lieutenant-Governor Samuel S. Lewis) in the presence of the Senate signed the same.

HOUSE MESSAGE

SENATE BILL No. 653 RETURNED WITH AMENDMENTS

The Clerk of the House of Representatives being introduced, returned to the Senate, Senate Bill No. 513, entitled:

An Act regulating and improving the civil service of certain departments and agencies of the Commonwealth vesting in the State Civil Service Commission and a Personnel Director certain powers and duties providing for classification of positions, adoptions of compensation schedules and certification of payrolls imposing duties upon certain officers and employes of the Commonwealth, authorizing service to political sub-divisions of the Commonwealth in matters relating to civil service, defining certain crimes and misdemeanors imposing penalties and making an appropriation and repealing certain acts and parts thereof.

with the information that the House has passed the same with amendments, in which the concurrence of the Senate is requested.

Mr. EALY. Mr. President, I move that Rule 21, which requires amended bills to be noted on the calendar, be in this case dispensed with, and that the Senate proceed to the consideration of the amendments made by the House of Representatives to the foregoing bill.

Mr. TALLMAN. Mr. President, I second the motion.

The motion was agreed to.

Mr. EALY. Mr. President, Senate Bill No. 653 and its companion bill, Senate Bill No. 654, are the civic service bills, of which Senator Tallman is sponsor

The House has placed amendments in these bills.

SENATE NON-CONCURS IN AMENDMENTS BY THE HOUSE TO SENATE BILL No. 653

Mr. EALY. Mr. President, I move that the Senate non-concur in the amendments made by the House of Senate Bill No. 653.

Mr. TALLMAN. Mr. President, I second the motion.

On the question,

Will the Senate agree to the motion?

The yeas and nays were taken agreeably to the provision of the Constitution, and were as follows, viz:

YEAS—47

Barr,	Ealy,	Letzler,	Tallman,
Bartlett,	Edmonds,	Mallery,	Taylor,
Becker,	Farrell,	McCreesh,	Thomas,
Carr,	Frey,	McGinnis,	Tyler,
Cavalcante,	Geltz,	Miller,	Wade,
Chapman,	Haluska,	Reed,	Walker,
Coleman,	Heyburn,	Ruth,	Watkins,
Cox,	Homsher,	Scarlett,	Wilson, H. I.,
Crowe,	James,	Shapiro,	Wilson, T. B.,
Deitrick,	Jaspan,	Snowden,	Woodward,
Dent,	Kephart,	Stevenson,	Ziesenheim,
DiSilvestro,	Lanius,	Stiefel,	

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk inform the House of Representatives accordingly.

SENATE BILL No. 654 RETURNED WITH AMENDMENTS

He also returned to the Senate, Senate Bill No. 654, entitled:

An Act to amend sections two hundred two and four hundred fifty-two of the act, approved the ninth day of April one thousand nine hundred and twenty-nine (P. L. 177), entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments, boards, commissions and officers thereof, including the boards of trustees of State Normal Schools or Teachers Colleges, abolishing, creating, reorganizing or authorizing the reorganization of certain administrative departments, boards and commissions, defining the powers and duties of the Governor and other executive and administrative officers and of the several administrative departments, boards, commissions and officers fixing the salaries of the Governor, Lieutenant-Governor and certain other executive and administrative officers, providing for the appointment of certain administrative officers and of all deputies and other assistants and employes in certain departments, boards and commissions and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments, boards and commissions shall be determined," as amended, in order to establish the State Civil Service Commission as a departmental administrative commission in the Executive Department.

with the information that the House has passed the same with amendments, in which the concurrence of the Senate is requested.

Mr. EALY. Mr. President, I move that Rule 21, which requires amended bills to be noted on the calendar, be in this case dispensed with, and that the Senate proceed to the consideration of the amendments made by the House of Representatives to the foregoing bill.

Mr. TALLMAN. Mr. President, I second the motion.

The motion was agreed to.

MOTION THAT SENATE NON-CONCUR IN THE AMENDMENTS MADE BY THE HOUSE TO SENATE BILL No. 654

Mr. EALY. Mr. President, I move that the Senate non-concur in the amendments made by the House of Senate Bill No. 654.

Mr. TALLMAN. Mr. President, I second the motion.

On the question,

Will the Senate agree to the motion?

The yeas and nays were taken agreeably to the provision of the Constitution, and were as follows, viz:

YEAS—48

Barr,	Ealy,	Letzler,	Stiefel,
Bartlett,	Edmonds,	Mallery,	Tallman,
Becker,	Farrell,	McCreesh,	Taylor,
Carr,	Frey,	McGinnis,	Thomas,
Cavalcante,	Geltz,	Miller,	Tyler,
Chapman,	Haluska,	Mundy,	Wade,
Coleman,	Heyburn,	Reed,	Walker,
Cox,	Homsher,	Ruth,	Watkins,
Crowe,	James,	Scarlett,	Wilson, H. I.,
Deitrick,	Jaspan,	Shapiro,	Wilson, T. B.,
Dent,	Kephart,	Snowden,	Woodward,
DiSilvestro,	Lanius,	Stevenson,	Ziesenheim,

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk inform the House of Representatives accordingly.

BILL ON CONCURRENCE IN HOUSE AMENDMENTS RECALLED FROM THE GOVERNOR

Agreeably to order,

The Senate resumed the consideration of Senate Bill No. 790, (House Bill No. 90), entitled:

An Act providing that whenever the term "Veterans of the Spanish-American War," or the term "Spanish-American War Veterans" occurs or is referred to in any existing law, such term or reference shall be deemed to refer to and include the United Spanish War Veterans, Inc.

And the amendments made thereto having been printed as required by the Constitution.

On the question,

Will the Senate concur in the same?

The yeas and nays were taken agreeably to the provision of the Constitution, and were as follows, viz:

YEAS—48

Barr,	DiSilvestro,	Lanius,	Stevenson,
Bartlett,	Ealy,	Letzler,	Stiefel,
Becker,	Edmonds,	Mallery,	Tallman,
Carr,	Farrell,	McCreesh,	Taylor,
Cavalcante,	Frey,	McGinnis,	Thomas,
Chapman,	Geltz,	Miller,	Tyler,
Coleman,	Haluska,	Mundy,	Wade,
Cox,	Heyburn,	Reed,	Walker,
Crider,	Homsher,	Ruth,	Watkins,
Crowe,	James,	Scarlett,	Wilson, H. I.,
Deitrick,	Jaspan,	Shapiro,	Woodward,
Dent,	Kephart,	Snowden,	Ziesenheim,

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk inform the House of Representatives accordingly.

BILL ON CONCURRENCE IN HOUSE AMENDMENTS RECALLED FROM THE GOVERNOR

Agreeably to order,

The Senate resumed the consideration of Senate Bill No. 904, (House Bill No. 1543), entitled:

An Act providing a method for supplying perfecting and recording birth records of certain persons whose births have not heretofore been made a public record or whose record of birth is incomplete or incorrect making

such records competent legal evidence prescribing fees and imposing certain duties upon the orphans' court and the Bureau of Vital Statistics of the Department of Health authorizing the orphans' court to appoint masters for the determination of certain questions and requiring counties to pay the compensation of such masters.

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Will the Senate concur in the same?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—48

Barr,	DiSilvestro,	Lanius,	Stevenson,
Bartlett,	Ealy,	Letzler,	Stiefel,
Becker,	Edmonds,	Mallery,	Tallman,
Carr,	Farrell,	McCreesh,	Taylor,
Cavalcante,	Frey,	McGinnis,	Thomas,
Chapman,	Geltz,	Miller,	Tyler,
Coleman,	Haluska,	Mundy,	Wade,
Cox,	Heyburn,	Reed,	Walker,
Crider,	Homsher,	Ruth,	Watkins,
Crowe,	James,	Scarlett,	Wilson, H. I.,
Deitrick,	Jaspan,	Shapiro,	Woodward,
Dent,	Kephart,	Snowden,	Ziesenheim,

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk inform the House of Representatives accordingly.

BILLS ON FINAL PASSAGE

Agreeably to order,

The Senate resumed the third reading and consideration of Senate Bill No. 835, (House Bill No. 1435), entitled:

An Act to authorize housing authorities to undertake the development or administration of projects to provide safe and sanitary dwellings for persons engaged in national defense activities who would not otherwise be able to secure such dwellings within the vicinity thereof; to limit the initiation of the development of such projects until December 31, 1943; to authorize housing authorities to cooperate with or act as agent of the Federal Government in the development and administration of such projects of the Federal Government, to acquire or lease such projects and to sell or lease certain projects to the Federal Government; to authorize public bodies to assist such projects of housing authorities and of the Federal Government; and housing authorities and of the Federal Government and to provide safe and sanitary dwellings for persons engaged in national-defense activities.

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—48

Barr,	Ealy,	Letzler,	Stiefel,
Bartlett,	Edmonds,	Mallery,	Tallman,
Becker,	Farrell,	McCreesh,	Taylor,
Carr,	Frey,	McGinnis,	Thomas,
Cavalcante,	Geltz,	Miller,	Tyler,
Chapman,	Haluska,	Mundy,	Wade,
Coleman,	Heyburn,	Reed,	Walker,
Cox,	Homsher,	Ruth,	Watkins,
Crowe,	James,	Scarlett,	Wilson, H. I.,
Deitrick,	Jaspan,	Shapiro,	Wilson, T. B.,
Dent,	Kephart,	Snowden,	Woodward,
DiSilvestro,	Lanius,	Stevenson,	Ziesenheim,

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same with amendment in which the concurrence of the House is requested.

Agreeably to order,

The Senate resumed the third reading and consideration of Senate Bill No. 937, (House Bill No. 11), entitled:

An Act to create a uniform and exclusive system for the administration of parole in this Commonwealth; establishing the "Pennsylvania Board of Parole"; conferring and defining its jurisdiction, duties, powers and functions, including the supervision of persons placed upon probation in certain designated cases; providing for the method of appointment of its members; regulating the appointment, removal and discharge of its officers, clerks and employees; dividing the Commonwealth into administrative districts for purposes of parole; fixing the salaries of members of the board and of certain other officers and employees thereof; making violations of certain provisions of this act misdemeanors; providing penalties therefor and for other cognate purposes; and making an appropriation.

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

Mr. JASPAN. Mr. President, since time immemorial the question of crime and punishment has come to the front. To solve the question properly and scientifically, in view of the human equation, is almost as difficult as attempting to cure cancer and tuberculosis and other malignant diseases. The best that can be hoped for is a solution that will tend to benefit society in some measure. Again and again it has been attempted with little or no success. In my mind, crime is a synthesis of social, biological, and economic factors.

Psychologists, criminologists, psychiatrists, lawyers, doctors, judges, and so forth have attempted to delve into the problem with limited success. We realize it is very difficult to analyze the workings of the mind. However, society must continue its work with a view to reducing crime to a minimum. This bill in my mind does not help the solution to any extent. If by chance there was closer cooperation between the police officials and the citizens, better training in the home and at school, less sensationalism by the newspapers, radio and movies, then again assuming that the crime is committed and the criminal paid his penalty, if society considered the released prisoner as an ordinary citizen and gave him the same opportunity as any other citizen, particularly with respect to employment, probably we could avoid repitions of crime by the same person. Generally speaking, the State government and city refuses to employ released convicts although they have already paid their debt to society. What then can be expected of private employers?

Consequently, the individual unable to find work, returns to his career of crime for existence. Yes, it may be true that in some instances men are hardened criminals and refuse to work under any circumstances. That is another problem that neither any Board nor any Doctor can cope with. Education is required and plenty of it.

Mr. President, I am not attempting to philosophize or deliver a sermon on crime and punishment. The fact is the problem does not admit of an easy solution. The question has been debated pro and con for many years. I repeat, so far as House Bill No. 11 is concerned, it does not help the situation in any large measure.

Outside of the additional political patronage it affords, the creation of a parole board is a mere substitution of Tweedledum for Tweedledee. While it sounds impressive, upon reading it, it offers nothing that is an improvement on the prevailing system. If anything, it adopts its vices without taking over its virtues. Under the present practice, the Judge tries, sentences and if it comes within his jurisdiction, paroles the prisoner. He knows the prisoner's faults, weaknesses and strong points, if any. He studies the prisoner thoroughly throughout the trial and form conclusions based on actual observation as well as prepared information submitted to him. The proposed Board would have to reply solely on second-hand information—its decision would be based on facts, cold, naked and fatal as a sword. The only advantage it might enjoy, if it could be called such, is the use of a staff of investigators. But if the state feels generous enough at a time when it is clamoring for more and more economy, to spend money for investigators, why not employ them to aid the Judges in performing their duties?

You notice, I have stressed the Judge's power over paroles, setting aside for a moment the question of penitentiary prisoners. The reason I do this, as I shall reveal later, is that the penitentiary problem is simplified by the handling of parole matters almost wholly from within the penitentiary. The judge, on the other hand, must await the filing of the proceedings in court and then refer to his own knowledge and that supplied mainly by parties representing the prisoner before he arrives at a decision. Because the judge occasionally errs, the whole system is condemned.

A Board, at best, is unwieldy and uncertain. It is best when dealing with scientifically ascertained facts. A prisoner is not a scientific nor a laboratory fact. He is a sociological problem—a human kaleidoscope of emotions. No one layman can supersede the judge for as reasonable a judgment as the circumstances warrant—nor can a group of laymen, under whatever designation they may function, do any better.

Let us look now to the way the prevailing system works:

The Governor has the power, on the recommendation of the Lieutenant-Governor, the Secretary of the Commonwealth, Attorney General, and Secretary of Internal Affairs, but not otherwise, to parole prisoners confined in the penitentiary on an indeterminate sentence who have served the minimum period.

When the minimum sentence of a prisoner who is confined in the penitentiary will expire within three months, it is the duty of the Board of Trustees to give him an opportunity of appearing before the Board to apply for his release on parole. If it appears to the Board that there is reasonable probability that the applicant will live and remain at liberty without violating the law, then the Board makes a report of the application to the Governor and recommends that the applicant be released on parole until the expiration of the maximum limit of the sentence imposed on him. If the conclusions of the Board are adverse to the application, it reports its reasons to the Governor.

The paroled prisoner is under the charge or supervision of a parole officer appointed by the Board of Trustees.

A convict who violates the terms of his parole is subject to arrest and recommitment as provided by the statute.

A convict who is convicted of an offense punishable by imprisonment during the period of his parole has the period for which he was paroled added to the sentence for the last offense.

If during the parole, it appears to the Board that there is a reasonable probability that the convict will live and remain at liberty without violating the law, and that it will be to his advantage to be released from the terms of his parole, then, on his application, it is the duty of the Board to recommend to the Governor that he be pardoned absolutely.

The criminal courts of record have the power to release on parole any convict confined in the county prison or House of Correction, whether committed by a court of record or by a magistrate.

This power was originally exercised by the judges, exparte and without publicity. Alleged abuse of power as well as the ex parte method of its exercise caused much public criticism. The Act of May 11, 1923, (P. L. 204) diverts the power from the judges of the courts to the courts themselves, and provides for a judicial hearing of the application, after notice to the District Attorney. Notice must also be given to the private prosecutor, if there is one, and he is a resident of the country. The paroled prisoner is placed in charge of a designated probation officer. It is within the power of the court to recommit for cause shown by the probation officer.

House Bill No. 11 gives the proposed Board the exclusive power at any time after sentence (even on its own motion) after notice to the District Attorney of the proper county to parole and reparole, commit and recommit or discharge from parole all persons heretofore or hereafter sentenced by any Court in this Commonwealth to any state or county penal institution for a year or more, except prisoners condemned to death or serving life imprisonment, or certain juveniles. It also excepts prisoners committed by magistrates or justices of the peace in default of fine or bail. The Board may even ask the court to resentence the prisoner if it considers the minimum term too stiff. The court, however, in this case has the final say. The courts are allowed to retain their parole powers over sentences of less than one year and to place certain prisoners on probation.

The Board may entertain a sentencing judge's recommendation in cases coming to court but they may likewise disregard it.

So much for the human equation. There is a more important reason why this bill is unworkable and that is that it impinges on the Constitutional authority of the Governor. As I pointed out to you, in penitentiary cases, the Governor paroles prisoners on recommendation of the Board of Pardons. This is based on the provisions of the State Constitution which reads.

(Article 4, Section 9 of the State Constitution), The Governor

"shall have power to remit fines and forfeitures, to grant reprieves, commutations of sentence and pardons, except in cases of impeachement; but no pardon shall be granted, nor sentence commuted, except upon the recommendation in writing of the Lieutenant-Governor, Secretary of the Commonwealth, Attorney General and Secretary of Internal Affairs, or any three of them, after full hearing, upon due public notice, and in open session, and such recommendation, with the reasons therefor at length, shall be recorded and filed in the office of the Secretary of the Commonwealth."

The Constitutionality of Acts, enacted pursuant to that Constitutional power has been sustained.

Commonwealth vs. McKenty 52 Pa. Superior Court 332
Commonwealth vs. Kalck 239 Pa. 533.

These cases are based on the assumption that the commutation or Parole Act includes all the constitutional requirements of granting pardons. In this connection it is well to read the opinion of the Attorney-General in 10 District, Report 361.

It may be said that in view of an amendment inserted yesterday, the Board of Pardons has not been eliminated. A few words were inserted there, I believe, on page 15, line 28, "or by the Pardon Board in a sentence which has been reduced by commutation." In other words the Parole Board under this bill would have jurisdiction in all cases in a sentence which has been reduced by commutation. The fact is, under this amendment, the new Parole Board has only limited authority over penitentiary prisoners and absolutely no authority over prisoners in other jails. In short, there will be thousands of prisoners over which the new Parole Board will have very little control.

My experience has been that there are isolated cases, in which prisoners have broken their parole but you can not control their conduct at all times. I say, and say very emphatically, that our present system is an excellent one. The Parole Board in Harrisburg has been doing excellent work with respect to prison reform and rehabilitation. They have been fair, honest and impartial and at all times attempt to find employment for released convicts or parolees. If anything, we should appropriate more money to these very departments that are operating today and permit them to extend their work to cover every phase of crime and punishment.

Judges have been doing excellent work in this field. Yes, mistakes will be made. We can expect it. But they are being reduced to a minimum. I find no fault with our judicial system.

I am very much afraid of new Boards. My experience has been that after having sat for sometime, these so-called boards are seldom considerate, they become cold and calloused, indifferent and void of sympathy and feeling. Any man or woman doing any work of a social nature, having performed that work for any length of time, loses all perspective as to the human emotions. We have heard it on this floor again and again and I personally have experienced it. Further, the appropriation therefore of $400,000 is but a drop in the bucket and will hardly suffice for the work contemplated under this bill. If anything, it will run above a million dollars, not four hundred thousand or five hundred thousand, but at least one million dollars.

Again I repeat, I am satisfied with the present system. The most important thing is not to forget that we are humans and as such are dealing with humans who probably have not had the advantages that we have and being unfortunate should be given opportunities to make good. I do not believe in molly-coddling hardened criminals.

I do not believe in molly-coddling hardened criminals, but let us advocate a policy of reformation and rehabilitation in its broadest sense. True parole consists not only in releasing the prisoner and observing him but in making him a useful citizen. In short bring about reformation and rehabilitation. Is there one word in the bill, Mr. President, that might tend to help a prisoner upon his release? Not one word, nary a word, Mr. President. Of course not. Are we to throw these men on society, branded as criminals and deny them positions? That has been the practive for many years, excepting for a few far sighted parole boards, particularly the parole officers connected with the Department of Justice. Frankly I feel this is the work of theorists and not practical men. If I may quote from "Hamlet": "Mercy seasons justice" but under this bill justice is a cold abstract without the semblance of mercy. In no sense does it deal with reformation or rehabilitation.

Mr. President, this bill I find has no saving clause. It does not repeal all other acts inconsistent therewith, therefore if any clause or provision is unconstitutional,, it destroys the entire bill.

Mr. President, this bill in my mind is too radical a departure. Changes in laws and systems should be slow and gradual and above all, constructive. This bill in my mind is not a constructive bill and is not a step in the right direction.

Mr. REED. Mr. President, I want to say a few words concerning this bill because, I too, believe that it is a very important bill to be considered at this time. This bill, No. 11, attempts to set up another agency for extending leniency to persons sentenced for the commission of crime. I do not believe it will improve the present system.

This bill provides for the creation of a Pennsylvania Board of Parole. That Board of Parole under this bill will consist of five members and, mark you Mr. President, and members of this Senate, each one of the members on that board is to receive a salary of ten thousand dollars a year and the Chairman is to receive five hundred dollars additional for being Chairman. To those who are interested in governmental economy I want to direct a few remarks to them particularly, because the gentleman from Montgomery, Senator Edmonds, on the other side, has for some time been preaching governmental economy and likewise, the gentleman from Somerset, Senator Ealy, has been preaching economy during the last days of this session, and to them, particularly I wish to direct a few remarks growing out of the provisions of this bill.

This bill, in addition to setting up a Board of five high paid members, also provides for the division of the state into ten districts and from those districts and under the direction of this board will be another director who shall receive a salary of $7,500 a year in addition to his expenses necessarily incurred.

Each one of those ten districts will have an organization also and no one can determine from reading this bill how

many employes are going to be named under its provisions. I agree with the gentleman from Philadelphia, Mr. Jaspan, that this bill will greatly increase the expenses necessary for operating the parole system in Pennsylvania. This is another agency, and as Judge Hargest said at the Bar Association meeting this year, one of the dangers in this country today is the setting up of numerous commissions and numerous agencies to handle work that can be handled in another manner.

This bill, Mr. President, does not do away with the power of the judges in the several counties relating to parole. That power is still retained in the judges and you will have in each county, as we have today, a parole officer and you will have a judge in each county who will have the power to parole, and then under the Constitution of the State, the Governor still retains his power. You can not abrogate his power unless you change the Constitution.

Therefore, Mr. President, you will have three agencies if this bill is passed, you will have an agency in each county as it exists today, you will have the Governor under his constitutional powers operating within the scope of the Constitution, if he desires to wield that power in accordance with the provisions of the Constitution, and then you will have this cumbersome board operating under this proposed bill. If that is not placing an extra burden on the people of Pennsylvania I do not know anything about the law as it is outlined in this proposed bill.

If we want to help reduce crime, Mr. President, I say that we ought to start at the other end; I say that we ought to start education along disciplinary lines, because it is astounding, as many writers have so many times said in recent years, the growth of crime in this country and this state. Today, what we need is education at the other end, to teach our young people that they should not commit crime, and not to set up another system to pat the criminal on the back and try in that manner to reduce the number of crimes.

I think this bill should be defeated, first, because it will not accomplish what it proposes to accomplish, and secondly, it will add a great and an additional financial burden on the people of Pennsylvania.

Mr. WOODWARD. Mr. President, speaking of crime, I would like to recall your attention to exhibit A in the House of Representatives. In that House representative government has died and they have now set up an aligarchy and this aligarchy is called the Steering Committee and on this board of five we have the Speaker of the House, ex-officio, who might be called Elmer, the sauve speaker, we have his understudy Leo, the lion, we have Tony the Tailor who cuts up our bills, we have Al. Readinger, a lawyer learned in the law, and we have Melchiorre, who is one of the three wise men that came out of the east. These are the big five, the secret police, the Gestapo. When they meet, you can always see flowers on the table, orchids, roses and especially forget-me-nots. The forget-me-nots are for Messrs. Guffey, Kelly and David Lawrence.

> You may shatter the vase
> You may break if you will
> But the scent of forget-me-nots
> Clings to it still.

I will have to look at my notes now—The still small voice is in the room you may remember that Isaac the patriarch wished to place Esau; the mother was obliged to practice deceit, and Isaac said "The voice is Jacob's voice but the hair is Esau's." You might not get it but Esau is the Gestapo.

Our bills have been sabotaged in the House by the aligarchy and to them I have composed this little verse of poetry.

> "Stranger pause and drop a tear
> For little Bill lies buried here
> Mangled in some mysterious manner
> By Joseph, Jack and David's hammer."

Mr. DiSILVESTRO. Mr. President, I am surprised at the attitude of my colleague from Philadelphia. This is a very important problem. This piece of legislation affects thousands and thousands and my colleague from Philadelphia is making light of a very important problem. Probably that is because he is not affected, as thousands of people have been affected.

Mr. DENT. Mr. President, I do not intend to talk long on this bill because I am not an attorney and it seems on this particular question perhaps the attorneys are better learned. However, I just want to say that one of the fears that I have in the enactment of this bill, is that such eminent gentlemen, for instance, like Senator Woodward, a very fine gentleman, a learned scholar and a man whose wit is surpassed by none, might be appointed to the board, and might take it as a big joke.

I want to say, Mr. President, when present and past pardon boards have been composed of men of caliber such as the Lieutenant-Governor of this state, our present Lieutenant-Governor—I have heard no criticism outside of an isolated case where mistaken judgment on the part of the entire board has perhaps let a man loose who should not have been let loose, and perhaps that would have happened under any set of circumstances.

All we do by this bill, Mr. President, is to set up another bureau at an enormous expense and I am surprised to find Republicans supporting it because in the early days, I heard you talk about the New Deal bureaus and bureaus of all kinds.

I want to say, Mr. President, the parole system in Pennsylvania can be improved upon but this bill does not do it, and as a practical politician, if you please, I want to say the first thing they would do, if this bill passes, would be to name men by political methods, and that is all it would be; every time a new Governor comes into office he would name five new deserving party followers, and you would have a new board every time a new Governor came in; I want to say to you as a practical politician if I had a person in my county in trouble I would run to the Board and I want to say this, for the present Pardon Board, we have today in Pennsylvania, you can run to them but you will run back just as fast, because from my experience they do not let politics interfere with their decisions.

Mr. COX. Mr. President, I am under a rather difficult handicap, because of the fact that I had not expected there could be any opposition to House Bill No. 11. For that reason I have not had sufficient time to organize my thoughts relative to this matter. I might say, as a matter of introduction, that I have had rather extended ex-

perience in the study of penology. For three years of my life as a volunteer I made a psychological and sociological examination in two of the greatest penal institutions in Pennsylvania, the Western Penitentiary and the branch of the Western Penitentiary at Rockview. From my very very careful lifetime study of the question of penology, I have very definite opinions, and I might add that not only is my experience the result of work in those two penal institutions, but is a direct result of what I have learned during the time I have practiced law.

Mr. President, I might say that the theory of crime in Pennsylvania, at least the theory of penology originally, just as it was in every one of the original colonies of Pennsylvania, came from the Talmud, the book of laws of the Jewish people, the Talmud Lex. Talionis, the gospel of an eye for an eye, a tooth for a tooth and a life for a life was personified.

Originally, in the history of our thirteen colonies, that was the idea. If you were to go back to the history of penology in Pennsylvania you would find that the original penitentiaries in the thirteen states were truly places of grave desperation, and places of great desolation, because in those days they believed if a person committed a crime he should be punished for that crime. I am very happy to see that the theory of penology in the United States has changed radically. Today, we do not believe that because a person commits a crime he should pay for that crime; we believe a person who has committed a crime should be incarcerated only until such time as he has proven that he can go back into society and be a law abiding citizen.

Mr. President, a second aspect of this theory is this, if a person has committed a crime and is punished he will serve as an object to other people who perhaps might commit the same type of crime. A third theory is this, if a person has committed a crime, and during the period of his incarceration has proven he is unable to go back into society and be a law abiding citizen, then we have to keep him there so that he can no longer be a threat to society.

In order to understand the particular problem involved in this bill, it is important to have had practical experience with two theories, the theory of pardon, which is one and which is separate and apart from the theory of parole, which is included in this bill.

As an example of this question of parole I would like to cite the county with which I am most familiar, the county from which I come, the great county of Allegheny. I can say from practical experience we have two particular types of parole in Allegheny County: people who are sentenced to the Western Penitentiary, which is a state institution, are paroled under one particular set of parole officers; people who are sentenced to the county institution, having been convicted of a crime are subject to parole by another set of officials, and I know those in the second set are so limited in numbers that their supervision of parole is confined to office work. In fact, in Allegheny County, among the female parolees, for instance, there is one woman responsible for the supervision of parole of all the female convicts of our county and I know from practical experience how ridiculous a situation that is.

If we are to get any place in this Commonwealth we must not only have a uniform system of pardons, which we now have—and the gentleman from Philadelphia has confused the system with the intent of the present bill—but we also must have a uniform system of parole and that uniform system of parole must cover the entire state.

The redistricting set up of this bill, of course, is done in accordance with the geographical areas of the state. Because of my intense life time interest in this subject I have studied the bill very carefully and I find it to be a fine bill.

In Allegheny County we have been pioneers in both the question of pardon and the question of parole. I can recall a time in the Eastern Penitentiary in Philadelphia and the Western Penitentiary in Pittsburgh, that in each of those institutions there was only one individual who was responsible for the parole of people who were paroled from those institutions, and I know from practical experience that a parole was a misnomer, there was no opportunity for those individuals to properly supervise every parolee. I know of one instance, for example, in which an individual under the terms of his parole was to report to the parole officer every month and he was in the State of California nine months and the parole officer did not know he was there. That could very easily happen because of the fact that the parole officer had such a tremendous number of people to supervise that it was impossible for him to know where anyone of them might be.

This is a very important matter to the Commonwealth of Pennsylvania and I am satisfied if this bill passes and becomes a law that the State of Pennsylvania will still stand in the forefront among all the states of the whole United States of America. It is an excellent bill and it is one which well deserves your consideration.

Mr. THOMAS B. WILSON. Mr. President, I do not propose to talk on the bill. I just want to correct the scripture quoted by Dr. Woodward concerning Esau, because there are others of us who are familiar with scripture. It was the poor old blind father, Isaac, to whom this young man went, and the correct quotation is "the hands are the hands of Esau but the voice is the voice of Jacob."

Mr. SHAPIRO. Mr. President, first of all I want to correct the impression I am sorry our colleague from Philadelphia, Senator DiSilvestro got from the remarks of Senator Woodward. No one in this Senate was more serious and more ardent in working for the development of this bill. As a matter of fact I recall distinctly he was the sponsor of a bill which passed two years ago and sat on the committee with me and several other members of this side late at night and early in the morning hours listening to some of the very judges who today I understand are not so well satisfied with this bill.

I am glad he is still able in these hectic days and nights to be able to maintain his sense of humor and while the remarks were directed at this side of the House, we are able to take it and enjoy it very much, but I am quite sure, knowing Dr. Woodward, he is going to vote for this bill and he is going to vote for the bill for the same reason I am going to vote for it.

I am going to vote for this bill because I have sat and watched judges after conferring with assistant district

attorneys, in criminal courts, give sentences varying from one to five years for an offense, without the slightest knowledge of what was going to happen to their people, what was their previous environment and what was really a just sentence to bring about a correction rather than punishment. All of that is due to the fact that judges have no opportunity and no machinery set up in our courts with which to enable them to reach a fair and a correct conclusion as to length of sentence.

I have spoken to a number of judges, and their greatest desire, from what I can gather, is that they may be relieved from sentencing the prisoners, in which event their work would be much lighter. Those who are sincere know there is no machinery available, and there has not been for twenty years, to enable them to properly dispose of criminal cases that appear before them, and they can not in the larger cities, with the tremendous amount of criminal work occurring in every court room, from the highest to the lowest crimes, it is impossible to have the proper machinery.

What is the situation when a person is sentenced under conditions of that kind? There is a minimum usually and a maximum sentence. If this bill were in proper form, as it should be, even on a minimum sentence the parole board could correct the mistakes resulting from misinformation or the lack of information which the court had.

After all, you can talk about bad criminal law all you want to, but I believe criminal law follows human law, which is an attempt to correct, rebuild and reconstruct, no matter how low the individual may be, and if that is the purpose, it requires time to accomplish the result. You can not sit and hand out sentences when you get on the bench one morning suffering from indigestion, give a sentence of four years and then when you feel better after luncheon that afternoon give a sentence of two years and two months for the same crime, if you are going to do justice.

There was an amendment inserted in this bill last night with which I do not agree and I think it ought to be taken out. It is the amendment taking away from the Parole Board, and I read it over very carefully today and I re-read it again to make sure I was correct in my position. I conclude from that amendment that this Parole Board will no longer have the right to interfere with sentences during the minimum period, and I think that is a tremendous mistake because as I think I said yesterday or the day before—time passes so fast—the worst criminal gets out at the end of his minimum sentence, and the most rehabilitated person or repentant person can not get out until the minimum sentence expires, and there ought to be machinery provided to correct that condition and the Parole Board should have something to say about that sentence from the moment the judge sentences him, for the reason I have already stated.

However, I am sure if this bill is passed, if the members of the House agree with the views I have expressed here with respect to that phase of the bill they will not concur in the amendments and I am sure if a conference committee could have a few hours time to discuss it they could decide what is to be done, but in any event this is the first move towards what in my opinion is a very important and proper link in our criminal procedure.

Those of us who have been interested in this matter have been fighting for it for years. We thought we had it last year and it is a sad commentary on the state of affairs when the Commonwealth of Pennsylvania said it could not afford five or six hundred thousand dollars to spend on these unfortunates, those at least that are unfortunate—I am not talking about the hardened criminals —but those unfortunates who are confined in prison under circumstances such as I have described.

I think this bill ought to be passed. I am not afraid of the fact that the Governor may appoint some politicians. I am quite sure even a hardened politician on the Parole Board would begin to understand he has a job to perform that can not be governed by politics; I am not afraid of that because I think on our Pardon Boards are persons who have been engaged in politics. I have not appeared before the Pardon Board since I have been a Senator, but I think I am well enough acquainted with the Board and I have seen the way in which they approach these cases and I have seen the way they try to solve the problem, and by and large they have done a good job and will do a good job. I am not afraid even if the Governor does appoint politicians on this board, and I ask my colleagues and all the members of the Senate to put this bill through, and let us have a new system, a centralized system that will give us some method at least that will be an improvement on the one which now exists. The worst thing you could pass would be even better than the situation which we have, particularly in Philadelphia; I want to say of the man in charge of the Parole Board in Philadelphia that he does a fine job, but he does not have the machinery, and he does not have the time with which to do the job that ought to be done and that can be done. I am going to ask my colleagues to vote for this bill.

Mr. STIEFEL. Mr. President, I want to correct a correction. The scripture as quoted by the gentleman from McKean was wrong also. The quotation is, "The voice is the voice of Jacob but the hands are the hands of Esau," not as he said, starting from the hands.

Mr. President, I am going to cast my vote in the affirmative on this bill, but I do not want that to be misinterpreted; we are not casting any aspersions against the membership of the present board; we are voting for the improvement of the system.

Mr. DiSILVESTRO. Mr. President, for the information of the Senator from Philadelphia, I would like to inform him that I know the difference between seriousness and humor, and when the Senator from Philadelphia, Mr. Woodward, arose there was nothing but laughter in this room; he making the bill appear as a joke.

Mr. President, I have never been a hypocrite and have always tried to be sincere. I do not need anyone to speak for me concerning any remarks I have made.

Mr. DENT. Mr. President, I want to say this, it is very likely that attorneys might be interested in changing the present system because from my experience at home I have discovered that the attorney who represents a criminal that is found guilty, in ninety-nine cases out of a hundred is the attorney that goes after a parole or a pardon.

Mr. BARR. Mr. President, one thing I like is the system we have here in the Senate. Senators speaking here

on the floor are permitted and allowed to say what they feel and then if it does not suit someone's feelings they are politicians—very suddenly.

On a bill such as this I think it is a great thing to have some of the parole board in the state subject to the voters of the state. As the board is now constituted, we have two who are elected officers and two who are appointed officers by the Governor. I as a layman, and not as an attorney, thank God we are not all attorneys in this place, and I see nothing wrong in that and I think we should proceed with a roll call on the bill.

On the question,

Will the Senate agree to the bill?

(During the calling of the roll the following occurred.)

Mr. COX. Mr. President, I ask for a verification of the roll.

The PRESIDENT. The roll will be verified.

The Clerk will call the names of those voting in the affirmative as follows:

Bartlett,	Edmonds,	Kephart,	Shapiro,
Carr,	Farrell,	Letzler,	Stevenson,
Chapman,	Frey,	Mallery,	Stiefel,
Coleman,	Geltz,	McCreesh,	Watkins,
Cox,	Heyburn,	McGinnis,	Wilson, T. B.,
Crider,	Homsher,	Miller,	Woodward,
Crowe,	James,	Ruth,	Ziesenheim,

The PRESIDENT. Are there any corrections? The Chair hears none.

The affirmative roll will stand as verified.

The Clerk will call the names of those voting in the negative as follows:

Barr,	DiSilvestro,	McQuiddy,	Thomas,
Becker,	Ealy,	Reed,	Wade,
Cavalcante,	Haluska,	Snowden,	Walker,
Deitrick,	Jaspan,	Tallman,	Wilson, H. I.,
Dent,	Lanius,		

The PRESIDENT. Are there any corrections? The Chair hears none.

The negative roll will stand as verified.

Yes—28; Nays—18.

And the question recurring,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—28

Bartlett,	Edmonds,	Kephart,	Shapiro,
Carr,	Farrell,	Letzler,	Stevenson,
Chapman,	Frey,	Mallery,	Stiefel,
Coleman,	Geltz,	McCreesh,	Watkins,
Cox,	Heyburn,	McGinnis,	Wilson, T. B.,
Crider,	Homsher,	Miller,	Woodward,
Crowe,	James,	Ruth,	Ziesenheim,

NAYS—18

Barr,	DiSilvestro,	McQuiddy,	Thomas,
Becker,	Ealy,	Reed,	Wade,
Cavalcante,	Haluska,	Snowden,	Walker,
Deitrick,	Jaspan,	Tallman,	Wilson, H. I.,
Dent,	Lanius,		

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same with amendment in which the concurrence of the House is requested.

Agreeably to order,

The Senate resumed the third reading and consideration of Senate Bill No. 1013, (House Bill No. 1419), entitled:

An Act making an appropriation to the Department of Welfare for the maintenance of certain hospitals.

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—48

Barr,	DiSilvestro,	Lanius,	Stevenson,
Bartlett,	Ealy,	Letzler,	Stiefel,
Becker,	Edmonds,	Mallery,	Tallman,
Carr,	Farrell,	McCreesh,	Thomas,
Cavalcante,	Frey,	McGinnis,	Tyler,
Chapman,	Geltz,	McQuiddy,	Wade,
Coleman,	Haluska,	Miller,	Walker,
Cox,	Heyburn,	Reed,	Watkins,
Crider,	Homsher,	Ruth,	Wilson, H. I.,
Crowe,	James,	Scarlett,	Wilson, T. B.,
Deitrick,	Jaspan,	Shapiro,	Woodward,
Dent,	Kephart,	Snowden,	Ziesenheim,

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same with amendment in which the concurrence of the House is requested.

Agreeably to order,

The Senate resumed the third reading and consideration of Senate Bill No. 1276, (House Bill No. 1365), entitled:

An Act to amend the act approved the first day of May one thousand nine hundred and twenty-nine (P. L. 905) entitled "An act for the protection of the public safety regulating the use of highways and the operation of vehicles tractors street cars trackless trolley omnibuses bicycles pedestrians and the riding of animals upon the highways of this Commonwealth providing for the titling including liens encumbrances and legal claims registration of certain vehicles and licensing the operators thereof upon payment of prescribed fees prescribing and limiting the powers of local authorities to deal with the subject matter of this act conferring powers and imposing duties upon the Department of Revenue the Department of Highways peace officers mayors burgesses magistrates aldermen justices of the peace the courts and the clerks thereof owners of vehicles and garage keepers providing that records are admissible as evidence imposing upon owners counties cities boroughs incorporated towns townships within the Commonwealth liability for damages caused by the negligent operation of their motor vehicles imposing penalties imposing certain costs upon counties providing for the disposition of fines forefeitures fees and miscellaneous receipts making an appropriation and providing for refunds" as variously amended authorizing the Secretary of Revenue to establish a system of permanent registration of vehicles and providing for the issuance of limited operator's licenses in certain cases further regulating the operation of vehicles and the suspension of registration and operating privileges giving the Pennsylvania Turnpike Commission power to regulate traffic on turnpikes extending the time limit for cities of the second class A to make certain changes in traffic signals extending the liability of political subdivisions to include

negligent operation of their vehicles drawn by animal power amplifying and changing provisions of said act relating to lighting signal and warning devices and the transportation of vehicles redefining the term dealer further regulating dealers in junked vehicles permits for oversize and overweight vehicles use of school buses registration plates and cards maximum size of vehicles and medical examinations by physicians providing for payment of certain fees by counties limiting and providing new exemptions from the various provisions of said act giving additional authority to peace officers and department employes in the matter of investigations further regulating prosecutions giving certain powers to local authorities for the regulation of traffic and the establishment of traffic courts changing and fixing additional fees changing and imposing new penalties giving the secretary additional powers and duties imposing additional duties on keepers and employers of garages and repair shops providing refunds to certain persons entering Federal services making it a misdemeanor for committing malicious mischief to motor vehicles, parts or accessories thereof and establishing penalties therefor and making an appropriation.

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

Mr. CAVALCANTE. Mr. President, they have mutilated the Scripture. The passage is "The voice is the voice of Jacob and the hands are the hands of Esau."

Mr. President, this bill could be classified under no philosophy that a man may draw from that scriptural quotation. This bill no doubt is the handiwork of some members of the Assembly and it must necessarily appear to be work produced by the hands of members of the Assembly, but the voice that speaks out of that bill is surely not the voice of all of the members of this Assembly.

Now, Mr. President, whenever we deal with the subject of motor vehicles in this Commonwealth, we must bear in mind that these motor vehicles travel over the highways of this Commonwealth. When we take into consideration what the highways of this Commonwealth mean to the people of the state, we surely ought to be sensible enough to know that a bill of this character, a bill that deals with motor vehicles traveling over our highways, is a very important bill. The highways of this Commonwealth are the nerves of this state. Over the highways pass the commerce of the people, commerce among which is included the very necessities of life, the stuff that we eat and the stuff that may be administered to us in case of illness or injury, and over those same highways pass the streams of human beings that move about the Commonwealth and make the Commonwealth what it is.

Now, Mr. President, if we see the background to a bill of this kind, we must see that it is a bill that touches the life and the happiness of the people of this Commonwealth. Over the highways of our Commonwealth travel our innocent children that in a care-free way go from their happy homes to schools and from the schools back to these happy homes, and over these highways travel every day men and women who leave happy homes to go to their jobs or fields to do their day's work, and then back again to those happy homes; over these highways travel the good people, young and old, of this Commonwealth, from their homes to their places of worship on Sunday, and then from their places of worship back to their homes.

Mr. President, I trust that I can invoke the sensibility of my colleagues in this Senate to view this bill with all seriousness. The law pertaining to motor vehicles on our statute books at this moment provides that any person who drives a motor vehicle while under the influence of intoxicating liquor or a narcotic or a drug, and is found guilty of that by jury of his peers, in a lawful and constituted court, that man forfeits, in addition to other penalties, his license to operate that motor vehicle. The present law also provides that any person who operates a motor vehicle over the highways in a reckless manner or in a manner in disregard of the rights of other users of the highway, and takes a human life, that man, in addition to other penalties, must forfeit his right to operate a motor vehicle for a limited period of time. In addition to that the present law when enacted contemplated that when an individual used a motor vehicle over the highways of this Commonwealth in promoting a criminal career, in the commission of crimes of robbery and other felonies, that if convicted in a court of our Commonwealth, in addition to other penalties, he would forfeit the privilege of operating that motor vehicle for the purpose of committing felonies and other crimes.

Mr. President, I think those enactments to the present law on that subject were enacted by men who were guided by experience and wisdom and by the accumulated facts up to the time that act was enacted.

When we look at the bill before us, we see on pages 30 and 31, where the present law is being amended so that a man who might be convicted of operating a motor vehicle while under the influence of intoxicating liquors, a man who while so operating might kill one of our innocent children, coming from home to school or from the school back to the home, or going from the home to our places of worship on Sunday, and back home again, that man may still retain his right to operate a motor vehicle on the highways of this Commonwealth. Notwithstanding that the present law makes it mandatory that he must forfeit his license, this bill now says that when the operator's license of any person is revoked for any of the crimes enumerated in classes 1, 2, 3 and 4 of Section 614 of this act "The secretary shall at his discretion," and mind you "shall at his discretion" issue or refuse to issue to such person the limited operator's license herein provided, and the facts and circumstances of each individual case should be taken into consideration.

Mr. President, the present law makes it mandatory to take that operator's license, and it makes it mandatory after a judge and a jury of the defendent's peers had tried him, heard all the circumstances, all the evidence, and found him guilty of having driven a motor vehicle under the influence of intoxicating liquors or drugs. This amendment now will change that and will give discretionary power to the Secretary of Revenue, whom, the Lord knows, is every day haunted from place to place by politicians, gives him the discretion to give that man an operator's license to operate a motor vehicle.

This section as amended provides for the granting of a limited operator's license; they say the Secretary can issue that limited license and permit that man to operate,

not a passenger car, but an omnibus or a truck or a vehicle of greater weight and greater potentiality of inflicting serious and grievous injury, if the man would again become intoxicated and operate that truck or omnibus or heavier vehicle, over the highways of this Commonwealth.

Now, Mr. President, I can not see the wisdom of that. I fear, I tremble to think that a man who has been convicted of driving a motor vehicle under the influence of intoxicating liquor, a man who may have taken the life of an innocent child or an innocent man or woman of this Commonwealth, can still retain his license to operate a motor vehicle upon the highways of this Commonwealth. Mr. President, I think it was a wise enactment to permit the courts of this Commonwealth and a jury of twelve men or women, or a mixture of the same, to decide whether a man was guilty, and with that guilty verdict there was to follow the revocation of that man's license peremptorily without any discretion. I think that was a wise enactment and we should not by this bill strike that down. I say this, I am fearful of permitting that discretionary power in the hands of the Secretary of Revenue, not because the Secretary of Revenue might be a dishonest man, but because of our knowledge and experience in the past that the Secretary of Revenue is haunted by politicians who are powerful and who can at times force his hand to grant a limited license to one of these convicted criminals, even though it might be against his better judgment.

Mr. President, this is not the only bad feature of this bill. There are other bad features of this bill. On pages 56, 57 and part of 58, Mr. President, the voice not of all the members of this Assembly is heard, but the voice of that notorious and contemptible organization, the Pennsylvania Motor Truck Association. Here on these pages, Mr. President, they are increasing the load that a truck could haul. They say any person operating any vehicle or combination of vehicles upon any highway with a gross weight—they have inserted now "or axle load exceeding by more than five per cent the minimum gross weight or axle load allowed and not exceeding by more than ten per cent the maximum gross weight or axle load allowed" is guilty of a summary violation. Mr. President, we have one bill on our hands now that this notorious organization says that they sponsored, and needed a tremendous amount of money to pass through this Legilature; that organization that has so contemptuously reflected upon the integrity of this Assembly, that they can force a bill of that kind through this Assembly by the use of tremendous amounts of money is here again speaking through the voice that we hear in this amendment to the bill. They are increasing now the weight that they can haul on their monstrous trucks, by this amendment that we see here on pages 56, 57 and 58 of this bill.

Another glaring point that I find is the one dealing with the convoys that carry, piled one on top of another, motor vehicles from one end of the Commonwealth to the other, which is found on pages 68 and 69 of the bill. Now, Mr. President, not long ago, we enacted a bill—I think it is No. 1023—that postpones the effective date of a law on the statute books that would limit the use of convoys on our highways. In this bill they have inserted practically or entirely all of the provisions of Senate Bill No. 1023—I think I made a mistake in the number. In addition to that they have put this in, "No vehicle being transported on another single vehicle or combination vehicle and trailer shall be carried in such manner as to extend above the cab of the transporting vehicle and where such vehicle shall be transported on a combination truck, tractor and semi-trailer, the transporting vehicle shall be loaded wholly upon the semi-trailer, and shall not extend more than five feet beyond the front extremity of the semi-trailer." Mr. President, that is permitting the owners of those convoys to do something that the act that we have already passed prohibits them from doing. This is a glaring inconsistency between the two acts, and when we approve, when we pass this bill and approve it, which one prevails, what becomes of the previous bill that we have passed covering this subject? Will this permit them to pile up these automobiles so that they will extend beyond the cab?

Mr. President, the last two points of this bill that I call to your attention are not as serious as the first one, the first one that will permit the issuance of a limited license to a man who has been convicted of manslaughter or a felony or the driving of an automobile while under the influence of intoxicating liquors. That power should never be rested or placed in the Secretary of Revenue, but that power ought to be left just where it is; that power is now with the judge and jury, and if they find a man guilty, he suffers that penalty, and I say that there must be no relaxation of that; this bill should not give the power to the Secretary of Revenue, but it should give the power to the judge and the jury to say if they convict a man, whether he is a man that can be entrusted with a limited operator's license or not. They are the ones, the judge and the jury, who see the man, who hear him talk, who hear the witnesses against him, who hear the circumstances of the offense that he has committed. Surely, Mr. President, they are the ones who are in position, who can say whether a man whom they have seen, whom they have tried, and whom they have convicted, is a man that can be trusted with an operator's license, on the highways of this Commonwealth.

Mr. President, this is a serious matter, as I have indicated, which touches the life and happiness of the homes and the people that travel these highways. I chill at the thought that some man who has been convicted of driving while under the influence of intoxicating liquor shall be permitted to drive on the highways, to endanger the lives of my children or the children of any other citizens of this Commonwealth.

Mr. DENT. You know, it is a pretty serious matter, Mr. President, to only pick out one particular phase and try to condemn all the good things that the bill might do. I want to say frankly it is a pretty serious thing too, when a man may be out on Saturday night with his family group and may be celebrating some sort of an occasion—maybe most of us have been on a celebration one time or another—and on his way home he might accidently be picked up for driving over a white line or for some minor motor vehicle traffic regulation and then lose his license to drive his car. Here is a man who probably has a family; maybe he has no business to take a drink, but sometimes men do take a drink, and then he loses his driving permit by which he earns his livelihood.

That is the point that is being covered in this bill and I want to say that this bill does not do a thing that is not being done today. Your Secretary of Revenue is empowered, as I understand it, and does today use his discretion in giving limited drivers' licenses. He gives them today. When he sees a man is going to be handicapped, his family is going to suffer because of some indiscretion on his part, he does not take away from him the right to earn his livelihood. That is all the bill does; it only guarantees a man who has not done anything too bad an opportunity to present his case and receive a license to drive commercially, in other words, to earn his livelihood. The Secretary of Revenue does that today, and this bill gives him the right under the law to do it.

I just want to say, Mr. President, there is not anything too wrong with that. I do not feel any Secretary of Revenue, especially the man we have today, would give a limited driver's license to any person whom he knew and whom he knew from experience and from the man's past to be a criminal or to be a man that wilfully would go out and get trunk and do things on the highway that would endanger a human life. I trust that the Secretary of Revenue will use his discretion as he does today and only give licenses to those who prove worthy of that privilege.

And the question recurring,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—43

Barr,	Ealy,	Lanius,	Stevenson,
Bartlett,	Edmonds,	Letzler,	Taliman,
Becker.	Farrell,	McCreesh,	Taylor,
Chapman,	Frey,	McGinnis,	Thomas,
Coleman,	Geltz,	McQuiddy,	Wade.
Cox.	Haluska,	Miller,	Walker,
Crider,	Heyburn,	Mundy,	Watkins,
Crowe.	Homsher,	Ruth,	Wilson, H. I.,
Deitrick,	James,	Scarlett,	Woodward.
Dent.	Jaspan,	Shapiro.	Ziesenheim,
DiSilvestro,	Kephart,	Snowden,	

NAYS—4

Carr,	Cavalcante.	Mallery,	Reed,

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same with amendment in which the concurrence of the House is requested.

BILLS SIGNED

The PRESIDENT (Lieutenant-Governor Samuel S. Lewis) announced that the Chief Clerk having reported that the following bills had passed both houses of the General Assembly and the same being correct, the titles were publicly read as follows:

Senate Bill No. 77, entitled:

An Act to further amend section one of the act approved the seventeenth day of June, one thousand nine hundred and thirteen (P. L. 507), entitled "An act to provide revenue for State and county purposes, and, in cities coextensive with counties, for city and county purposes; imposing taxes upon certain classes of personal property; providing for the assessment and collection of the same; providing for the duties and compensation of prothonotaries and recorders in connection therewith; and modifying existing legislation which provided for raising revenue for State purposes," by exempting assets held by liquidating trustees.

Senate Bill No. 158, entitled:

An Act making an appropriation to the Department of Military Affairs for the maintenance and education of children of certain soldiers, sailors, marines, female field clerks, yeomen (female) and nurses.

Senate Bill No. 177, entitled:

An Act regulating and limiting the rights of slayers in real and personal property and in the benefiits from insurance policies, arising out of or as a result of the death of the person slain; protecting and saving the rights of purchasers and insurers dealing with slayers without notice of the slaying and repealing certain legislation.

Senate Bill No. 178, entitled:

An Act to amend paragraph four of subsection (a) of section forty-one of the act, approved the seventh day of June, one thousand nine hundred seventeen (P. L. 447), entitled, as amended "An act relating to the administration and distribution of the estates of decedents and of minors, and of trust estates; including the appointment, bonds, rights, powers, duties, liabilities, accounts discharge and removal of executors, administrators, guardians, and trustees, herein designated as fiduciaries; the administration and distribution of the estates of presumed decedents; widow's and children's exemptions; debts of decedent rents of real estate as assets for payment thereof, the lien thereof, sales and mortgages of real estate for the payment thereof, judgments and executions therefor, and the discharge of real estate from the lien thereof; contracts of decedents for the sale or purchase of real estate; legacies, including legacies charged on land; the discharge of residuary estates and of real estate from the lien of legacies and other charges; the appraisement of real estate devised at a valuation; the ascertainment of the curtilage of dwelling houses or other buildings devised; the abatement and survival of actions, and the substitution of executors and administrators therein; the survival of causes of action and suits thereupon by or against fiduciaries; investments by fiduciaries; the organization of corporations to carry on the business of decedents; the audit and review of accounts of fiduciaries: refundnig bonds; transcripts to the court of common pleas of balances due by fiduciaries; the rights, powers, and liabilities of nonresident and foreign fiduciaries; the appointments, bonds, rights, powers, duties and liabilities of trust durante absentia; the recording and registration of decrees, reports and other proceedings, and the fees therefor; appeals in certain cases; and, also, generally dealing with the jurisdiction, powers, and procedure of the orphans' court in all matters relating to fiduciaries concerned with the estates of decedents," by validating deeds heretofore accepted by fiduciaries holding mortgages in certain cases.

Senate Bill No. 262, entitled:

A Supplement to the act approved the twelfth day of June, one thousand nine hundred and thirty-nine (P. L. 735), entitled "An act creating a temporary commission to examine, report upon, and recommend measures to improve the economic, cultural, health and living conditions of the urban colored population of the State, and making an appropriation of the expenses of such commission," by extending the term of such commission until the next regular session of the General Assembly; and making an appropriation.

Senate Bill No. 345, entitled:

An Act to amend subsection (a) of section sixteen of the act, approved the seventh day of June, one thousand nine hundred and seventeen (P. L. 415), entitled "An act relating to the qualifications, jurisdiction, powers and duties of registers of wills, and regulating proceedings before said registers, and the costs thereof, the effects of their acts, and appeals therefrom," decreasing the period within which appeals may be taken from decrees of registers of wills probating or refusing to probate wills.

Senate Bill No. 374, entitled:

An Act to provide for the settlement of disputes among states with respect to domiciliary death taxes, and imposing certain duties upon the Department of Revenue, the Attorney General and executors and administrators.

Senate Bill No. 377, entitled:

An Act validating certain proceedings and elections of counties, cities, boroughs, school districts, or other municipalities or incorporated districts, had and held pursuant to the provisions of an act, approved the twentieth day of April, one thousand eight hundred seventy-four (P. L. 65), entitled "An act to regulate the manner increasing the indebtedness of municipalities, to provide for the redemption of the same, and to impose penalties for the illegal increase thereof," and the amendments and supplements thereto; and validating bonds issued or authorized to be issued in pursuance of such proceedings and elections.

Senate Bill No. 457, entitled:

An Act to amend the act, approved the twenty-fourth day of June, one thousand nine hundred and thirty-seven (P. L. 2051), entitled "An act relating to public assistance; providing for and regulating assistance to certain classes of persons designated and defined as dependent children, aged persons, blind persons and other persons requiring relief; providing for the administration of this act by the Department of Public Assistance and county boards of assistance hereby created for this purpose; authorizing the Department of Public Assistance to cooperate with, and to accept and disburse moneys received from, the United States Government for assistance to such persons; providing for the liquidation of the State Emergency Relief Board, Boards of Trustees of the Mothers' Assistance Fund, and Boards of Trustees of Pension Fund for the Blind; and repealing laws relating to mothers' assistance, pensions for the blind, old age assistance, and the State Emergency Relief Board," as amended, by enabling the Department of Public Assistance to take measures to rehabilitate persons receiving assistance.

Senate Bill No. 464, entitled:

An Act to amend the act, approved the twenty-fourth day of June, one thousand nine hundred and thirty-seven (P. L. 2051), entitled "An act relating to public assistance; providing for and regulating assistance to certain classes of persons designated and defined as dependent children, aged persons, blind persons and other persons requiring relief; providing for the administration of this act by the Department of Public Assistance and county boards of assistance hereby created for this purpose; authorizing the Department of Public Assistance to cooperate with, and to accept and disburse moneys received from, the United States Government for assistance to such persons; providing for the liquidation of the State Emergency Relief Board, Boards of Trustees of the Mothers' Assistance Fund, and Boards of Trustees of Pension Fund for the Blind; and repealing laws relating to Mothers' Assistance, pensions for the blind, old age assistance, and the State Emergency Relief Board," as amended, by changing the residence requirement for general assistance.

Senate Bill No. 526, entitled:

A Supplement to the act, approved the first day of June, one thousand nine hundred and thirty-three (P. L. 1172), entitled "An act establishing certain streets in boroughs and incorporated towns as State highways; and providing for their construction and maintenance at the expense of the Commonwealth," establishing an additional route in the borough of South Langhorne, Langhorne Manor and Langhorne, Bucks county.

Senate Bill No. 618, entitled:

An Act to further amend section two of the act, approved the sixteenth day of June, one thousand nine hundred thirty-three (P. L. 252, 1933-34), entitled, as amended "An act to regulate and restrain the traffic in malt and brewed beverages, as herein defined; providing for the licensing of the manufacture, transportation, sale and distribution of such beverages; imposing license and permit fees, and providing for collection and distribution thereof; restricting ownership and interest in licensed places; permitting municipalities and townships, by vote of the electors, to prevent the licensing therein of places where such beverages may be sold for consumption on the premises, and regulating elections for this purpose; imposing duties upon the Pennsylvania Liquor Control Board, quarter sessions courts, district attorneys, the Department of Justice, proper authorities of political subdivisions of the State, and election officers; providing penalties; and repealing existing acts," by permitting clubs to waive or reduce dues payable by members in military service.

Senate Bill No. 619, entitled:

An Act to further amend section two of the act, approved the twenty-ninth day of November, one thousand nine hundred thirty-three (P. L. 15, 1933-34), entitled "An act to regulate and restrain the sale, manufacture, possession, transportation, importation, traffic in, and use of alcohol, and alcoholic and malt or brewed beverages; conferring powers and imposing duties upon the Pennsylvania Liquor Control Board and its agents, the Department of Public Instruction, other officers of the State government, courts, and district attorneys, authorizing the establishment and operation of State stores for the sale of such beverages not for consumption on the premises, and the granting of licenses, subject to local option, to sell such beverages for consumption on and off the premises; forbidding importation or bringing of such beverages into the State except as herein provided; prohibiting certain sales or practices in connection with, and transactions in such beverages by licenses and others; providing for the forfeiture of certain property; making disposition of the receipts from State stores and of fees; and imposing penalties," by permitting clubs to waive or reduce dues payable by members in military service.

Senate Bill No. 656, entitled:

A Supplement to the act, approved the first day of June, one thousand nine hundred and thirty-three (P. L. 1172), entitled "An act establishing certain streets in boroughs and incorporated towns as State highways, and providing for their construction and maintenance at the expense of the Commonwealth," establishing an additional route in the borough of Sellersville, Bucks county.

Senate Bill No. 726, entitled:

An Act to provide for two additional law judges of the Court of Common Pleas of the Fifth Judicial District.

Senate Bill No. 801, entitled:

An Act to validate and confirm certain contracts, heretofore entered into by boards of school directors, where there is no evidence of fraud or conspiracy, and to authorize, ratify, confirm, and validate payments on such contracts by the school district.

Senate Bill No. 935, entitled:

An Act to amend sections six hundred four, six hundred five, and six hundred seven and to further amend section two thousand four hundred seven of the act, approved the ninth day of April, one thousand nine hundred and twenty-nine (P. L. 177), entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments, boards, commissions, and officers thereof, including the board of trustees of State Normal Schools, or Teachers Colleges; abolishing, creating, reorganizing or authorizing the reorganization of certain administrative departments, boards, and commissions; defining the powers and duties of the Governor and other executive and administrative officers, and of the several administrative departments, boards, commissions, and officers; fixing the salaries of the Governor, Lieutenant-Governor, and certain other executive and administrative officers; providing for the appointment of certain administrative officers, and of all deputies and other assistants and employes in certain departments, boards, and commissions; and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments, boards and commissoins shall be determined," by further defining the duties of the Department of Internal Affairs.

Senate Bill No. 1173, entitled:

An Act authorizing the Department of Property and Supplies to purchase coal underlying the Cresson State Sanatorium and making an appropriation therefor.

Senate Bill No. 1297, entitled:

An Act to validate and quiet the title to real estate in this Commonwealth conveyed to any person, partnership or corporation authorized to hold such real estate by any alderman, justice of the peace or magistrate, where such alderman, justice of the peace or magistrate has made acknowledgment of such conveyance before himself and is now deceased.

Whereupon,

The PRESIDENT (Lieutenant-Governor Samuel S. Lewis) in the presence of the Senate signed the same.

CONFERENCE COMMITTEE REPORT ON HOUSE BILL No. 1465

Mr. MILLER. Mr. President, I am directed, by the Committee of Conference to make a report on House Bill No. 1465, entitled:

An Act to amend the act, approved the twenty-ninth day of April, one thousand nine hundred thirty-seven (P. L. 487) entitled "The Permanent Registration Act for Boroughs, Towns and Townships," as amended, by requiring and providing for the registration of persons in military service before they shall be entitled to vote at any election.

The PRESIDENT. The report will be noted on tomorrow's Calendar.

CONFERENCE COMMITTEE REPORT ON HOUSE BILL No. 1466

Mr. MILLER. Mr. President, I am also directed by the Committee of Conference to make a report on House Bill No. 1466, entitled:

An Act to amend the act, approved the third day of June, one thousand nine hundred and thirty-seven (P. L. 1333), entitled "Pennsylvania Election Code," by changing the procedure for and regulating elections by persons in actual military service, imposing duties upon the Secretary of the Commonwealth, courts, county boards of elections, and county commissioners, providing for reimbursement of counties for actual expenses incurred for canvassing the vote of electors in actual military service.

The PRESIDENT. The report will be noted on tomorrow's Calendar.

CONFERENCE COMMITTEE REPORT ON HOUSE BILL No. 1467

Mr. MILLER. Mr. President, I am also directed by the Committee of Conference to make a report on House Bill No. 1467, entitled:

An Act to amend the act approved the first day of June one thousand nine hundred thirty-seven (P. L. 1132) entitled "An act to provide for the permanent personal registration of electors in cities of the second class A as a condition of their right to vote at elections and primaries and their enrollment as members of political parties as a further condition of their right to vote at primaries prescribing certain procedure for the conduct of elections and primaries and the challenge and proof of qualifications of electors and prescribing the powers and duties of citizens parties political bodies registration commissions commissioners registrars inspectors of registration and other appointees of registration commission county election boards election officers municipal officers departments and bureaus police officers courts judges prothonotaries sheriffs county commissioners peace officers county treasurers country controllers registrars of vital statistics certain public utility corporations real estate brokers rental agents and boards of school directors and imposing penalties" as amended by requiring and providing for the registration of persons in military service to entitle them to vote at any election.

The PRESIDENT. The report will be noted on tomorrow's Calendar.

CONFERENCE COMMITTEE REPORT ON HOUSE BILL No. 1468

Mr. MILLER. Mr. President, I am also directed by the Committee of Conference to make a report on House Bill No. 1468, entitled:

An Act to amend the act approved the twenty-fifth day of May one thousand nine hundred thirty-seven (P. L. 814) entitled "An act to provide for the permanent personal registration of electors in cities of the second class as a condition of their right to vote at elections and primaries and their enrollment as members of political parties as a further condition of their right to vote at primaries prescribing certain procedure for the conduct of elections and primaries and the challenge and proof of qualifications of electors and prescribing the powers and duties of citizens parties political bodies registration commissions commissioners registrars inspectors of registration and other appointees of registration commissions county election boards, election officers municipal officers departments and bureaus police officers courts judges prothonotaries sheriffs county commissioners peace officers county treasurers county controllers registrars of vital statistics certain public utility corporations real estate brokers rental agents and boards of school directors and imposing penalties" as amended by requiring and providing for the registration of persons in military service to entitle them to vote at any election.

The PRESIDENT. The report will be noted on tomorrow's Calendar.

CONFERENCE COMMITTEE REPORT ON HOUSE BILL No. 1469

Mr. MILLER. Mr. President, I am also directed by the Committee of Conference to make a report on House Bill No. 1469, entitled:

An Act to amend the act approved the twenty-fifth day of May one thousand nine hundred thirty-seven (P. L. 849) entitled "An act to provide for the permanent personal registration of electors in cities of the third class as a condition of their right to vote at elections and primaries and their enrollment as members of political parties as a further condition of their right to vote at primaries prescribing certain procedure for the conduct of elections and primaries and the challenge and proof of qualifications of electors and prescribing the powers and duties of citizens parties political bodies registration commissions commissioners registrars inspectors of registration and other appointees of registration commissions county election boards election officers municipal officers departments and bureaus police officers courts judges prothonotaries sheriffs county commissioners peace officers county treasurers county controllers registrars of vital statistics certain public utility corporations real estate brokers rental agents and boards of school directors imposing penalties and repealing existing legislation" as amended by requiring and providing for the registration of persons in military service to entitle them to vote at any election.

The PRESIDENT. The report will be noted on tomorrow's Calendar.

HOUSE BILL No. 1130 CALLED UP FROM THE TABLE

Mr. SHAPIRO. Mr. President, I now call up House Bill No. 1130, from the table.

Mr. EALY. Mr. President, I second the motion.

The motion was agreed to.

SENATE RECEDES FROM ITS AMENDMENTS NON-CONCURRED IN BY THE HOUSE TO HOUSE BILL No. 1130

Mr. EALY. Mr. President, I move that the Senate recede from its amendments non-concurred in by the House to House Bill No. 1130, entitled:

An Act making an appropriation to the Veterans of Foreign Wars, Department of Pennsylvania, towards expenses of the National Encampment in Philadelphia.

Mr. CHAPMAN. Mr. President, I second the motion.

On the question,

Will the Senate agree to the motion?

Mr. EALY. Mr. President, this bill makes an appropriation to the Department of Commerce towards the expenses of the National Encampment of Veterans of Foreign Wars, to be held in Philadelphia. As it passed the House, the sum of twenty-five thousand dollars was given to this National Encampment. The Senate reduced the appropriation to ten thousand dollars and the House refused to concur in that amendment.

I have talked with the Chairman of the Committee on Appropriations and he is satisfied that we recede from our amendments. If there is no objection from any Senator, I am asking that the Senate recede from its amendments so that the appropriation will be restored to twenty-five thousand dollars. The matter will then be on the Governor's desk, and he may reduce this by such sum as may be necessary to fit the budget. If there is no objection to that among the members here, I will withdraw this request, but if not I move that the Senate do now recede from its amendments to this bill.

And the question recurring,

Will the Senate agree to the motion?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—48

Barr,	DiSilvestro,	Lanius,	Stevenson,
Bartlett,	Ealy,	Letzler,	Stiefel,
Becker,	Edmonds,	Mallery,	Tallman,
Carr,	Farrell,	McCreesh,	Taylor,
Cavalcante,	Frey,	McGinnis,	Thomas,
Chapman,	Geltz,	McQuiddy,	Wade,
Coleman,	Haluska,	Miller,	Walker,
Cox,	Heyburn,	Reed,	Watkins,
Crider,	Homsher,	Ruth,	Wilson, H. I.,
Crowe,	James,	Scarlett,	Wilson, T. B.,
Deitrick,	Jaspan,	Shapiro,	Woodward,
Dent,	Kephart,	Snowden,	Ziesenheim,

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk inform the House of Representatives accordingly.

QUESTION OF PERSONAL PRIVILEGE

Mr. THOMAS B. WILSON. Mr. President, I rise on a question of personal privilege.

The PRESIDENT. The gentleman from McKean will state his question of personal privilege.

Mr. THOMAS B. WILSON. Mr. President, the other evening there was some proceeding in this Senate when the Chairman on the Committee on Executive Nominations presented a nomination for Justice of the Peace which did not seem to please the members of the Senate.

I want to take this opportunity to express my appreciation that the Governor of the Commonwealth would remember me enough to nominate me to that very high office. I am very sorry that the members of the Senate could not see fit, that their consciences would not allow them to vote to confirm the nomination, but we have found out who was running the Senate, because the President of the Senate disregarded the vote of the members and declared the nomination confirmed.

I want to say that I am quite humbly assuming this very high office and I hope that the members of the Senate, if they want to have some court attachment, come up to McKean County to the office of the Justice of the Peace at large in McKean County, and consult the constable who will be sitting there seeking whom he may devour, and he will call me off the golf course, and I promise they will be very cordially received and that judgment will be entered in their favor for a very large verdict, and when they come there, and when the proceedings are finished, both the constable and the Justice of the Peace will join in singing "old soldiers never die."

PERMISSION TO ADDRESS SENATE

Mr. COX. Mr. President, I ask permission to address the Senate.

The PRESIDENT. The gentleman from Allegheny will proceed.

Mr. COX. Mr. President, I know that the members

of the Senate on the left are very sad that they did not know yesterday that our very good friend, "Old Soldier Who Will Never Die, Thomas B. Wilson," was the Governor's nominee for that high office of Justice of the Peace, and I shall assure the gentleman, speaking for his colleagues on the left, we are very fond of him and that we accept his offer, and that any time in the future we have a case of trespass on the case, we will be very happy to come to McKean County, and we sincerely hope when we call the gentleman from the golf course he will not be at the nineteenth hole.

Mr. BARR. Mr. President, I was very sad the other evening when the Senator from McKean was defeated for Justice of the Peace, so I went and talked to Senator Howard James, the Chairman of the Committee on Executive Nominations. I wanted to nominate him as the best orator in the barber shop.

Mr. REED. Mr. President, I want to commend the Chair for confirming this nomination and I sincerely hope that in the light of the condemnation, been placed upon the Justices of the Peace of this great state, that the gentleman from McKean will lift the office of Justice of the Peace to the very high, honorable and upright level upon which that gentleman lives.

SENATE APPOINTS COMMITTEE OF CONFERENCE, ON HOUSE BILL No. 1176

Mr. GELTZ. Mr. President, I move that a Committee of Conference be appointed to confer with a similar committee of the House of Representatives (already appointed) to consider the differences existing between the two houses in relation to said bill.

Mr. MILLER. Mr. President, I second the motion.

The motion was agreed to.

The PRESIDENT. The President Pro Tempore appoints Messrs. Mallery, Snowden, and Coleman to be said committee on the part of the Senate, and that the Clerk inform the House of Representatives accordingly.

CONFERENCE COMMITTEE REPORT ON HOUSE BILL No. 1526

Mr. WALKER. Mr. President, I am directed by the Committee of Conference to make a report on House Bill No. 1526, entitled:

An Act to amend section two hundred seven of the act. approved the twenty-fourth day of June, one thousand nine hundred and thirty-one (P. L. 1206), entitled "First Class Township Laws," further prescribing method by which second class townships may be classified as first class townships; and providing for the costs and holding of special elections for that purpose.

The PRESIDENT. The report will be noted on tomorrow's Calendar.

RECESS

Mr. GELTZ. Mr. President, I move that the Senate do now take a recess for one hour.

Mr. MILLER. Mr. President, I second the motion.

The motion was agreed to.

AFTER RECESS

The PRESIDENT. The time of recess having elapsed the Senate will be in order.

CALENDAR

BILLS ON SECOND READING

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 412, (House Bill No. 656), entitled:

An Act to amend the third paragraph of article seven of the act approved the seventh day of March one thousand nine hundred and one (P. L. 20) entitled "An act for the government of cities of the second class" permitting the city treasurer to collect delinquent taxes under the act approved the thirtieth day of March one thousand nine hundred and three (P. L. 106).

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 815, (House Bill No. 1221), entitled:

An Act to add section 654.1 to the act, approved the twenty-fourth day of June, one thousand nine hundred thirty-nine (P. L. 872), entitled "An act to consolidate, amend and revise the penal laws of the Commonwealth," by making it a crime to discriminate in the selection or appointment of persons for employment in the civil service of the Commonwealth, or of any political subdivision thereof because of the race, creed or color of any person.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 816, (House Bill No. 1223), entitled:

An Act to add section 654.2 to the act approved the twenty-fourth day of June, one thousand nine hundred and thirty-nine (P. L. 872), entitled "An act to consolidate, amend and revise the penal laws of the Commonwealth," making it a crime for any officer of any labor union to discriminate because of race, color or creed between applicants for membership in such union, or between assignments for employment of union members because of their race, color or creed.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 821, (House Bill No. 1402), entitled:

An Act to add section six hundred fifty-five and one-tenth to article six of the act, approved the twenty-fourth day of June, one thousand nine hundred and thirty-nine (P. L. 872), entitled "An act to consolidate, amend and revise the penal laws of the Commonwealth," relating to discrimination against persons employed or seeking employment on contracts effecting the national preparedness program because of the race, color or religion of such person.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 877, (House Bill No. 1156), entitled:

An Act to add section one thousand six hundred and seven and one-tenth to article sixteen of the act, approved the eighteenth day of May one thousand nine hundred and eleven (P. L. 309), entitled "An act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith" requiring teaching in the public and private schools of principles of democratic government and patriotism and imposing certain duties on the Superintendent of Public Instruction.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 1032, (House Bill No. 1350), entitled:

An Act validating certain deeds and conveyances made by trustees without setting forth their authority to convey.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 1060, (House Bill No. 736), entitled:

An Act to further amend section two thousand five hundred and sixty-three of the act, approved the twenty-third day of June, one thousand nine hundred and thirty-one (P. L. 932), entitled "An act relating to cities of the third class; and amending, revising and consolidating the law relating thereto," changing the penalties and interest imposed for the nonpayment of taxes.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 1165, (House Bill No. 1678), entitled:

An Act to further amend section one thousand one hundred thirty-three of the act, approved the eighteenth day of May, one thousand nine hundred and eleven (P. L. 309), entitled "An act to establish a public school system in the Commonwealth of Pennsylvania, together with the provisions by which it shall be administered, and prescribing penalties for the violation thereof; providing revenue to establish and maintain the same, and the method of collecting such revenue; and repealing all laws, general, special or local, or any parts thereof, that are or may be inconsistent therewith," by removing certain limitations of the appointment of district superintendents.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 1183, (House Bill No. 1662), entitled:

An Act to amend the title and further amend section one of the act, approved the twenty-second day of June, one thousand nine hundred and thirty-one (P. L. 844), entitled "An act authorizing the Commonwealth of Pennsylvania; or any department or division thereof, and counties, cities, boroughs, incorporated towns, townships, school districts and poor districts to make contracts of life, health, and accident policies for the benefit of employes thereof, and contracts for pensions for such employes; and providing for the payment of the cost thereof," authorizing the making of contracts for hospitalization and medical services and extending the provisions of the act to vocational school districts and institution districts.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 1195, (House Bill No. 1129), entitled:

An Act to further amend subsection (a) of section six of the act approved the seventh day of June one thousand nine hundred seventeen (P. L. 447) entitled as amended "An act relating to the administration and distribution of the estates of decedents and of minors and of trust estates including the appointment bonds rights powers duties liabilities accounts discharge and removal of executors administrators guardians and trustees herein designated as fiduciaries the administration and distribution of the estates of presumed decedents widow's and children's exemptions debts of decedents rents of real estate as assets for payment thereof the lien thereof sales and mortgages of real estate for the payment thereof judgments and executions therefor and the discharge of real estate from the lien thereof contracts of decedents for the sale or purchase of real estate legacies including

legacies charged on land the discharge of residuary estates and of real estate from the lien of legacies and other charges the appraisement of real estate devised at a valuation the ascertainment of the curtilage of dwelling houses or other buildings devised the abatement and survival of actions and the substitution of executors and administrators therein the survival of causes of action and suits thereupon by or against fiduciaries investments by fiduciaries the organization of corporations to carry on the business of decedents the audit and review of accounts of fiduciaries refunding bonds transcripts to the court of common pleas of balances due by fiduciaries the rights powers and liabilities of nonresident and foreign fiduciaries the appointment bonds rights powers duties and liabilities of trustees durante absentia the recording and registration of decrees reports and other proceedings and the fees therefor appeals in certain cases and also generally dealing with the jurisdiction powers and procedure of the orphan's court in all matters relating to fiduciaries concerned with the estates of decedents" eliminating requirements for advertising and for appointment of masters where value of estates of presumed decedents is not in excess of five hundred dollars.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 1204, (House Bill No. 1511), entitled:

An Act making an appropriation for the expenses of the Committee of the House of Representatives created by House Resolution Serial Number thirty-five adopted the twenty-fourth day of February one thousand nine hundred and forty-one.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 1213, (House Bill No. 1766), entitled:

An Act to add clause six to section thirteen of the act approved the eighteenth day of July one thousand nine hundred seventeen (P. L. 1043), entitled "An act establishing a public school employes retirement system and creating a retirement board for the administration thereof establishing certain funds from contributions by the Commonweatlh and contributing employes defining the uses and purposes thereof and the manner of payments therefrom and providing for the guaranty by the Commonwealth of certain of said funds imposing powers and duties upon boards having the employment of public school employes exempting annuities allowances returns benefits and rights from taxation and judicial process and providing penalties" defining the disability retirement rights of members of the School Employes' Retirement Association who engage in active military service.

The first section was read.

On the question,

Will the Senate agree to the section?

Mr. GELTZ. Mr. President, I desire to offer amendments.

The Clerk read the amendments as follows:

Amend sec. 1 (Sec. 13), page 8, line 5, by inserting after the word "service" the following: "for active military service"; amend sec. 1 (Sec. 13), page 8, lines 10 and 11, by striking out the words "for active military service"; amend sec. 1 (Sec. 13), page 8, line 12, by striking out the word "contest" and inserting in lieu thereof: "content".

On the question,

Will the Senate agree to the amendments?

It was agreed to.

On the question,

Will the Senate agree to the section as amended?

It was agreed to.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 1245, (House Bill No. 1770), entitled:

An Act to amend the title and to further amend section forty-three of the act, approved the seventh day of June, one thousand nine hundred and one (P. L. 493), entitled "An act providing for the examination, licensure, and registration of persons, firms, or corporations engaged or engaging in the business or work of plumbing or house drainage, and prescribing certain rules, regulations, and requirements for the construction of plumbing, house drainage, and cesspools in cities of the second class; and imposing fines, penalties, and forfeitures for violation thereof," by permitting the use of enclosed woodwork about sinks in all except tenement-houses and lodging-houses in cities of the second class, second class A, and third class.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 1250, (House Bill No. 1832), entitled:

An Act making an emergency appropriation to the Department of Highways for allocation to and distribution among boroughs and townships for the repair of certain roads and streets in Western Pennsylvania.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 1287, (House Bill No. 1336), entitled:

An Act authorizing and directing the Department of Property and Supplies to reprint the Report of the Com-

mission to Locate the Sites of the Frontier Forts of Pennsylvania; and providing for the distribution thereof.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 1303, (House Bill No. 1727), entitled:

An Act providing that proceedings acts and bonds issued by Authorities incorporated under the Municipality Authorities Act as amended and supplemented shall not be valid by reason of certain circumstances.

The first section was read.

On the question,

Will the Senate agree to the section?

Mr. GELTZ. Mr. President, I desire to offer amendments.

The Clerk read the amendments as follows:

Amend Sec. 1, page 1, line 4, by inserting after the word 'bonds" at the end of said line, the following: "notes or other evidences of indebtedness"; amend Sec, 1, page 1, line 9, by inserting after the words "bonds" and before the word "a" the following: "notes or other evidences of indebtedness"; amend Sec. 1, page 2, line 2, by inserting after the word "bonds" and before the word "are" the following: "notes or other evidences of indebtedness"; amend Sec. 1, page 2, line 3, by inserting after the word "bonds" and before the part word "is-" the following: "notes or other evidences of indebtedness"; amend Sec. 1, page 2, line 5, by inserting after the word "bonds" and before the word "issued" the following "notes or other evidences of indebtedness".

On the question,

Will the Senate agree to the amendments?

It was agreed to.

On the question,

Will the Senate agree to the section as amended?

It was agreed to.

The second section was read and agreed to.

The title was read and agreed to.

And said bill as amended having been read at length the second time.

On the question,

Will the Senate agree to the bill?

Mr. COLEMAN. Mr. President, I submit the gentleman from Allegheny has offered amendments to the bill from the wrong printer's number. I suggest if I may that the amendments be withdrawn and I ask permission to offer the following amendments.

The first section was read.

On the question,

Will the Senate agree to the section?

Mr. COLEMAN. Mr. President, I desire to offer amendments.

The Clerk read the amendments as follows:

Amend section 1, page 1, lines 1, 2, 3, 4, and 5, by striking out all of said lines and inserting in lieu thereof the following: "No bonds heretofore issued by Authorities incorporated under the Municipality Authorities Act approved June 28, 1935 (P. L. 463) as amended and supplemented shall be"; amend section 1, page 1, line 8, by striking out all of said line after the word "of" and inserting in lieu thereof the word "the'; amend section 1, page 2, line 1, by striking out after the word "such" the word [proceedings]; amend section 1, page 2, line 2, by striking out before the word "bonds" the words [act or].

On the question,

Will the Senate agree to the amendments?

Mr. McGINNIS. Mr. President, I desire to interrogate the gentleman from Lackawanna.

The PRESIDENT. Will the gentleman from Lackawanna permit himself to be interrogated?

Mr. COLEMAN. I will, Mr. President.

Mr. McGINNIS. Mr. President, I would like to ask the Senator from Lackawanna to briefly explain the meaning of these amendments.

Mr. COLEMAN. Mr. President, as I understand the bill, it is supposed to take care of a situation in a particular county where bonds have been issued, the validity of which have been questioned because a gentleman who is a member of the authority is also a member of the governing body, and I have stricken out the words "no proceedings heretofore taken and no acts heretofore done by authorities incorporated under the Municipal Authorities Act approved June 28, 1935 and so forth shall be invalid by reason of the fact that any "member of the Board or any officer of said Authority was at the time of such proceedings, the taking of such action or the issuance of such bonds a member or officer of the governing body . . . provided that such proceedings acts or bonds are otherwise valid."

Briefly I share the belief, the very grave concern of those who have invested their money in these authority bonds that they ought not to be jeopardized because of the action of somebody on an authority, and I take the position that this Senate should not put their stamp of approval on any illegal action of a member of an authority, so I have stricken from the bill the words "proceedings heretofore taken and acts heretofore done".

Mr. President, I take the position that does not impair the act, it does not affect the act; and those who are interested in the act should take care of the validity of these bonds.

And the question recurring,

Will the Senate agree to the amendment?

It was agreed to.

On the question,

Will the Senate agree to the section as amended?

It was agreed to.

The second section was read and agreed to.

The title was read.

On the question,

Will the Senate agree to the title?

Mr. COLEMAN. Mr. President, I desire to offer an amendment.

The Clerk read the amendment as follows:

Amend the title, page 1, line 1, by striking out after the word "that" and before the word "bonds" the words [proceedings acts and].

On the question,

Will the Senate agree to the amendment?

It was agreed to.

On the question,

Will the Senate agree to the title as amended?

It was agreed to.

And said bill as amended having been read at length the second time and agreed to.

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 1304, (House Bill No. 1728), entitled:

An Act relating to the compatibility of office of members of the Board and officers of the Authorities incorporated under the Municipality Authorities Act as amended and supplemented.

The first section was read.

On the question,

Will the Senate agree to the section?

Mr. GELTZ. Mr. President, I desire to offer an amendment.

Amend Sec. 1, page 1, line 8, by inserting after the word "incompatible" the following: "Provided, however, That the provisions of this act shall not apply in any instance when the incompatibility of said officers has been made the subject of any litigation in any Court of the Commonwealth prior to the approval of this act nor to any such litigation in any Court of the Commonwealth instituted prior to the approval of this act and still pending and undetermined."

On the question,

Will the Senate agree to the amendment?

Mr. COLEMAN. Mr. President, I desire to have the gentleman who offered the amendments explain them, if he will.

Mr. GELTZ. Mr. President, briefly this excepts any municipal authority which is now in litigation.

Mr. COLEMAN. Mr. President, I wish the gentleman would give us a clear explanation of the intent of the amendment. I have a fair grasp of the English language, but I must confess I am still in a sort of a mental fog.

Mr. GELTZ. Mr. President, I do not think I can give a clearer explanation than the amendment itself; it seems to me it is simple English and it is not hard to understand. It simply makes an exception in connection with any authority that is now a matter of litigation in the courts.

Mr. McGINNIS. Mr. President, I think this amendment ought to be opposed, because it makes an exception. Where litigation has been started, it makes an exception. I do not think a councilman who has been a member of an authority and proceedings have been started ought to be in any different position than any councilman who has been on an authority where there has been no litigation started. All this act was intended to do was to protect these innocent councilmen who become members of an authortiy. I understand some two hundred councilmen in this state have become members of authorities, and to protect those against whom there has been no litigation, and those against whom litigation has been started are not protected, makes fish of one and flesh of the other.

Mr. BARR. Mr. President, in speaking about these many bills that were introduced both in the Senate and in the House concerning municipal authorities, I just want to make one observation.

The same day that Senator Edmonds introduced a bill, Senator Walker introduced one, and another bill of which Senator Walker and Senator Edmonds, were the cosponsors, and I introduced a bill on municipal authorities I think that many of the members of the Senate and the House have been misled, due probably to what happened in one authority of the several hundreds that have been constituted within this state.

Now, Mr. President, I listened to Mr. Walker's speech yesterday about a bill in the Senate—I think it was Senate Bill No. 823—and I also listened to Senator Walker, who is supposed to be a champion for home rule, and I hope that he realizes if this bill passes that there is no home rule in Allegheny County for any local municipal authority.

Mr. WALKER. Mr. President, I desire to interrogate the gentleman from Allegheny, Mr. Barr.

The PRESIDENT. Will the gentleman from Allegheny permit himself to be interrogated?

Mr. BARR. I will, Mr. President.

Mr. WALKER. Mr. President, I desire to ask the gentleman from Allegheny, Senator Barr, what bill he was discussing in his remarks just now.

Mr. BARR. Mr. President, I was discussing Senate Bill No. 1304, (House Bill No. 1728).

Mr. KEPHART. Mr. President, this bill relates to the compatibility of the offices of members on the authority boards. The amendment says that any board that is in litigation is not going to be affected by the amendments. I can not see what difference it makes as far as this amendment is concerned; it is either a right principle or it is a wrong principle; either they are compatible or they are incompatible, and the fact that a case is in court does not seem to me to make any difference.

What this amendment does is to take out the effect of the amendments that were placed in this bill by the Senate committee and this amendment should not be approved.

And the question recurring,

Will the Senate agree to the amendments?

(During the calling of the roll the following occurred:)

Mr. DENT. Mr. President, before the roll call is announced I am not so sure but what I would like an explanation. I do not want to vote under a misapprehension.

Am I right, Mr. President, in believing that this amendment will stop the so called McClure proposition in Delaware County from being declared valid by this Legislature? As I understand it, these amendments say that the bonds are invalid if a member of council was a member of the municipal authority and the case is in court. That is what I understand the amendments to do, am I right or wrong?

Mr. WALKER. Mr. President, I think the gentleman from Westmoreland is entitled to an explanation.

May I suggest to him that House Bill No. 1727 is the one that deals with bonds. The bill under consideration to which the amendments were presented is House Bill

No. 1728, and under House Bill No. 1728, this bill relates to the compatibility of members of a political subdivision that created the authority, and it says in essence that a member of the political subdivision creating the authority can be a member of that authority. In other words it definitely by legislation makes those two offices compatible under the law.

The amendment presented by the gentleman from Allegheny has a specific provision which provides, however, that where suits were instituted and still pending in every such case the provisions of the act would not apply, and therefore in those specific provisions the two offices would not be compatible.

Mr. DENT. Mr. President, that is exactly what I asked. Maybe I do not understand the bill, but if you pass this bill without this amendment the prior act is not workable. I am not an attorney but I at least have sense enough to know you passed a bill a couple of days ago making the offices compatible, you allow two members of a council to belong to a municipal authority.

Mr. WALKER. Mr. President, may I say to the gentleman from Westmoreland, and my co-interrogator, the gentleman from Philadelphia, Mr. Kephart, who is acting as assistant for me, so that he may understand why I am objecting to the amendments and voting "no", I take this position, as suggested a moment ago by some other member of this Senate, if the two offices are compatible at all, we should not draw a fine hair distinction here. If the purpose and the policy of the act is right—I am not defending the act, of course, I am merely saying that if the act is right in principle, it should be right in toto and that is the reason I am voting against the amendments. Of course, the gentleman from Westmoreland can take any position on this bill or this amendment he so desires; I am not attempting to defend the bill or to defend the amendment.

Mr. COLEMAN. Mr. President, while I think the interrogation is entirely out of order, I should like to have one question cleared up so that I may not vote under a misapprehension. I accordingly desire to interrogate the gentleman from Allegheny, Mr. Walker.

The PRESIDENT. Will the gentleman from Allegheny permit himself to be interrogated?

Mr. WALKER. I will, Mr. President.

Mr. COLEMAN. Mr. President, as I understand it the judge in the Chester Water Case has ruled that the office of councilman, or any member of a governing body, and municipal authority are incompatible. Does the gentleman from Allegheny so understand?

Mr. WALKER. That is correct, Mr. President. That was so ruled, as I understand it, in the Chester Water Case by Judge Shull, and also ruled in the Beaver Water Case—I do not recall the name of the judge making the ruling.

Mr. COLEMAN. Mr. President, I desire to ask the gentleman whether or not if this amendment passes you are not nullifying the judges' decision.

Mr. WALKER. Mr. President, if the amendment and/or the bill passes you are nullifying the decision of both judges.

Mr. COLEMAN. Mr. President, voting under a misapprehension, I desire to change my vote from "no" to "aye."

Mr. McGINNIS. Mr. President, in the Chester case and the Beaver Water case there were other matters that perhaps caused the judges to make the decisions they did. I do not think the judge in either case decided that these offices, or merely on the ground of incompatibility of these offices, that was the ground for the decisions. In other words, as I see it, here is a councilman in Chester or a councilman down in Beaver Valley who happens to be a member of an Authority. Now, if we are going to pass legislation and say that is not incompatible, and those offices are compatible, the man in Chester and the man in Beaver Valley ought to be protected by this legislation, as well as a man against whom no case has been filed.

Mr. DEITRICK. Mr. President, voting under a misapprehension, I desire to change my vote from "aye" to "no".

The PRESIDENT. The vote of the gentleman from Northumberland will be so recorded.

Mr. EDMONDS. Mr. President, I understand the vote has been taken and personally I voted "aye" because while I expect to vote against this bill, I think the friends of the bill are entitled to put it in the strongest possible position for voting, and therefore I supported the amendment.

I want to say to the gentleman from Allegheny, Mr. McGinnis, in the Beaver Valley case the question was frankly raised—here is the opinion of Judge Braham, who I think came from New Castle: "The relator has based his case squarely on the proposition that it is against sound public policy and against the law for the respondent and his colleagues on the council of Beaver Falls to appoint themselves members of the Authority. The general rule is stated in 46 Corpus Juris, p. 940, par. 43 (10) as follows: 'It is contrary to the policy of the law for an officer to use his official appointing power to place himself in office so that even in the absence of a statutory limitation, all officers who have the appointing power are disqualified for appointment to the offices to which they may appoint'."

There is more along the same line but I quoted that paragraph because it seems to me a very significant stating of good law, sound common sense and excellent public morality.

Mr. DENT. Mr. President, I want to be clearly understood. My position in this matter is partly based upon a justice in the matter and partly upon the political significance of the matter. I want every member of this Senate to know exactly what he is doing, as I see it. The amendments in this bill do not validate anything that happened prior to the passage of this act. In other words, the judge in Delaware County and the judge in Beaver County both have said that the offices of council and membership on a municipal authority are incompatible. Therefore we pass an act of the Legislature now to make the offices compatible.

I just want it clearly understood I am not against approving the proposition of making the offices compatible, nor am I against the proposition of the bill in the sense of it being retroactive and allowing a situation such as the Delaware County and the Beaver case to be clarified by this bill, but I want it clearly understood I do not want the newspapers or public opinion to get the idea that any vote of mine here is condoning the action in Delaware County. I just want that clearly understood, and I admire the gentleman from Allegheny, Mr. Geltz, for having the courage to say in his amendment, we do not condone what happened in Delaware County, by having men on an au-

thority who were in positions of public office at the same time.

Therefore, Mr. President, I am voting "aye" on the amendment, and I will vote aye on the bill, whether the amendment is defeated or not, so long as my position is clear with the public.

Mr. COLEMAN. Mr. President, I ask for a verification of the roll.

The PRESIDENT. The roll will be so verified.

The Clerk called the names of those voting in the affirmative as follows.

Carr,	Ealy,	James,	McCreesh,
Coleman,	Edmonds,	Jaspan,	Shapiro,
Dent,	Geltz,	Letzler,	Woodward,
DiSilvestro,	Heyburn,		

The PRESIDENT. Are there any corrections? The Chair hears none. The affirmative roll will stand as verified.

The Clerk will call the names of those voting in the negative as follows:

Barr,	Deitrick,	McGinnis,	Stevenson,
Bartlett,	Farrell,	McQuiddy,	Stiefel,
Becker,	Frey,	Miller,	Wade,
Cavalcante,	Haluska,	Reed,	Walker,
Cox,	Kephart,	Ruth,	Wilson, H. I.,
Crider,	Mallery,	Scarlett,	

The PRESIDENT. Are there any corrections? The Chair hears none. The negative roll will stand as verified.

The yeas and nays were required by Mr. GELTZ and were as follows, viz:

YEAS—14

Carr,	Ealy,	James,	McCreesh,
Coleman,	Edmonds,	Jaspan,	Shapiro,
Dent,	Geltz,	Letzler,	Woodward,
DiSilvestro,	Heyburn,		

NAYS—23

Barr,	Deitrick,	McGinnis,	Stevenson,
Bartlett,	Farrell,	McQuiddy,	Stiefel,
Becker,	Frey,	Miller,	Wade,
Cavalcante,	Haluska,	Reed,	Walker,
Cox,	Kephart,	Ruth,	Wilson, H. I.,
Crider,	Mallery,	Scarlett,	

So the question was determined in the negative.

And the question recurring,

Will the Senate agree to the bill on second reading?

It was agreed to.

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 1320, (House Bill No. 1014), entitled:

An Act to further amend clause eight of section one thousand two hundred and ten of the act, approved the eighteenth day of May, one thousand nine hundred and eleven (P. L. 309), entitled "An act to establish a public school system in the Commonwealth of Pennsylvania, together with the provisions by which it shall be administered, and prescribing penalties for the violation thereof; providing revenue to establish and maintain the same, and the method of collecting such revenue; and repealing all laws, general, special or local, or any parts thereof, that are or may be inconsistent therewith," by changing the minimum salary of county superintendents.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 1324, (House Bill No. 1878), entitled:

An Act to further amend the act approved the eighteenth day of May, one thousand nine hundred and eleven (P. L. 309), entitled "An act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered, and prescribing penalties for the violation thereof; providing revenue to establish and maintain the same, and the method of collecting such revenue; and repealing all laws, general, special, or local, or any parts thereof, that are or may be inconsistent therewith" as amended, by providing for the appointment of a deputy school treasurer, a deputy school controller and clerks to the school controller and school treasurer in school districts of the first class by further providing as to the election of school controllers in school districts of the first class and as to vacancies in such office and by providing that certain stationery and books shall be supplied to school treasurers in school districts of the first class

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 1328, (House Bill No. 629), entitled:

An Act to amend section one of and to add section three and one-tenth to the act approved the twentieth day of June one thousand nine hundred and one (P. L. 582) entitled "An act to provide for the registration of labels trade-marks trade-names stamps designs devices shop-marks terms brands designations descriptions or forms of advertisement and protect and secure the rights property and interest therein of the person copartnerships or corporations adopting and filing the same and providing penalties for the violations of the act" further regulating the registration of labels trade-marks trade-names devices shop-marks designations and forms of advertisement and providing for the concellation of such registrations in certain cases

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 1329, (House Bill No. 1831), entitled:

An Act to further amend section twenty-one of the act approved the seventh day of June one thousand nine hun-

dred fifteen (P. L. 900), entitled "An act to provide for the immediate registration of all births and deaths throughout the Commonwealth of Pennsylvania by means of certicates of births and deaths and burial or removal permits requiring prompt returns to the Central Bureau of Vital Statistics as required to be established by the State Department of Health and in order to secure prompt and faithful registration of births marriages deaths and diseases of practitioners of medicine and surgery of midwives nurses and undertakers and of all persons whose occupation is deemed to be of importance in obtaining complete registration of births deaths marriages and diseases throughout the State as provided in section ten of an act entitled 'An act creating the Department of Health and defining its powers and duties' approved the twenty-seventh day of April nineteen hundred and five and providing penalties for violations of this act" by directing the Department of Health to maintain branch offices in counties of the second class for the filing of death certificates authorizing such offices to issue certified copies of death certificates and make searches of their files imposing additional duties upon local registrars in such counties and prescribing fees

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 1334, (House Bill No. 1935), entitled:

An Act to further amend clause six of section one and section three of the act approved the twenty-seventh day of June one thousand nine hundred and twenty-three (P. L. 858) entitled "An act establishing a State employes' retirement system and creating a retirement board for the administration thereof establishing certain funds from contributions by the Commonwealth and contributing State employes defining the uses and purposes thereof and the manner of payments therefrom and providing for the guaranty by the Commonwealth of certain of said funds imposing powers and duties upon the heads of departments in which State employes serve excepting annuities allowances returns benefits and rights from taxation and judicial process and providing penalties" by further defining "State employe" so as to include certain employes of the Board of Fish Commissioners providing that such employes shall have the option of joining the State Employes' Retirement Association and permitting their membership in such association to be retroactive upon the making of certain back payments by them and by the Board of Fish Commissioners

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consireration of Senate Bill No. 1335, (House Bill No. 413), entitled:

An Act prohibiting the employment by the Commonwealth or any county city borough incorporated town township school district vocational school district or institution district thereof or by any authority or any institution supported in whole or in part out of public funds of persons who hereafter advocate or participate in un-American or subversive doctrines as herein defined providing for dismissals under existing laws permitting appeals to courts of common pleas and appellate courts in all such cases.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 1336, (House Bill No. 248), entitled:

An Act authorizing taxpayers in cities of the second class A to inspect the books and records of such cities at any reasonable time and prescribing a procedure for enforcing such right of inspection

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 1337, (House Bill No. 1398), entitled:

An Act to amend the act approved the fifth day of May one thousand nine hundred thirty-three (P. L. 289), entitled "An act relating to non-profit corporations defining and providing for the organization merger consolidation and dissolution of such corporations conferring certain rights powers duties and immunities upon them and their officers and members prescribing the conditions on which such corporations may exercise their powers providing for the inclusion of certain existing corporations of the first class within the provisions of this act prescribing the terms and conditions upon which foreign nonprofit corporations may be admitted or may continue to do business within the Commonwealth conferring powers and imposing duties on the courts of common pleas prothonotaries of such courts recorders of deeds and certain State departments commissions and officers authorizing certain local public officers and State departments to collect fees for services required to be rendered by this act imposing penalties and repealing certain acts and parts of acts relating to corporations" as amended by changing certain provisions of the act relating to corporate names by requiring certain certificates of the payment of taxes and other charges to be filed with the Department of State in certain cases by making certain changes in the scope of the act and by making certain provisions relating to the filing of notices of changes of registered offices.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 1338, (House Bill No. 1400), entitled:

An Act to amend the act approved the fifth day of May one thousand nine hundred thirty-three (P. L. 364), entitled "An act relating to business corporations defining and providing for the organization merger consolidation reorganization winding up and dissolution of such corporations conferring certain rights powers duties and immunities upon them and their officers and shareholders prescribing the conditions on which such corporations may exercise their powers providing for the inclusion of cer-

tain existing corporations of the second class within the provisions of this act prescribing the terms and conditions upon which foreign business corporations may be admitted or may continue to do business within the Commonwealth conferring powers and imposing duties on the courts of common pleas and certain State departments commissions and officers authorizing certain State departments boards commissions or officers to collect fees for services required to be rendered by this act imposing penalties and repealing certain acts and parts of acts relating to corporations" as amended by changing certain provisions of the act relating to corporate names and requiring certificates of the payment of taxes and other charges to be filed with the Department of State in certain cases.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 1342, (House Bill No. 1768), entitled:

An Act to further amend the act approved the fifth day of December one thousand nine hundred thirty-six (P. L. 1937 page 2897), entitled "An act establishing a system of unemployment compensation to be administered by the Department of Labor and Industry and its existing and newly created agencies with personnel (with certain exceptions) selected on a civil service basis requiring employers to keep records and make reports and certain employers to pay contributions based on payrolls to provide moneys for the payment of compensation to certain unemployed persons providing procedure and administrative details for the determination payment and collection of such contributions and the payment of such compensation providing for cooperation with the Federal Government and its agencies creating certain special funds in the custody of the State Treasurer and prescribing penalties" by providing therein as to the replacement of certain moneys received pursuant to the provisions of Section three hundred two of the Federal Social Security Act as amended.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

REPORT FROM COMMITTEE

Mr. CHAPMAN. Mr. President, I ask unanimous consent to make report from committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. CHAPMAN, from the Committee on Appropriations reported as committed, Senate Bill No. 1200, (House Bill No. 1425) entitled:

An Act authorizing the appointment of a commission to make a thorough study of the laws relating to crime and criminal procedure in this Commonwealth; conferring upon the commission full power to issue subpoenas; requiring the commission to make a report of its findings and recommendations to the General Assembly; and authorizing the commission to employ counsel and employes; and making an appropriation.

BILLS ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 261, as follows:

An Act for the extension of Capitol Park in the City of Harrisburg and for the acquisition of real estate in connection therewith and for the demolition of the buildings and structures thereon and making an appropriation

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The Department of Property and Supplies is hereby directed with the approval of the Governor to acquire in the name of the Commonwealth by purchase gift or at the exercise of the right of eminent domain in the manner prescribed by the Administrative Code of one thousand nine hundred and twenty-nine and the amendments thereto all lands buildings streets and alleys situate within the following described boundaries to provide for the extension of Capitol Park in the City of Harrisburg said area being bounded as follows On the west by the eastern line of Third Street on the north by the southern line of Briggs Street on the east by the western line of property of the Pennsylvania Railroad Company and on the south by the northern line of the present Capitol Park Provided however That no property shall actually be taken by the Department until the City of Harrisburg shall by proper municipal action released to the Commonwealth any claim which it might have by reason of any action taken under the authority of this act and shall file said release with a certified copy of the procedings under which it was given with the Department of Property and Supplies And provided further That before any such property shall actually be taken the Department of Property and Supplies with the approval of the Governor shall agree with the City of Harrisburg as to the vacation of existing streets and alleys in said area and the widening and improvement of streets and avenues in and bordering on the lands to be acquired

Section 2 The Department of Property and Supplies shall proceed as rapidly as possible to demolish the buildings acquired within the above described area and proceed to grade and terrace the lands within said area as a part of the Capitol Park area

Section 3 When any liens exist upon any estate or interest so acquired the same shall be paid and satisfied out of the purchase money or damages In case said purchase money or damages shall be insufficient to pay said liens or any dispute shall arise as to the validity of any such liens or the amount due thereon the Department of Property and Supplies shall present a petition to the court of common pleas of Dauphin County for permission to pay the amount due for such acquisition into court and after proper order of court shall pay the amount of such purchase money or damages into said court to be distributed among the parties entitled thereto in the same manner as moneys paid into court upon sheriffs' sales are distributed Upon such payment into court of such purchase money or damages said liens shall be extinguished and the court shall direct satisfaction of said liens to be entered of record

Section 4 The Department of Property and Supplies shall cause to be kept a full fair and accurate record of all its proceedings properly indexed and open to the inspection of the public Copies of all records documents and papers when duly certified by the department shall be received in evidence in the courts of the Commonwealth in all cases where the original records documents and papers would be admitted in evidence Provided however that in any judicial controversy before any court either party may have the original records documents or papers produced on the service of proper process for that purpose

Section 5 The sum of two million dollars ($2,000,000) or so much thereof as may be necessary is hereby specifically appropriated to the Department of Property and Supplies for carrying on the work of the Department authorized under this act and for the payment of the lands and buildings acquired as aforesaid for costs and expenses in connection therewith and for grading and terracing said lands so acquired

Section 6 This act shall take effect immediately upon final enactment

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—42

Barr,	Dent,	Kephart,	Stiefel,
Bartlett,	DiSilvestro,	Letzler,	Tallman,
Becker,	Ealy,	Mallery,	Taylor,
Carr,	Edmonds,	McCreesh,	Thomas,
Cavalcante,	Farrell,	McGinnis,	Tyler,
Chapman,	Frey,	Miller,	Wade,
Coleman,	Geltz,	Ruth,	Walker,
Cox,	Haluska,	Scarlett,	Watkins,
Crider,	Heyburn,	Snowden,	Wilson, H. I.,
Crowe,	James,	Stevenson,	Woodward,
Deitrick,	Jaspan,		

NAYS—2

Reed,	Shapiro,

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 409, (House Bill No. 553), as follows:

An Act to amend section twenty-two of the Act approved the seventh day of June one thousand nine hundred and seventeen (P. L. 403) entitled "An act relating to the form execution revocation and interpretation of wills to nuncupative wills to the appointment of testamentary guardians to spendthrift trusts to forfeiture of devise or legacy in case of murder of testator to elections to take under or against wills and to the recording and registering of such elections and of decrees relative thereto and to the fees therefor" by providing for forfeiture of the right to take property under the will of a murdered testator

Section 1 The General Assembly of the Commonwealth of Pennsylvania hereby enacts That section Twenty-two of the act approved the seventh day of June one thousand nine hundred and seventeen (P. L. 403) entitled "An act relating to the form execution revocation and interpretation of wills to nuncupative wills to the appointment of testamentary guardians to spendthrift trusts to forfeiture of devise or legacy in case of murder of testator to elections to take under or against wills and to the recording and registering of such elections and of decrees relative thereto and to the fees therefor" is hereby amended to read as follows

Section 22 (A) No person who shall be finally adjudged guilty either as principal or accessory of murder of the first or second degree shall be entitled to take any part of the real or personal estate of the person killed as devisee or legatee or otherwise under the will of such person

(B) Upon petition of any interested party averring that such a person who seeks or through whom it is sought to take any property under the will of a testator was a principal or accessory in the murder of the testator either in the first or second degree the Orphans' Court if it determines according to law that it is impossible or impracticable for any reason to try in a competent court of this Commonwealth and finally acquit or convict such person of the murder shall further determine whether or not such person was guilty beyond a reasonable doubt as averred in the petition and its final adjudication of guilt shall have the effect hereinbefore set forth but shall not be deemed an adjudication of guilt for any other purpose Any interested party may appeal to the Supreme Court from the decision on this question.

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—43

Barr,	Dent,	Kephart,	Stiefel,
Bartlett,	DiSilvestro,	Letzler,	Tallman,
Becker,	Ealy,	Mallery,	Taylor,
Carr,	Edmonds,	McCreesh,	Thomas,
Cavalcante,	Farrell,	McGinnis,	Tyler,
Chapman,	Frey,	McQuiddy,	Wade
Coleman,	Geltz,	Miller,	Walker,
Cox,	Haluska,	Mundy,	Watkins,
Crider,	Heyburn,	Reed,	Wilson, H. I.,
Crowe,	James,	Scarlett,	Woodward,
Deitrick,	Jaspan,	Stevenson,	

NAYS—1

Shapiro,

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 410, (House Bill No. 554) as follows:

An Act to amend section twenty-three of the act approved the seventh day of June one thousand nine hundred and seventeen (P. L. 429) entitled "An act relating to the descent and distribution of the real and personal property of persons dying intestate and to provide for the recording and registering of the decrees of the Orphans' Court in connection therewith and the fees therefor" by providing for forfeiture of the right to inherit or take property of a murdered intestate under the said act

Section 1 The General Assembly of the Commonwealth of Pennsylvania hereby enacts that section twenty-three of the Act approved the seventh day of June one thousand nine hundred and seventeen (P. L. 429) entitled "An act relating to the descent and distribution of the real and personal property of persons dying intestate and to provide for the recording and registering of the decrees of the Orphans' Court in connection therewith and the fees therefor" is hereby amended to read as follows

Section 23 (A) No person who shall be finally adjudged guilty either as principal or accessory of murder of the first or second degree shall be entitled to inherit or take any part of the real or personal estate of the person killed as surviving spouse heir or next of kin to such person under the provisions of this act

(B) Upon petition of any interested party averring that a person who seeks or through whom it is sought to inherit or to take any property of an intestate under the provisions of this act was a principal or accessory in the murder of the intestate either in the first or second degree the Orphans' Court if it determines according to law that it is impossible or impracticable for any reason to try in a competent court of this Commonwealth and finally acquit or convict such person of the murder shall further determine whether or not such person was guilty beyond a reasonable doubt as averred in the petition and its final adjudication of guilt shall have the effect hereinbefore set forth but shall not be deemed an adjudication of guilt for any other purpose Any interested party may appeal to the Supreme Court from the decision on this question

An said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—43

Barr,	Dent,	Kephart,	Stiefel,
Bartlett,	DiSilvestro,	Letzler,	Tallman,
Becker,	Ealy,	Mallery,	Taylor,
Carr,	Edmonds,	McCreesh,	Thomas,
Cavalcante,	Farrell,	McGinnis,	Tyler,
Chapman,	Frey,	Miller,	Wade,
Coleman,	Geltz,	Reed,	Walker,
Cox,	Haluska,	Ruth	Watkins,
Crider,	Heyburn	Scarlett,	Wilson, H. I.,
Crowe,	James,	Snowden,	Woodward,
Deitrick,	Jaspan,	Stevenson,	

NAYS—1

Shapiro,

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 468, (House Bill No. 70), as follows:

An Act to amend section seven hundred three of the act approved the twenty-fourth day of June one thousand nine hundred and thirty-one (P. L. 1206) entitled "An act concerning townships of the first class amending revising consolidating and changing the law relating thereto" by providing for the compensation paid to township commissioners

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section seven hundred three of the act approved the twenty-fourth day of June one thousand nine hundred and thirty-one (P. L. 1206) entitled "An act concerning townships of the first class amending revising consolidating and changing the law relating thereto" is hereby amended to read as follows

Section 703 Compensation [Each township commissioner shall receive a salary of one hundred dollars per year in townships having a population of less than five thousand two hundred dollars per year in townships having a population of five thousand and more but less than twenty-five thousand and three hundred dollars per year in townships having a population of twenty-five thousand and more payable quarterly as full compensation for the duties imposed by the provisions of this act] Each township commissioner shall receive a salary of not more than two hundred dollars per year in townships having a population of less than four thousand not more than three hundred dollars per year in townships having a population of four thousand and more but less than ten thousand and not more than four hundred dollars per year in townships having a population of ten thousand and more but less than fifteen thousand not more than five hundred dollars in townships having a population of fifteen thousand or more but less than twenty thousand and not more than six hundred dollars in townships having a population of twenty thousand or more payable quarterly as full compensation for the duties imposed by the provisions of this act

Section 2 This act shall become effective immediately upon final enactment

And said bill having been read at length the third time, and agreed to.

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—42

Barr,	Dent,	Letzler,	Stiefel,
Bartlett,	DiSilvestro,	Mallery,	Tallman,
Becker,	Edmonds,	McCreesh,	Taylor,
Carr,	Farrell,	McGinnis,	Thomas,
Cavalcante,	Frey,	Miller,	Tyler,
Chapman,	Geltz,	Ruth,	Wade,
Coleman,	Haluska,	Scarlett,	Walker,
Cox,	Heyburn,	Shapiro,	Watkins,
Crider,	James,	Snowden,	Wilson, H. I.
Crowe,	Jaspan,	Stevenson,	Woodward,
Deitrick,	Kephart,		

NAYS—2

Ealy, Reed,

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 499, (House Bill No. 657), as follows:

An Act to amend sections one two three and four of the act approved the twenty-first day of May one thousand nine hundred thirty-seven (P. L. 787) entitled "An act authorizing the compromise or reduction of tax claims on real property purchased by any county city borough town school district or poor district at any sale for the nonpayment of taxes and the reconveyance or private sale of such property" extending the provisions of said act to properties purchased by said political subdivisions at sales for municipal claims and to the payment of such claims from the proceeds of such compromises or sales and changing the time when such compromises may be made

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Sections one two three and four of the act approved the twenty-first day of May one thousand nine hundred thirty-seven (P. L. 787) entitled "An act authorizing the compromise or reduction of tax claims on real property purchased by any county city borough town school district or poor district at any sale for the nonpayment of taxes and the reconveyance or private sale of such property" are hereby amended to read as follows

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That whenever any real property has been heretofore or shall be hereafter purchased by any county city borough incorporated town school district or poor district to be called herein municipality for nonpayment of taxes or municipal claims under any act of Assembly authorizing such sale the municipality purchasing said property may subject to the approval of the court of common pleas [after the period of redemption has expired] upon petition agree with the former owner of such property or his heirs devisees or any one or more of them or with anyone entitled to redeem such property to accept in compromise or reduction of the amount of the taxes and municipal claims penalties interest and costs due any sum less than the whole of such amount so due whereupon either the said municipality or the person with whom such agreement is made may petition the common pleas court for confirmation of said agreement

Section 2 After the period for redemption has passed such municipality may sell at private sale any real property purchased at tax sale or sale for municipal claim and may in effecting such sale accept any sum less than the amount of all the taxes municipal claims penalties and interest due subject to the approval upon petition of the court of common pleas

Section 3 Upon presentation of such petition the court shall fix a day not more than ten days thereafter for a hearing thereon At least five days' notice of such hearing shall be given to all the taxing authorities having tax or municipal claims against such real estate and notice shall also be given by publication in at least one newspaper of general circulation published in the county setting forth a description of the property the total amount of taxes municipal claims penalties and interest due and costs and the amount which it is proposed to accept in compromise or redemption or for the sale of said property

Section 4 If after such hearing the court is satisfied that the proposed compromise or private sale is proper and to the advantage of all the taxing authorities interested it shall enter a decree approving such compromise settlement private sale or such other settlement as the court may find to be proper and directing a conveyance of such property to the person or persons with whom the agreement has been made upon the payment of the agreement amount or such amount as the court may approve and all costs of the proceeding The proceeds of such compromise or private sale shall be distributed first to the costs of sale whereat the property was acquired and the balance to the respective taxing authorities in proportion to their tax and municipal claims The title conveyed shall be free and clear of all tax and municipal liens but shall not discharge any other liens not discharged by the tax sale or sale on municipal claim

Section 2 All acts and parts of acts inconsistent herewith are hereby repealed

Section 3 This act shall become effective immediately upon final enactment

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—44

Barr,	Dent,	Jaspan,	Shapiro,
Bartlett,	DiSilvestro,	Kephart,	Stiefel,
Becker,	Ealy,	Letzler,	Tallman,
Carr,	Edmonds,	Mallery,	Taylor,
Cavalcante,	Farrell,	McCreesh,	Thomas,
Chapman,	Frey,	McGinnis,	Tyler,
Coleman,	Geltz,	McQuiddy,	Wade,
Cox,	Haluska,	Miller,	Walker,
Crider,	Heyburn,	Reed,	Watkins,
Crowe,	Homsher,	Ruth,	Wilson, H. I.,
Deitrick,	James,	Scarlett,	Woodward,

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same with amendments in which the concurrence of the House is requested.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 537, (House Bill No. 579), as follows:

An Act relating to acknowledgments of written instruments and to make uniform the law with relation thereto .....

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Acknowledgment Of Instruments Any instrument may be acknowledged in the manner and form now provided by the laws of this State or as provided by this Act .....

Section 2 Acknowledgment Within The State The acknowledgment of any instrument may be made in this State before

(1) A Judge of a court of record

(2) A Clerk Prothonotary or Deputy Prothonotary or Deputy Clerk of a court having a seal

(3) A Recorder of Deeds

(4) A Notary Public

(5) A Justice of the Peace Magistrate or Alderman

Section 3 Acknowledgment Within The United States The acknowledgment of any instrument may be made without the State but within the United States or a territory or insular possession of the United States or the District of Columbia or the Philippine Islands and within the jurisdiction of the officer before .....

(1) A Clerk or Deputy Clerk of any federal court

(2) A Clerk Prothonotary or Deputy Prothonotary or Deputy Clerk of any court of record of any State or other jurisdiction .....

(3) A Notary Public

(4) A Recorder of Deeds

Section 4 Acknowledgment Without The United States The acknowledgment of any instrument may be made without the United States before

(1) An Ambassador Minister Charge d'Affaires Counselor to or Secretary of a Legation Consul General Consul Vice-Consul Commercial Attache or Consular Agent of the United States accredited to the country where the acknowledgment is made

(2) A Notary Public of the country where the acknowledgment is made

(3) A Judge or Clerk of a court of record of the Country where the acknowledgment is made

Section 5 Requisites Of Acknowledgment The officer taking the acknowledgment shall know or have satisfactory evidence that the person making the acknowledgment is the person described in and who executed the instrument

Section 6 Acknowledgment By A Married Woman An acknowledgment of a married woman may be made in the same form as though she were unmarried

Section 7 Forms Of Certificates An officer taking the acknowledgment shall endorse thereon or attach thereto a certificate substantially in one of the following forms

(1) By Individuals

State of .....

County of .....

On this the ..... day of ..... 19 ..... before me ..... the undersigned officer personally appeared ..... known to me (or satisfactorily proven) to be the person whose name ..... subscribed to the within instrument and acknowledged that ..... he ..... executed the same for the purposes therein contained In witness whereof I hereunto set my hand and official seal

....

.....

Title of Officer

(2) By a Corporation

State of .....

County of .....

On this the .... day of ..... 19 ..... before me ..... the undersigned officer personally appeared ..... who acknowledged himself to be the ..... of ..... a corporation and that he as such ..... being authorized to do so executed the foregoing instrument for the purposes therein contained by signing the name of the corporation by himself as .....

In witness whereof I hereunto set my hand and official

seal

.....

.....

Title of Officer

(3) By an Attorney in Fact

State of .....

County of .....

On this the .... day of ..... 19 ..... before me ..... the undersigned officer personally appeared .....known to me (or satisfactory proven) to be the person whose name is subscribed as attorney in fact for ..... and acknowledged that he executed the same as the act of his principal for the purposes therein contained

In witness whereof I hereunto set my hand and official seal

.....

.....

Title of Officer

(4) By any Public Officer or Deputy thereof or by any trustee Administrator Guardian or Executor

State of .....

County of .....

On this the .. ..day of ..... 19 ..... before me ..... the undersigned officer personally appeared ..... of the State (County or City as the case may be) of ..... known to me (or satisfactorily proven) to be the person described in the foregoing instrument and acknowledged that he executed the same in the capacity therein stated and for the purposes therein contained

In witness whereof I hereunto set my hand and official seal

.....

.....

Title of Officer

Section 8 Execution Of Certificate The certificate of the acknowledging officer shall be completed by his signature his official seal if he has one the title of his office and if he is a Notary Public the date his commission expires

Section 9 Authentication Of Acknowledgments (1) If the acknowledgment is taken within this State or is made without the United States by an officer of the United States no authentication shall be necessary

(2) If the acknowledgment is taken without this State but in the United States a Territory or insular possession of the United States the District of Columbia or the Philippine Islands the certificate shall be authenticated by a certificate as to the official character of such officer executed if the acknowledgment is taken by a Clerk or Deputy Clerk of a court by the presiding judge of the court or if the acknowledgment it taken by a Notary Public by a Clerk of a Court of Record of the County Parish or District in which the acknowledgment is taken

(3) If the acknowledgment is made without the United States and by a Notary Public or a Judge or Clerk of a Court of Record of the country where the acknowledgment is made the certificate shall be authenticated by a certificate under the Great Seal of State of the country affixed by the custodian of such Seal or by a certificate of a diplomatic consular or commercial officer of the United States accredited to that country certifying as to the official character of such officer

Section 10 Acknowledgments Under Laws Of Other States Notwithstanding any provision in this Act contained the acknowledgment of any instrument without this State in compliance with the manner and form prescribed by the laws of the place of its execution if in a State a Territory or insular possession of the United Sttes or in the District of Columbia or in the Philippine Islands verified by the official seal of the officer before whom it is acknowledged and authenticated in the manner provided by section 9 subsection 2 hereof shall have the same effect as an acknowledgment in the manner and form prescribed by the laws of this State for instruments executed within the State (except where the instrument is a deed by which a resident of this State purports to convey his homestead in this State and the deed is not additionally acknowleged in the form prescribed by the law of this State for the validity of a conveyance of a homestead)

Section 11 Acknowledgments Not Affected By This Act No acknowledgment heretofore taken shall be affected by anything contained herein

Section 12 Uniformity Of Interpretation This Act shall be so interpreted as to make uniform the laws of those States which enact it

Section 13 Name Of Act This Act may be cited as the Uniform Acknowledgment Act

Section 14 Time of taking effect This act shall take effect immediately upon final enactment

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—44

Barr,	Dent,	Kephart,	Stevenson,
Bartlett,	DiSilvestro,	Letzler,	Stiefel,
Becker,	Ealy,	Mallery,	Tallman,
Carr,	Edmonds,	McCreesh,	Taylor,
Cavalcante,	Farrell,	McGinnis,	Thomas,
Chapman,	Frey,	Miller,	Tyler,
Coleman,	Geltz,	Reed,	Wade,
Cox,	Hanuska,	Ruth,	Walker,
Crider,	Heyburn,	Scarlett,	Watkins,
Crowe,	James,	Shapiro,	Wilson, H. I.,
Deitrick,	Jaspan,	Snowden,	Woodward,

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 634, (House Bill No. 974), as follows:

An Act to amend article twelve section one thousand two hundred six of the act approved the ninth day of April one thousand nine hundred and twenty-nine (P. L. 177) entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments boards commissions and officers thereof including the boards of trustees of State Normal Schools or Teachers Colleges abolishing creating reorganizing or authorizing the reorganization of certain administrative departments boards and commissions defining the powers and duties of the Governor and other executive and administrative officers and of the several administrative departments boards commissions and officers fixing the salaries of the Governor Lieutenant-Governor and certain other executive and administrative officers providing for the appointment of certain administrative officers and of all deputies and other assistants and employes in certain departments boards and commissions and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments boards and commissions shall be determined" by providing for the issuance of a certificate of approval for weights and measures of county city and borough sealers

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section one thousand two hundred six of article twelve of the act approved the ninth day of April one thousand nine hundred and twenty-nine (P. L. 177)

entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments boards commissions and officers thereof including the boards of trustees of State Normal Schools or Teachers Colleges abolishing creating reorganizing or authorizing the reorganization of certain administrative departments boards and commissions defining the powers and duties of the Governor and other executive and administrative officers and of the several administrative departments boards commissions and officers fixing the salaries of the Governor Lieutenant-Governor and certain other executive and administrative officers providing for the appointment of certain administrative officers and of all deputies and other assistants and employes in certain departments boards and commissions and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments boards and commissions shall be determined" is hereby amended to read as follows

Section 1206 Standards The Department of Internal Affairs shall have the power and its duty shall be

* * * *

(d) To compare test and regulate all weights and measures of all county city and borough sealers now in office or hereafter who may be appointed with the State standards when presented at the office of the Department for that purpose and to certify to their correctness [by affixing the Department's official stamp thereto with the name of the examiner and the date of examination clearly marked thereon] by issuing certificates as to their accuracy bearing the date of examination and approval of the said weight or measure for which the certificate is issued the signature of the examiner and the official stamp of the Department

Section 2 This act shall become effective upon its final enactment

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—44

Barr,	Dent,	Kephart,	Stevenson,
Bartlett,	DiSilvestro,	Letzler,	Stiefel,
Becker,	Ealy,	Mallery,	Tallman,
Carr,	Edmonds,	McCreesh,	Taylor,
Cavalcante,	Farrell,	McGinnis,	Thomas,
Chapman,	Frey,	McQuiddy,	Tyler,
Coleman,	Geltz,	Miller,	Wade,
Cox,	Haluska,	Reed,	Walker,
Crider,	Heyburn,	Ruth,	Watkins,
Crowe,	James,	Scarlett,	Wilson, H. I.,
Deitrick,	Jaspan,	Shapiro,	Woodward,

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same with amendments in which the concurrence of the House is requested.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 754, (House Bill No. 652), as follows:

An Act authorizing any county city borough town township poor district school district or institution district to execute a special warranty deed for any real property which it has acquired at any sale for the nonpayment of taxes or municipal claims

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Whenever any real property has been heretofore or shall be hereafter purchased by any county city borough incorporated town township school district poor district or institution district to be called hereinafter municipality for nonpayment of taxes or municipal claims under any act of assembly authorizing such sale the municipality or municipalities purchasing said property may after the period for redemption has expired in conveying such real property to a purchaser execute a special warranty deed warranting the regularity and validity of its original claim or claims and the procedure through which such municipality or municipalities acquired title Provided however That such municipality or municipalities shall only be bound by such warranty to the extent of the purchase money it receives for such real property

Section 2 All acts and parts of acts inconsistent herewith are hereby repealed

Section 3 The provisions of this act shall become effective immediately upon final enactment

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—44

Barr,	Dent,	Kephart,	Stiefel,
Bartlett,	DiSilvestro,	Letzler,	Tallman,
Becker,	Ealy,	Mallery,	Taylor,
Carr,	Edmonds,	McCreesh,	Thomas,
Cavalcante,	Farrell,	McGinnis,	Tyler,
Chapman,	Frey,	Miller,	Wade,
Coleman,	Geltz,	Reed,	Walker,
Cox,	Haluska,	Ruth,	Watkins,
Crider,	Heyburn,	Scarlett,	Wilson, H. I.,
Crowe,	James,	Shapiro,	Wilson, T. B.,
Deitrick,	Jaspan,	Stevenson,	Woodward,

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

BILL OVER IN ORDER

Mr. GELTZ. Mr. President, I ask unanimous consent that Senate Bill No. 768, (House Bill No. 1127) on third reading, entitled:

An Act defining, regulating and providing for the licensing and registration of employment agents and their representatives, including private employment agents, theatrical employment agencies and nurses' registries; providing for revocation and suspension of licenses and registrations, subject to appeal, and for their reinstatement; defining the powers and duties of the Department of Labor and Industry and the Department of Public Instruction; providing penalties; and repealing existing laws

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILLS ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and con-

sideration of Senate Bill No. 769, (House Bill No. 1194), as follows:

An Act to amend sections two and three of the act approved the eleventh day of May one thousand nine hundred and eleven (P. L. 275) entitled "An act to provide for the appointment of county and city inspectors of weights and measures providing for their compensation and expenses prescribing their duties prohibiting vendors from giving false or insufficient weights and fixing the penalties for the violation of the provisions hereof" as amended by providing for the issuance of certificates of approval for weights and measures of county city and borough sealers

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section two of the act approved the eleventh day of May one thousand nine hundred and eleven (P. L. 275) entitled "An act to provide for the appointment of county and city inspectors of weights and measures providing for their compensation and expenses prescribing their duties prohibiting vendors from giving false or insufficient weights and fixing the penalties for the violation of the provisions hereof as last amended by the act approved the fourteenth day of May one thousand nine hundred and twenty-nine (P. L. 1757) is hereby further amended to read as follows

Section 2 All county and city inspectors so appointed shall be supplied at the expense of their respective counties and cities with standard tests of weights and measures in conformity with those established by the Government of the United States or the Bureau of Standards of the State and the laws of this Commonwealth and to ensure the accuracy of these tests they shall be compared with the standard tests to be purchased by the Secretary of Internal Affairs and when so compared and their correctness established [they shall be so stamped or marked in such manner as may be established by the rules and regulations hereinbefore referred to to be put in force by said Secretary of Internal Affairs and approved by the Governor of the Commonwealth] a certificate of accuracy shall be issued said certificate to bear the date of examination and approval of the said weight or measure for which the certificate is issued the signature of the examiner and the official stamp of the Department

* * * * *

Section 2 Section three of the said act as last amended by the act approved the eleventh day of July one thousand nine hundred and twenty-three (P. L. 992) is hereby further amended to read as follows

Section 3

* * * * *

It shall be unlawful for any inspector to use any tests or standards or to attempt to use the same in ascertaining the correctness or accuracy of weights and measures until such comparisons are made and their accuracy established and [so stamped or marked] a certificate of accuracy issued therefor as provided by this act It shall be unlawful for any inspector to manufacture sell or offer to sell any weighing or measuring device used in the sale of commodities or to repair or offer to repair any weighing or measuring device other than such adjustments as he may find necessary in the performance of his official duties for which no fees shall be collected Any inspector violating the provisions of this act shall be guilty of a misdemeanor and upon conviction therefor shall be fined not exceeding one thousand ($1,000) dollars or undergo imprisonment for a period not exceeding one year or both or either at the discretion of the court

Section 3 This act shall become effective upon its final enactment

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—44

Barr,	Dent,	Kephart,	Stiefel,
Bartlett,	DiSilvestro,	Letzler,	Tallman,
Becker,	Ealy,	Mallery,	Taylor,
Carr,	Edmonds,	McCreesh,	Thomas,
Cavalcante,	Farrell,	McGinnis,	Tyler,
Chapman,	Frey,	McQuiddy,	Wade,
Coleman,	Geitz,	Miller,	Walker,
Cox,	Haluska,	Reed,	Watkins,
Crider,	Heyburn,	Ruth,	Wilson, H. I.,
Crowe,	James,	Scarlett,	Wilson, T. B.,
Deitrick,	Jaspan,	Shapiro,	Woodward,

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 809, (House Bill No. 215), as follows:

An Act to further amend sections one and four of the act approved the sixteenth day of May one thousand nine hundred and nineteen (P. L. 180), entitled "An act providing a method of establishing title to land acquired at a sale for unpaid taxes or municipal claims" extending the provisions of said act to include land acquired at city treasurer's sales for unpaid taxes and providing that in certain cases notice of the proceedings by advertisement shall be deemed a good and sufficient service

The general Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Sections one and four of the act approved the sixteenth day of May one thousand nine hundred and nineteen (P. L. 180), entitled "An act providing a method of establishing title to land acquired at a sale for unpaid taxes or municipal claims" as last amended by the act approved the eleventh day of April one thousand nine hundred and thirty-nine (P. L. 22) are hereby further amended to read as follows

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That in all cases where land has been heretofore or shall be hereafter sold by the sheriff on claims for unpaid taxes or municipal liens or by a county treasurer or a city treasurer for unpaid taxes under any act or acts of Assembly the purchaser including a municipality in case it be the purchaser at such sale or his or its successor in title may present his or its petition under oath to the court of common pleas of the county wherein the land is situate setting forth (a) The location of the lands by metes and bounds or if it be in a recorded plan of lots the plan number of the lot and the place of record of the plan (b) the names of the former owners reputed owners persons in possession or any other person having or claiming to have a right to interest in or claim against said land if any there be and (c) that upon diligent inquiry no person has been found who has or claims to have any right title or interest in or claim against said land unless it be those named in the petition Thereupon a rule shall be granted upon the persons named in the petition and generally upon all other persons not named in the petition who have or claim to have any right title or interest in or claim against the said land to appear within sixty days from service of the rule and show cause why the title of the petitioner to said land should not be adjudicated and decreed valid and indefeasible as against all rights or claims whatsoever The rule may be made returnable to such term or return day as may be fixed by the court and shall be entered of record in the appearance docket of said court and duly indexed therein and also in the eject-

ment index of said court As to persons domiciled within the county the rule shall be served and returned as writs of summons are served and returned As to those persons who do not have their domicile within the county in which the rule is issued or those whose domicile is outside the State the rule may be served by mailing a true and attested copy of the petition and rule by registered letter to his or their last known address if any In case the domicile of any person or persons named in the petition be unknown and the court is satisfied that due inquiry has been made and their whereabouts cannot be ascertained the aforesaid notice by advertisement shall be deemed to be a good and sufficient service of the rule

In addition thereto the court shall direct that notice by one advertisement in a newspaper of general circulation in the county where the land is situate be given to all persons including those named in the petition to appear on or before the return day of the rule and show cause why the title of the petitioner should not be adjudicated and decreed valid and indefeasible as against all rights or claims whatsoever The advertisement shall be made at least sixty days before the return day of the said rule

Section 4 The remedy herein provided is not intended as an exclusive method of establishing title to land acquired at a sheriff's sale sale on a tax claim or municipal claim or at a county treasurer's sale or a city treasurer's sale for unpaid taxes

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—43

Barr,	Dent,	Kephart,	Tallman,
Bartlett,	DiSilvestro,	Letzler,	Taylor,
Becker,	Ealy,	Mallery,	Thomas,
Carr,	Edmonds,	McCreesh,	Tyler,
Cavalcante,	Farrell,	McGinnis,	Wade,
Chapman,	Frey,	Miller,	Walker,
Coleman,	Geltz,	Reed,	Watkins,
Cox,	Haluska,	Ruth,	Wilson, H. I.,
Crider,	Heyburn,	Scarlett,	Wilson, T. B.,
Crowe,	James,	Stevenson,	Woodward,
Deitrick,	Jaspan,	Stiefel,	

NAYS—1

Shapiro,

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 819, (House Bill No. 1326), as follows:

An Act to amend sections three and four of the act approved the thirtieth day of March one thousand nine hundred three (P. L. 110) entitled "A supplement to an act entitled 'An act regulating the construction maintenance alteration and inspection of buildings and party walls in cities of the second class' approved the seventh day of June Anno Domini one thousand eight hundred and ninety-five regulating the construction alteration and ventilation of tenement-houses and providing for the safety of the inhabitants thereof and providing penalties for the violation of the same" further regulating the erection alteration and ventilation of certain tenement houses

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows:

Section 1 Sections three and four of the act approved the thirtieth day of March one thousand nine hundred three (P. L. 110) entitled "A supplement to an act entitled 'An act regulating the construction maintenance alteration and inspection of buildings and party walls in cities of the second class' approved the seventh day of June Anno Domini one thousand eight hundred and ninety-five regulating the construction alteration and ventilation of tenement-houses and providing for the safety of the inhabitants thereof and providing penalties for the violation of the same" are hereby amended to read as follows:

Section 3 In any city of the second class which has enacted or may hereafter enact a zoning ordinance the provisions of the said ordinance affecting the required yards or courts for tenement houses shall be the only effective provisions for such open spaces In any city of the second class in which the open spaces about a tenement house are not regulated by a zoning ordinance the following provisions for tenement houses shall apply

Every tenement-house hereafter erected altered or [constructed in any city of the second class] occupied shall have [attached to it in the rear or at the side] an open space at the rear or the side or sides equal in area to at least twenty per centum of the entire area of the lot upon which said tenement-house is erected which open space shall be unobstructed by any overhanging structure except cornices or fire escapes [required by law] unless [however] such tenement-house [shall be] is erected upon a corner of two streets neither of which is less than twenty feet in width in which case said tenement-house shall have an open space attached to it [in] at the rear or at the side next the adjoining lot equal in area to at least ten per centum of the entire area of the lot upon which said tenement-house is erected which open space shall be unobstructed by any overhanging structure except cornices and fire escapes [required by law] and any such tenement-house which shall be erected upon a lot bounded on three sides by streets not less than twenty feet in width may be erected to cover the entire area of said lot provided that every window opening from the living rooms in said tenement-house shall open upon one of said streets [Such open space attached to every such tenement-house] Any open space at the side or rear of such tenement house shall be at least eight feet in width throughout its entire length No court or open space between tenement-houses or between wings of a tenement-house shall be [of a less width] less than ten feet in width If such tenement-[houses] house shall be built upon a lot which is bounded upon two opposite sides by streets [then] at least one end of every such open space shall abut upon one of such streets Every court or shaft [which shall be built] erected for the purpose of furnishing light or air to any such tenement-house shall open [upon] on one side into a street or into the yard or other open space except such shafts as may be necessary for the ventilation of water-closets or bathrooms

Section 4 Every room in [every] any such tenement-house shall have at least one window opening upon a street or upon the open space provided for in the third section of this act [And the distance from every window in every such tenement house to the wall or party line opposite to it shall be at least eight feet The halls on each floor of every such] In any city of the second class in which a zoning ordinance has not been enacted any window opening into a yard or court shall be at least eight feet distant from the wall or party line opposite to it Any hall in a tenement-house shall have a window or windows opening either upon a street or upon the open space provided for in the third section of this act and shall have no room or other obstruction at the end unless sufficient light and ventilation is otherwise provided for said [halls] hall in a manner approved by the superintendent of the bureau of building inspection [But whenever] Whenever in the judgment of the superintendent of the bureau of building inspection it shall be possible to construct such tenement-house without corridors connecting the entrance of several tenements or suites of rooms the superintendent of the bureau of building inspection may

require that such tenement-house be so constructed that it shall contain no such corridors

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—44

Barr,	Dent,	Jaspan,	Stiefel,
Bartlett,	DiSilvestro,	Kephart,	Tallman,
Becker,	Ealy,	Letzler,	Taylor,
Carr,	Edmonds,	Mallery,	Thomas,
Cavalcante,	Farrell,	McCreesh,	Tyler,
Chapman,	Frey,	McGinnis,	Wade,
Coleman,	Geltz,	Miller,	Walker,
Cox,	Haluska,	Reed,	Watkins,
Crider,	Heyburn,	Ruth,	Wilson, H. I.,
Crowe,	Homsher,	Scarlett,	Woodward,
Deitrick,	James,	Shapiro,	Ziesenheim,

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 820, (House Bill No. 1327), as follows:

An Act to amend section six and to further amend section eleven of the act approved the twenty-eighth day of May one thousand nine hundred and fifteen (P. L. 596) entitled "An act requiring cities of the second class to establish a pension fund for employes of said cities and regulating the administration and the payment of such pensions" restricting the right of per diem employes to join such pension system and giving peace time drafted employes credit for the time spent in the services of the United States

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section six of the act approved the twenty-eighth day of May one thousand nine hundred and fifteen (P. L. 596) entitled "An act requiring cities of the second class to establish a pension fund for employes of said cities and regulating the administration and the payment of such pensions" is hereby amended to read as follows

Section 6 Should any person holding position in said cities of the second class as laborer at a per diem wage he or she shall not be compelled to pay or contribute toward the pension fund herein provided for but shall have the option or choice of so doing at any time within six months after the date of their employment and in that event only of becoming entitled to the pension provided by this act

Section 2 Section eleven of said act as amended by the act approved the fourteenth day of May one thousand nine hundred and twenty-five (P. L. 742) is hereby further amended to read as follows

Section 11 The time of service herein specified namely twenty years shall be computed from the time of the first or original employment said employment to consist of service to such city of the second class and need not be continuous Provided That in no case shall a period of more than eighteen years be credited to the service record of any person who shall be employed after the passage of this act and who shall have been employed by such city prior to the passage of this act If an employe shall have enlisted or shall have been drafted to serve in the Army or Navy of the United States in time of war or shall have been drafted to serve in the Army or Navy of the United States in time of peace such service in the Army or Navy of the United States shall be credited in full to the service record of such employe as service to such city of the second class

Section 3 The provisions of this act shall become effective immediately upon final enactment

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—44

Barr,	Dent,	Jaspan,	Stiefel,
Bartlett,	DiSilvestro,	Kephart,	Tallman,
Becker,	Ealy,	Letzler,	Taylor,
Carr,	Edmonds,	Mallery,	Thomas,
Cavalcante,	Farrell,	McCreesh,	Tyler,
Chapman,	Frey,	McGinnis,	Wade,
Coleman,	Geltz,	Miller,	Walker,
Cox,	Haluska,	Reed,	Watkins,
Crider,	Heyburn,	Ruth,	Wilson, H. I.,
Crowe,	Homsher,	Scarlett,	Woodward,
Deitrick,	James,	Shapiro,	Ziesenheim,

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 892, (House Bill No. 522), as follows:

An Act making an appropriation to the Pennsylvania State College to advance the tobacco interest of this Commonwealth

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The sum of five thousand dollars ($5,000) is hereby specifically appropriated to the Pennsylvania State College for the purpose of advancing the interests of tobacco growers in this Commonwealth by experimental work with a view of improving existing types of tobacco and shade grown wrappers and other nicotine bearing plants of overcoming diseases destructive to tobacco and other nicotine plants of perfecting processes of curing fermentation sweating and packing of tobacco and of securing and using correct types of fertilizers

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—41

Bartlett,	Edmonds,	Mallery,	Tallman,
Becker,	Farrell,	McCreesh,	Taylor,
Carr,	Frey,	McGinnis,	Thomas,
Cavalcante,	Geltz,	McQuiddy,	Tyler,
Chapman,	Haluska,	Miller,	Wade,

Coleman,	Heyburn,	Reed,	Walker,
Cox,	James,	Ruth,	Watkins,
Crider,	Jaspan,	Scarlett,	Wilson, H. I.,
Deitrick,	Kephart,	Stevenson,	Woodward,
DiSilvestro,	Letzler,	Stiefel,	Ziesenheim,
Ealy,			

NAYS—3

Barr,	Dent,	Shapiro,

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same with amendments in which the concurrence of the House is requested.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 898, (House Bill No. 1213), as follows:

An Act to amend an act approved the seventh day of June one thousand nine hundred seventeen (P. L. 600) entitled "An act providing that appointive officers and employes employed by the Commonwealth of Pennsylvania in its civil service or by any department bureau commission or office thereof or by any county municipality township or school district shall not be deemed or held to have resigned or abandoned their offices or employments by reason of enlistment enrollment or draft in the military or naval service of the United States or any branch or unit thereof in time of war or contemplated war prohibiting the removal from their offices or employments of such officers and employes during the period of their service in the Army or Navy directing that one-half of the salaries or wages of such officers or employes as have dependent wives children or parents and not exceeding two thousand dollars per annum be paid during the term of their service in the Army or Navy to such dependents authorizing the employment during said term of substitutes to perform the duties theretofore performed by such officers or employes respectively and providing for the compensation of such substitutes" by more fully defined the times during which the benefits shall be payable and the amounts thereof and to whom payable and removing employes of school districts from the provisions of said act

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The act approved the seventh day of June one thousand nine hundred seventeen (P. L. 600) entitled "An act providing that appointive officers and employes employed by the Commonwealth of Pennsylvania in its civil service or by any department bureau commission or office thereof or by any county municipality township or school district shall not be deemed or held to have resigned or abandoned their offices or employments by reason of enlistment enrollment or draft in the military or naval service of the United States or any branch or unit thereof in time of war or contemplated war prohibiting the removal from their offices or employments of such officers and employes during the period of their service in the Army or Navy directing that one-half of the salaries or wages of such officers or employes as have dependent wives children or parents and not exceeding two thousand dollars per annum be paid during the term of their service in the Army or Navy to such dependents authorizing the employment during said term of substitutes to perform the duties theretofore performed by such officers of employes respectively and providing for the compensation of such substitutes" is hereby amended to read as follows

Section 1 That whenever any appointive officer or employe regularly employed by the Commonwealth of Pennsylvania in its civil service or by any department bureau commission or office thereof or by any county municipality or township or any appointee officer regularly employed by any school district within the Commonwealth and who shall have been regularly employed thereby for a period of not less than one year prior hereto shall in time of war or [contemplated war] emergency declared by the President of the United States or by the Governor of this Commonwealth enlist enroll or be called or drafted [in] into the active military or naval service of the United States or any branch or unit thereof he shall not be deemed or held to have thereby resigned from or abandoned his said office or employment nor shall he be removed therefrom during the period of his said service during such war or emergency as hereinafter defined but the duties of his said office or employment shall if there is no other person authorized by law to perform the powers and duties of such officer or employe during said period be performed by a substitute who shall be appointed by the same authority who appointed such officer or employe if such authority shall deem the employment of such substitute necessary Such substitute shall receive so much of the salary or wages attached to said office or employment as shall not be paid to the dependent or dependents of said officer or employe as hereinafter provided and such substitute may receive such further compensation from appropriations made for that purpose [or otherwise] as may be required when added to the amount received under the provisions of this act to constitute a reasonable compensation for his services in the opinion of the authority appointing him Provided however that in the case of any county municipality or township or of any appointive officer of any school district the number and compensation of such substitutes shall be fixed by the body authorized by law to legislate for such county municipality township or school district

Section 2 And said officer or employe so enlisting enrolling called or drafted and having a dependent or dependents as aforesaid may at the time of his enlistment enrollment call or draft or immediately thereafter file with the head or chief of the department bureau commission or office in which he is employed a statement in writing executed under oath setting forth the fact and date of his enlistment enrollment call or draft his intention to retain his said office or employment and to resume the duties thereof after the expiration of his active service in the military or naval service or any branch or unit thereof and the names and addresses of his wife children and dependent parent or parents if any such he have and requesting and directing that one-half of the salary or wages of his said office or employment not exceeding two thousand ($2,000) dollars per annum shall be paid during his active service in the military or naval service or any branch or unit thereof as follows [If he have a wife to his wife for her use and that of his children if he have children and no wife then to such person as he may designate for the use and benefit of his children If he have a dependent parent or parents then he shall direct such sum as he has theretofore been accustomed to contribute to their support to be paid to them and the amount payable to his wife or children if any he have shall be proportionately decreased If he have no wife or children he may direct the entire one-half of his said salary or wages not exceeding two thousand ($2,000) dollars per annum to be paid to his dependent parent or parents if any such he have]

If he has a dependent wife and no dependent children or dependent parents to his wife for her use provided however that if he is living separate and apart from his wife at the time of his entry into service the payment to her shall not exceed the amount contributed by him to her voluntarily or by order of Court prior to his entry into service

If he has a dependent wife and dependent children and no dependent parents to his dependent wife for her use and that of the said dependent children

If he has no dependent wife or dependent parents but has dependent children to a person designated by him for the use and benefit of such dependent children

If he had no dependent wife or dependent children but has a dependent parent or parents to such dependent parent or parents for their use provided however that the payment to such dependent parent or parents shall not exceed

the amount contributed by him to them prior to his entry into service

If he has a dependent parent or parents and a dependent wife or dependent children then the benefits shall be allocated among them in proportion of his contribution to them prior to his entry into service provided however that the payment to any dependent parent or parents and to any dependent wife living separate and apart from such officer or employe shall not exceed the amount contributed by him prior to his entry into service And provided further that the amount of benefits paid under this act shall in no case exceed an amount which added to the aggregate amount paid to such officer or employe by the United States as compensation commutation and other allowances totals more than the salary or wages paid to such officer or employe by the Commonwealth or by any County municipality or township or paid to any appointee officer by any school district within the Commonwealth at the time of his entry into such military or naval service all sums so directed to be paid shall be paid to the person designed in the same proportional instalments as nearly as may be as the salary or wages of such person were theretofore paid to him With such statement he shall also file powers of attorney authorizing the proper dependents to receive their proportion of said salary or wages as aforesaid

Section 3 The statement required to be filed by section two of this act shall be prima facie evidence of the dependency of any person named as a dependent in said statement but the head of [any] the department bureau commission or office [may in the case of doubt satisfy himself] shall investigate and certify his findings as to the fact of such dependency and if the person so [nominated] named as a dependent was not in fact dependent upon the officer or employe enlisting enrolling called or drafted in the active military or naval service or any branch or unit thereof at the time of his enlistment enrollment call or draft shall refuse to make any payment to such person on account of the salary or wages of such officer or employe Such head of a department bureau commission or office shall also satisfy himself before making payments to dependents under the provisions of this act that the officer or employe was alive during the period for which any payment is made. No payment shall be made under the provisions of this act to any officer or employe enlisting enrolling called or drafted as aforesaid and so much of the salary or wages of such officer employe as is not paid under the provisions of this act to his dependents and his substitute shall [be recovered back into the fund] remain to the credit of the appropriation fund or item from which said salary or wages is paid

Section 4 As used in this act the term "war" shall mean the period between the opening and ending of hostilities and shall not include the period after the ending of hostilities notwithstanding the fact that no treaty of peace has been negotiated or concluded and the term "emergency" shall mean the period between a declaration that a state of emergency exists and a declaration that the state of emergency has been terminated

Section 5 The benefits of this act shall apply to any officer or employe entitled thereto until one month after the termination of the term of service or training in which the said officer or employe shall be engaged at the conclusion of such hostilities or state of emergency but shall not apply to any term of service voluntarily entered into by the said officer or employe after the conclusion of such hostilities or emergency

Section 2 This act shall become effective immediately upon final enactment

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

Mr. DENT. Mr. President, I believe this bill ought to be voted for, but I do want to make this comment. We take and give bonuses to one group of citizens when they are called to military service, just because they happen to be employed by a certain particular group of employers, but you take men out of the factories, out of the mines and mills, put them into the army and pay them twenty-one dollars a month and it is perfectly all right, but just because a certain individual happens to be a school teacher, happens to work for a city, happens to work for the state government, they get part or all of their salary, but some other poor devil who happens to work in a mine, probably not making a living while he is working there, has to leave his family and go to the army and get twenty-one dollars a month. It certainly is a funny commentary on American justice.

And the question recurring,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—42

Barr,	Dent,	Letzler,	Tallman,
Bartlett,	DiSilvestro,	Mallery,	Taylor,
Becker,	Ealy,	McCreesh,	Thomas,
Carr,	Edmonds,	McGinnis,	Tyler,
Cavalcante,	Farrell,	Miller,	Wade,
Chapman,	Frey,	Ruth,	Walker,
Coleman,	Geltz,	Scarlett,	Watkins,
Cox,	Haluska,	Shapiro,	Wilson, H. I.,
Crider,	Heyburn,	Stevenson,	Wilson, T. B.,
Crowe,	James,	Stiefel,	Woodward,
Deitrick,	Kephart,		

NAYS—2

Jaspan,	Reed,

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same with amendments in which the concurrence of the House is requested.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 914, (House Bill No. 53), as follows:

An Act providing for the acquisition of the Admiral Peary Memorial Park and for its management and development by the Pennsylvania Historical Commission and making an appropriation

Whereas There is located in Cresson Township Cambria County Pennsylvania the birthplace of Admiral Robert Edwin Peary which should be preserved as a historical place and park for the benefit of the people of this Commonwealth therefore

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The Department of property and Supplies is hereby authorized to take over the title from the Historical Society of Cambria County the tract of land at the birthplace of Admiral Robert Edwin Peary which is located and described as follows

All that piece or parcel of land situate in Cresson Township Cambria County Pennsylvania bounded and described as follows

Beginning at a point where the center line of the State Highway Route No. 22 (known as the William Penn Highway) intersects with the Western boundary line of said property and in line of property of Mt. Aloysius Academy thence North by said Western boundary line two (2) degrees eleven (11) minutes East for seven hundred ninety-five and five-tenths (795.5) feet to a point in the center line of the State Highway Route No. 45 lead-

ing from Cresson to Loretto thence along said center line of State Highway Route No. 45 South twenty-one (21) degrees fifty-eight (58) minutes East for six hundred forty-three and three-tenths (643.3) feet to a point in the center line of the said State Highway Route No. 45; thence along the center line of said State Highway Route No. 45 by an eight (8) degree curve to the left for three hundred twenty-five (325) feet to a point in the center line of said State Highway Route No. 45 thence South twenty-five (25) degrees thirty-one (31) minutes West a distance of eighty-six and five-tenths (86.5) feet to a point in the center line of State Highway Route No. 22 thence North seventy-three (73) degrees West two hundred fifty-eight and three-tenths (258.3) feet to a point in the center line of said State Highway Route No. 22 and thence by the center line of State Highway Route No. 22 North sixty-five (65) degrees twenty-four (24) minutes West one hundred eighty-one and one-tenth (181.1) feet to the place of beginning containing four and twelve one-hundredths (4.12) acres more or less

Said grant is to be made subject to the following covenants and conditions

1 That the property hereby conveyed shall never be used for any other purpose than for a park surrounding the proposed monument to be erected as a memorial to Admiral Peary

2 That the grantee shall take all proper measures to prevent the use of the park for camping ground or other objectionable purposes or for any other purpose than for use as a park

3 That no building other than the proposed monument of Admiral Peary in such form as may be approved by the Art Commission of the Commonwealth of Pennsylvania shall be erected upon the premises hereby granted and conveyed

4 That the Commonwealth shall at its own expense and at all times maintain and provide for the upkeep of the said park and all improvements intended to be made thereon

5 That the property hereby conveyed shall be maintained as a wooded area and planted with trees as an ornamental background to the Peary Memorial

6 That no driveway shall be laid out over the premises hereby granted and conveyed

The Commonwealth for itself its successors and assigns does hereby covenant and agree that in the event of any violation of any of the above mentioned covenants and conditions the title to the said land shall revert to Mary Thaw Thompson of Pittsburgh Pennsylvania her heirs and assigns and that the Commonwealth will thereupon on demand of Mary Thaw Thompson her heirs and assigns execute a deed of special warranty in favor of said Mary Thaw Thompson her heirs and assigns granting and reconveying the said property hereby conveyed to either the said Mary Thaw Thompson or her heirs or assigns with covenant of special warranty

The title to said property before acquisition shall be approved by the Department of Justice

Section 2 Upon the acquisition of the property aforesaid the same shall be transferred to the Pennsylvania Historical Commission which shall have full control management and supervision thereof and shall have power to adopt and carry into effect plans for the restoration improvement and maintenance of hte park and to make and enforce rules and regulations for the preservation of the property and the visitation thereof by the public

Section 3 The sum of five thousand dollars ($5,000.00) or so much thereof as may be necessary is hereby specifically appropriated to the Department of Property and Supplies for the payment of the cost of acquiring said tract of land and for all expenses in connection therewith including the expense of investigating the title

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—44

Barr,	Dent,	Kephart,	Stevenson,
Bartlett,	DiSilvestro,	Letzler,	Stiefel,
Becker,	Ealy,	Mallery,	Tallman,
Carr,	Edmonds,	McCreesh,	Taylor,
Cavalcante,	Farrell,	McGinnis,	Thomas,
Chapman,	Frey,	Miller,	Tyler,
Coleman,	Geltz,	Mundy,	Wade,
Cox,	Haluska,	Reed,	Walker,
Crider,	Heyburn,	Ruth,	Watkins,
Crowe,	James,	Scarlett,	Wilson, H. I.,
Deitrick,	Jaspan,	Shapiro,	Woodward,

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 961, (House Bill No. 654), as follows:

An Act authorizing counties cities except cities of the first class boroughs towns townships school districts poor districts and institution district at any sale of real property for the nonpayment of taxes or municipal claims to take title jointly in proportion to their tax claims provide for the management of such real property and for the resale and conveyance of their interests to a purchaser

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Whenever any real property has been heretofore or shall be hereafter sold at any public sale for the nonpayment of taxes or municipal claims due any county city except city of the first class borough town township school district poor district or institution district any two or more of such political subdivisions or the Commonwealth having tax or municipal claims against such real property may by agreement of the properly constituted authorities of such subdivisions and in the event there are no other successful bidders at such sale agree to take title to such real property jointly in proportion to their tax claims and on the bid of any one of them regardless of the amount bid at such sale

Section 2 Such agreement between said subdivisions aforesaid may provide for the appointment of a manager or agent of such real property the application of the rents or income from such real property to the payment of compensation or commission to such manager or agent to repairs fire insurance liability insurance or such other expense necessary to the maintenance of such real property as well as the payment of any balance to such political subdivisions in proportion to their interests or as such agreement may provide or make any other arrangements in connection with said real property as they deem to be best for their mutual interests Provided however That the provisions of Sections 1 and 2 of this Act shall not apply to any real property containing minerals and oil beneath or upon the surface thereof

Section 3 After the period for redemption of such real property as provided by law has expired and the said real property has not been redeemed by the former owner or party in interest the political subdivisions holding title to such real property may by agreement sell the said real property at a private sale for any price agreed upon or at a public sale under terms and conditions set

forth in the agreement for the best price obtainable and by deed convey their respective interests to the purchaser regardless of any law or laws imposing restrictions on the selling and conveyance of real property by such political subdivisions individually Such agreement may provide that the purchase price be applied to the payment of a commission to a real estate broker or public auctioneer to the expense of perfecting the title to be conveyed if necessary or to any other expense ordinarily incident to the grantor of real property before paying the balance of the purchase price to such political subdivisions first in proportion to their tax claims second in proportion to their municipal claims and if said purchase price is more than sufficient to pay all the aforesaid claims any balance remaining shall be paid to said political subdivisions in proportion to their tax claims at the time said real property was acquired by them The title conveyed shall be free and clear of all claims of such political subdivisions

Section 4 All acts and parts of acts inconsistent herewith are hereby repealed

Section 5 The provisions of this act shall become effective immediately upon final enactment

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—43

Barr,	Dent,	Kephart,	Stevenson,
Bartlett,	DiSilvestro,	Letzler,	Stiefel,
Becker,	Ealy,	Mallery,	Tallman,
Carr,	Edmonds,	McCreesh,	Taylor,
Cavalcante,	Farrell,	McGinnis,	Thomas,
Chapman,	Frey,	Miller,	Tyler,
Coleman,	Geltz,	Reed,	Wade,
Cox,	Haluska,	Ruth,	Watkins,
Crider,	Heyburn,	Scarlett,	Wilson, H. I.,
Crowe,	James,	Shapiro,	Woodward,
Deitrick,	Jaspan,	Snowden,	

NAYS—1

Walker,

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same with amendments in which the concurrence of the House is requested.

BILL ON THIRD READING

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 1043, (House Bill No. 571), entitled:

An Act making an appropriation to the Department of Public Assistance for the purpose of carrying out the Public Assistance Law for the two fiscal years beginning June first one thousand nine hundred forty-one and for the payment of assistance and expenses accrued or incurred prior to and remaining unpaid on May thirty-first one thousand nine hundred forty-one and providing for certain allocations from such appropriation by the Department of Public Assistance and also by the Governor the Auditor General and the State Treasurer or the majority thereof

And said bill having been read at length the third time,

On the question,

Will the Senate agree to the bill?

Mr. GELTZ. Mr. President, I ask unanimous consent to amend title, page 1, line 2 of title, by inserting after the part-word "sistance" the following: "and providing for certain allocations therefrom;" Amend title, page 1, lines 8 to 12 of title, by striking out the following: "and providing for" in line 8, and all of lines 9 to 12, both inclusive. Amend Sec. 3, page 2, lines 26 to 29, both inclusive, by striking out all of said lines. Amend Sec. 3, page 3, lines 1 to 11, both inclusive, by striking out all of said lines, and inserting in lieu thereof: "Section 3. Out of the moneys appropriated by section one of this act, quarterly allocations shall be made to the Department of the Auditor General and the Treasury Department, respectively, in such amounts as may be deemed necessary to pay the administrative expense of such departments in auditing and disbursing appropriations for or relating to public assistance, including any Federal sums supplementing such appropriations. In the case of the Department of the Auditor General, said allocations shall be made by the Governor, President Pro Tempore of the Senate, Speaker of the House of Representatives, and the Auditor General, or a majority thereof, and, in the case of allocations made to the Treasury Department, such allocations shall be made by the Governor, President Pro Tempore of the Senate, Speaker of the House of Representatives, and the State Treasurer, or a majority thereof."

The PRESIDENT. Is there objection? The Chair hears none.

The amendments were agreed to.

On the question,

Will the Senate agree to the bill on third reading, as amended?

It was agreed to.

Ordered, That said bill as amended be printed for the use of the Senate.

BILLS ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 1082, (House Bill No. 1658), as follows:

An Act to further amend the first paragraph of section one of article fifteen of the act approved the seventh day of March one thousand nine hundred and one (P. L. 20) entitled "An act for the government of cities of the second class" by further regulating the manner of letting contracts relating to city affairs

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The first paragraph of section one of article fifteen of the act approved the seventh day of March one thousand nine hundred and one (P. L. 20) entitled "An act for the government of cities of the second class" as last amended by section one of the act approved the fourteenth day of April one thousand nine hundred and thirty-seven (P. L. 310) is hereby further amended to read as follows

Section 1 All contracts relating to city affairs shall be let to the lowest responsible bidder after reasonable notice When the contracts exceeds five hundred dollars such notice shall be by advertisement when less than that amount or when purchased at public sale advertisement may be dispensed with Every contract shall be let [by the mayor and head of the proper department] in the

manner prescribed by the council of said city and shall be countersigned by the city controller All bids shall be filed with the city controller and shall be opened publicly [by the mayor and head of the proper department or either of them] in the manner prescribed by the council of said city at a time and place to be designated in the advertisement or notice to bidders and the figures stated to those present No contract shall be let until [councils have] council has passed an ordinance providing for the letting of the same [by the mayor and head of the proper department]

Section 2 All acts and parts of acts inconsistent with the provisions of this act are hereby repealed

Section 3 The provisions of this act shall become effective immediately upon final enactment

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—44

Barr,	Dent,	Kephart,	Stevenson,
Bartlett,	DiSilvestro,	Letzler,	Stiefel,
Becker,	Ealy,	Mallery,	Tallman,
Carr,	Edmonds,	McCreesh,	Taylor,
Cavalcante,	Farrell,	McGinnis,	Thomas,
Chapman,	Frey,	Miller,	Tyler,
Coleman,	Geltz,	Reed,	Wade,
Cox,	Haluska,	Ruth,	Walker,
Crider,	Heyburn,	Scarlett,	Watkins,
Crowe,	James,	Shapiro,	Wilson, H. I.,
Deitrick,	Jaspan,	Snowden,	Woodward,

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 1118, (House Bill No. 687), as follows:

An Act to further amend the title and section one of the act approved the third day of May one thousand nine hundred and nine (P. L. 424) entitled "An act providing that in all counties having more than five hundred thousand inhabitants advertisements and notices required by law or rules of court to be published in newspapers of general circulation unless dispensed with by special order of court shall be published in the legal newspaper issued at least weekly of the proper county designated by rules of court for the publication of court or other legal notices" as amended extending the provisions of the said act to counties of the sixth class

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 That the title of the act approved the third day of May one thousand nine hundred and nine (P. L. 424) entitled "An act providing that in all counties having more than five hundred thousand inhabitants advertisements and notices required by law or rules of the court to be published in newspapers of general circulation unless dispensed with by special order of court shall be published in the legal newspapers issued at least weekly of the proper county designated by rules of court for the publication of court or other legal notices" and section one of the said act as amended are hereby further amended to read as follows

An Act providing that in all counties [having more than five hundred thousand inhabitants] of the first second third fourth fifth and sixth class advertisements and notices required by law or rules of court to be published in newspapers of general circulation unless dispensed with by special order of court shall be published in the legal newspaper issued at least weekly of the proper county designated by rules of court for the publication of court or other legal notices

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That hereafter in all counties of the first second third fourth [and] fifth and sixth class of the Commonwealth every notice or advertisement required by law or rules of court to be published in one or more newspapers of general circulation unless dispensed with by special order of court shall also be published in the legal newspaper issued at least weekly in said county designated by rules of court for the publication of court or other legal notices if such newspaper exists Publication in such legal newspaper shall be made as often as required to be made in such newspapers in general circulation and shall be subject to the same stipulations and regulations as those imposed for the like services upon all newspaper Provided That nothing herein contained shall be construed to require the publication in such legal newspapers of municipal ordinances mercantile appraisers' notice advertising for bids for contracts for public work or lists of delinquent taxpayers

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—44

Barr,	Dent,	Kephart,	Stevenson,
Bartlett,	DiSilvestro,	Letzler,	Stiefel,
Becker,	Ealy,	Mallery,	Tallman,
Carr,	Edmonds,	McCreesh,	Taylor,
Cavalcante,	Farrell,	McGinnis,	Thomas,
Chapman,	Frey,	Miller,	Tyler,
Coleman,	Geltz,	Reed,	Wade,
Cox,	Haluska,	Ruth,	Walker,
Crider,	Heyburn,	Scarlett,	Watkins,
Crowe,	James,	Shapiro,	Wilson, H. I.,
Deitrick,	Jaspan,	Snowden,	Woodward,

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 1127, (House Bill No. 1328), as follows:

An Act to reenact and amend the title and the act approved the twenty-ninth day of April one thousand nine hundred thirty-seven (P. L. 526) entitled "An act providing for and regulating joint purchases by counties (other than counties of the first and second classes) cities of the third class boroughs towns townships school districts and poor districts" by including second class counties cities of the second class and institution districts within the provisions of the act

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The title and section one of the act approved the twenty-ninth day of April one thousand nine hundred

thirty-seven (P. L. 526) entitled "An act providing for and regulating joint purchases by counties (other than counties of the first and second classes) cities of the third class boroughs towns townships school districts and poor districts" are hereby amended to read as follows

An Act providing for and regulating joint purchases by counties (other than counties of the first [and second classes] class) cities of the second and third class boroughs towns townships school districts institution districts and poor districts

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That any county (other than a county of the first [or second] class) city of the second and third class borough town township school district institution district and poor district may jointly with other political subdivisions make purchases of materials supplies or equipment which such political subdivision may legally purchase and may enter into such agreements as may be deemed necessary to accomplish such purpose

Section 2 Sections two and three of said act are hereby reenacted to read as follows

Section 2 All such purchases involving the expenditure of over five hundred dollars ($500) shall be in writing and shall be made only after notice by one of the political subdivisions joining therein once a week for two weeks in one or more newspapers of general circulation published in the political subdivision advertising the same All plans and specifications shall be placed on file by each of the political subdivisions joining in such purchase at least fifteen days in advance of opening bids

Section 3 It shall be the duty of the political subdivisions joining in such purchase to award the contract of purchase on competitive bids to the lowest responsible bidder Any published notice for bids shall contain full plans and specifications or refer to the places where copies thereof can be obtained and give the time and place of meeting of the representatives from the corporate authorities of the political subdivisions joining in such purchase for the purpose of opening bids At least one representative from each of the political subdivisions joining in such purchase shall be present at such meeting and such meeting may be adjourned from time to time on six days' notice of the same kind until the proper representation can be present

Section 2 The provisions of this act shall become effective immediately upon final enactment

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—44

Barr,	Dent,	Kephart,	Stevenson,
Bartlett,	DiSilvestro,	Letzler,	Stiefel,
Becker,	Ealy,	Mallery,	Tallman,
Carr,	Edmonds,	McCreesh,	Taylor,
Cavalcante,	Farrell,	McGinnis,	Thomas,
Chapman,	Frey,	Miller,	Tyler,
Coleman,	Geltz,	Reed,	Wade,
Cox,	Haluska,	Ruth,	Walker,
Crider,	Heyburn,	Scarlett,	Watkins,
Crowe,	James,	Shapiro,	Wilson, H. I.,
Deitrick,	Jaspan,	Snowden,	Woodward,

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

BILL OVER IN ORDER

Mr. MILLER. Mr. President, I ask unanimous consent that Senate Bill No. 1136, (House Bill No. 353), on third reading, entitled:

An Act making an appropriation to the Department of Military Affairs for the maintenance and education of children of soldiers sailors marines female field clerks yeomen (female) and nurses who were killed in action or died during the World War and conferring certain duties upon the State Veterans' Commission

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILL ON THIRD READING

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 1147, (House Bill No. 1337), entitled:

An Act making an appropriation to the Department of Property and Supplies, for the payment of claims against the Commonwealth arising from failure to lease premises after owners thereof had been induced to expend money thereon.

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—14

Barr,	Coleman,	Frey,	McCreesh,
Bartlett,	Cox,	Haluska,	McGinnis,
Cavalcante,	Deitrick,	Jaspan,	Ruth,
Chapman,	DiSilvestro,		

NAYS—28

Becker,	James,	Shapiro,	Tyler,
Carr,	Kephart,	Snowden,	Wade,
Crider,	Letzler,	Stevenson,	Walker,
Ealy,	Mallery,	Stiefel,	Watkins,
Edmonds,	Miller,	Tallman,	Wilson, H. I.,
Farrell,	Reed,	Taylor,	Woodward,
Geltz,	Scarlett,	Thomas,	Ziesenheim,

Less than a constitutional majority of all the Senators having voted "aye" the question was determined in the negative.

Ordered, That the Clerk inform the House of Representatives accordingly.

Mr. BARR. Mr. President, I desire to know how the gentleman from Philadelphia, Mr. Shapiro, voted.

Mr. SHAPIRO. In a loud and clear voice, Mr. President, I voted "no."

BILLS ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 1150, (House Bill No. 1487), as follows:

An Act providing for the construction and maintenance by the Department of Forests and Waters with the advice of the Bushy Run Battlefield Commission of a Bushy Run Museum Building on land owned by the Commonwealth in Westmoreland County and making an appropriation

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 For the purpose of further perpetuating and preserving the memories of the place in Westmoreland County Pennsylvania where on August fifth and sixth one thousand seven hundred and sixty-three occurred the battle of Bushy Run in which Colonel Henry Bouquet defeated the Indians in one of the most decisive engagements in American Colonial history the Department of Forests and Waters with the advice of the Bushy Run Battlefield Commission is hereby authorized to construct a stone museum building on that part of the said battlefield or land adjoining the battlefield now owned by the Commonwealth for the purpose of housing and preserving relics of early Indian and Colonial life habits and customs now stored in wooden buildings and such relics as shall hereafter be acquired Plans for such building now in the Bushy Run Battlefield Commission and stone from a quarry located on the said land now owned by the Commonwealth to be utilized in the construction of said museum

Section 2 The sum of ten thousand dollars ($10,000) or so much thereof as may be necessary is hereby specifically appropriated to the Department of Forests and Waters for the construction and maintenance of the aforesaid museum building and the expenses incurred in carrying out the provisions of this act

Section 3 The provisions of this act shall become effective immediately upon final enactment

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—44

Barr,	Dent,	Kephart,	Stevenson,
Bartlett,	DiSilvestro,	Letzler,	Stiefel,
Becker,	Ealy,	Mallery,	Tallman,
Carr,	Edmonds,	McCreesh,	Taylor,
Cavalcante,	Farrell,	McGinnis,	Thomas,
Chapman,	Frey,	Miller,	Tyler,
Coleman,	Geltz,	Reed,	Wade,
Cox,	Haluska,	Ruth,	Walker,
Crider,	Heyburn,	Scarlett,	Watkins,
Crowe,	James,	Shapiro,	Wilson, H. I.,
Deitrick,	Jaspan,	Snowden,	Woodward,

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same with amendments in which the concurrence of the House is requested.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 1199, (House Bill No. 1420), as follows:

An Act to amend the act approved the seventeenth day of June one thousand nine hundred and thirteen (P. L. 507) entitled "An act to provide revenue for State and county purposes and in cities coextensive with counties for city and county purposes imposing taxes upon certain classes of personal property providing for the assessment and collection of the same providing for the duties and compensation of prothonotaries and recorders in connection therewith and modifying existing legislation which provided for raising revenue for State purposes" as amended by imposing the tax upon personal property held and managed in this Commonwealth owned held or possessed by residents as trustees agents or attorneys-in-fact jointly with one or more trustees agents or attorneys-in-fact domiciled in another state and by imposing the tax upon equitable interests of residents in personal property held and managed in another state where the legal title to such personal property is held by more than one trustee agent or attorney-in-fact one or more of whom are domiciled in another state and one or more of whom are domiciled within this Commonwealth and exempting casualty insurance companies having no capital stock from the tax imposed by this act

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section one of the act approved the seventeenth day of June one thousand nine hundred and thirteen (P. L. 507) entitled "An act to provide revenue for State and county purposes and in cities coextensive with counties for city and county purposes imposing taxes upon certain classes of personal property providing for the assessment and collection of the same providing for the duties and compensation of prothonotaries and recorders in connection therewith and modifying existing legislation which provided for raising revenue for State purposes" as last amended by the act approved the nineteenth day of June one thousand nine hundred thirty-nine (P. L. 413) is hereby further amended to read as follows

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That all personal property of the classes hereinafter enumerated owned held or possessed by any resident which is used in this section shall mean any person persons copartnership or unincorporated association or company resident located or liable to taxation within this Commonwealth or by any joint-stock company or association limited partnership bank or corporation whatsoever formed erected or incorporated by under or in pursuance of any law of this Commonwealth or of the United States or of any other state or government and liable to taxation within this Commonwealth whether such personal property be owned held or possessed by such resident in his her their or its own right or as active trustee agent attorney-in-fact or in any other capacity or by any resident as trustee agent or attorney-in-fact jointly with one or more trustees agents or attorneys-in-fact domiciled in another state where such personal property is held and managed in this Commonwealth except as executor or administrator of the estate of a nonresident decedent and except as trustee for a resident or nonresident religious charitable or educational organization no part of the net earnings of which inures to the benefit of any private stockholder or individual for the use benefit or advantage of any other person copartnership unincorporated association company joint-stock company or association limited partnership bank or corporation and the equitable interest in any such personal property of the classes hereinafter enumerated owned held or possessed by any resident where the legal title to such personal property is vested in a trustee agent or attorney-in-fact domiciled in another state or where the legal title to such personal property is vested in more than one trustee agent or attorney-in-fact one or more of whom are domiciled in another state and one or more of whom are domiciled within this Commonwealth and such personal property is held and managed in another state and where such resident is entitled to receive all or any part of the income therefrom is hereby

made taxable annually for county purposes and in cities coextensive with counties for city and county purposes at the rate of four mills on each dollar of the value thereof and no failure to assess or return the same shall discharge such owner or holder thereof from liability therefor that is to say

All mortgages all moneys owing by solvent debtors whether by promissory note or penal or single bill bond or judgment all articles of agreement and accounts bearing interest all public loans whatsoever except those issued by this Commonwealth or the United States and those made taxable for State purposes by section seventeen of the act approved the twenty-second day of June one thousand nine hundred thirty-five (P. L. 414) as reenacted and amended all loans issued by any corporation association company or limited partnership created or formed under the laws of this Commonwealth or of the United States or of any other state or government including car-trust securities and loans secured by bonds or any other form of certificate or evidence of indebtedness whether the interest be included in the principal of the obligation or payable by the terms thereof except such loans as are made taxable for State purposes by section seventeen of the act approved the twenty-second day of June one thousand nine hundred thirty-five (P. L. 414) as reenacted and amended all shares of stock in any bank corporation association company or limited partnership created or formed under the laws of this Commonwealth or of the United States or of any other state or government except shares of stock in any bank bank and trust company national banking association savings institution corporation or limited partnership liable to a tax on its shares or the capital stock or franchise tax imposed by section twenty-one of the act approved the first day of June one thousand eight hundred eighty-nine (P. L. 420) and its amendments and supplements for State purposes under the laws of this Commonwealth all moneys loaned or invested in other states territories the District of Columbia or foreign countries all other moneyed capital owing to individual citizens of the State and the principal value of all annuities yielding annually over two hundred dollars Provided That this section shall not apply to bank notes or notes discounted or negotiated by any bank or banking institution savings institution or trust company nor to loans shares of stock or other securities held by bankers or brokers solely for trading purposes nor to accounts of debit balances owing by customers of bankers or brokers in the usual courses of business nor to interest bearing accounts in any bank or banking institution savings institution employes' thrift or savings association whether operated by employes or the employer or trust company nor to personal property held in the commercial department and owned in its own right by a banking institution savings institution or trust company in liquidation by a receiver trustees or other fiduciary it being the intent and purpose of this proviso that no tax be assessed or collected upon the personal property enumerated herein And provided further That the provisions of this act shall not apply to building and loan associations or to shares of stock issued by building and loan associations or to savings institutions having no capital stock and if at any time either now or hereafter any persons individuals or bodies corporate have agreed or shall hereafter agree to issue his their or its securities bonds or other evidences of indebtedness clear of and free from the said four mills tax herein provided for or any part thereof or have agreed or shall hereafter agree to pay the same nothing herein contained shall be so construed as to relieve or exempt him it or them from paying the said four mills tax on any of the said such securities bonds or other evidences of indebtedness as may be held owned by or owing to the said savings institution having no capital stock And provided further That the provisions of this act shall not apply to fire companies firemen's relief associations life casualty or fire insurance corporations having no capital stock secret and beneficial societies labor unions and labor union relief associations and all beneficial organizations paying sick or death benefits or either or both from funds received from voluntary contributions or assessments upon members of such associations societies or unions And provided further That corporations limited partnerships and joint-stock associations liable to tax on their shares or the aforesaid capital stock or franchise tax for State purposes shall not be required to make any report or pay any further tax under this section on the mortgages bonds and other securities owned by them in their own right but corporations limited partnerships and joint-stock associations holding such securities as trustees executors administrators guardians or in any other manner except as executor or administrator of the estate of a nonresident decedent and except as trustee for a resident or nonresident religious charitable or educational organization no part of the net earnings of which inures to the benefit of any private stockholder or individual shall return and pay the tax imposed by this section upon all securities so held by them as in the cast of individuals And provided further That none of the classes of property made taxable by this section for county purposes and in cities coextensive with counties for city and county purposes shall be taxed or taxable for any other local purpose under the laws of this Commonwealth And provided further That the provisions of this section shall not apply to personal property of the class hereinabove enumerated received from any person or persons copartnerships or unincorporated association or company nonresident in or not located within this Commonwealth or from any joint-stock company or association limited partnership bank or corporation formed erected or incorporated by under or in pursuance of any law of the United States or of any state or government other than this Commonwealth by any person or persons copartnership unincorporated association company joint-stock company or association limited partnership bank or corporation as active trustee agent attorney-in-fact or in any other capacity for the use benefit or advantage of any person or persons copartnership or unincorporated association or company nonresident in or not located within this Commonwealth or for the use benefit or advantage of any joint-stock company or association limited partnership bank or corporation formed erected or incorporated by under or in pursuance of any law of the United States or of any state or government other than this Commonwealth nor shall the provisions of this section apply to personal property held for the use benefit or advantage of any resident who shall have in each of the ten preceding calendar years given or contributed all of his net income to any corporation organized or operated exclusively for religious charitable scientific literary or educational purposes

The value of the equitable interest in any personal property made subject to tax by this section shall be measured by ascertaining the value of the personal property in which such resident has the sole equitable interest or in case of divided equitable interests in the same personal property then by ascertaining such part of the value of the whole of such personal property as represents the equitable interset of such resident therein

Section 2 This act shall become effective on the first day of January one thousand nine hundred forty-two

And said bill having been read at length the third time,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Will the Senate agree to the bill?

Mr. SHAPIRO. Mr. President, this is a bill covering a personal property tax for county purposes. Recently there was a report of the conference committee on a personal property tax for state purposes. One of the provisions which the conference committee included in that report was a provision exempting the personal property owned by liquidators of closed banks. I ask unanimous consent,

in order to make both acts conform, to offer the following amendment.

The amendment was read as follows:

Amend title, page 2, line 8 of title, by inserting after the word "Commonwealth" the following: "exempting assets held by liquidating trustees;" Amend Sec. 1 (Sec. 1), page 6, line 9, by inserting after the word "fiduciary" the following: "nor to personal property formerly held by a banking institution in its own right but assigned by it to one or more trustees for liquidation and payment to the creditors and stockholders of such banking institutions."

On the question,

Will the Senate agree to the amendments?

Mr. WADE. I object, Mr. President, but before I register my objection to the amendment, I should just like to interrogate the gentleman from Philadelphia.

The PRESIDENT. Will the gentleman from Philadelphia permit himself to be interrogated?

Mr. SHAPIRO. I will, Mr. President.

Mr. WADE. Mr. President, is it true that this amendment offered by the gentleman from Philadelphia, Mr. Shapiro, amends the county personal property tax in that it takes out the tax levied on defunct banks?

Mr. SHAPIRO. Mr. President, it takes out the tax on securities held by liquidators holding banks in liquidation, or where they are liquidating personal property for them.

Mr. WADE. Mr. President, may I ask the gentleman from Philadelphia if this amendment now purports to do what is done by Senate Bill No. 77?

Mr. SHAPIRO. The question is very doubtful as to whether it does not have a bearing on this bill as well as the Ziesenheim bill, but it has been checked with the Attorney General's office, and it has been decided it can do no harm. I think personally it should be both in this bill, and the Ziesenheim bill. When it went into the iesenheim bill this amendment was prepared for conference with the Attorney General, and we put it in because we wanted to be sure about it. I personally have no interest and I do not care what you do with it.

Mr. GELTZ. Mr. President, just so the record will be straight, the Attorney General checked these bills carefully and said this amendment is not needed.

Mr. WADE. Mr. President, if I may call the attention of my colleagues to this fact, House Bill No. 1420 places in the original bill some amendments that may or may not be desirable. Now, if we allow it to be further amended, then we are in this position, we are placing this bill on the Governor's desk, if it passes, with two important amendments to the original act, whereas, as a matter of fact, we have already passed amendments to do what this proposed amendment to the present bill will do, and the Governor, if he desires to approve one amendment or the other, must veto the entire bill if he does not agree with either one

Now, Mr. President, yesterday or at least recently the House passed finally Senate Bill No. 77, which reads into the original bill the same provision that the proposed amendments now read into it, and I too have checked with the Department of Revenue and with the Attorney General's office, and the information t'ey gave me is that this amendment now suggested is not necessary, but might tend to complicate the entire matter. Therefore, I ask my colleagues to vote down this amendment.

Mr. SHAPIRO. Mr. President, I have no personal interest in this amendment, I just desire to keep the record straight, and I have a recollection of a Supreme Court decision which was that the last bill passed on the same subject is the bill that the courts will consider. I do not care what you do with the amendment, but I think after discussing it with one of the Conference Committee, it might be best to put them in the bill because they can do no harm, and if it is not in the bill it might do some harm. All the provisions of the bill have now been incorporated, as I think the gentleman from Montgomery will agree, into the state personal property tax act.

Mr. EDMONDS. Mr. President, may I say, in explanation to the Senator from Cumberland, Mr. Wade, as I understand the situation, the Senator from Philadelphia is right in his explanation that his amendment will certainly do no harm. There are two kinds of trusteeship of banks that ought to be exempted from both personal property taxes. The first is where a bank has placed itself in the hands of liquidating trustees, with all its assets—those cases to be exempted in Bill No. 77—but in Bill No. 230. which is the state personal property tax bill, we found also that there were cases where bank A and bank B were merged, and bank A left certain of its assets not desired by bank B in the hands of liquidating trustees, and the language was not broad enough to cover that second group and therefore the second amendment became necessary to take care of them. Now that second class is in Senate Bill No. 77 and it ought to be in the county personal property tax act, and the amendment of the Senator from Philadelphia puts it in, so therefore, I am inclined to think the amendment is a good thing.

Mr. GELTZ. Mr. President, I am informed that the amendments to Senate Bill No. 77 are retroactive and the amendment being offered here now is not, which would put the two in conflict and possibly invalidate both. Therefore, I would ask my colleagues to vote down this amendment.

AMENDMENTS WITHDRAWN

Mr. SHAPIRO. Mr. President, I withdraw the amendments.

And the question recurring,

Will the Senate agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—43

Barr,	Ealy,	Letzler,	Stevenson,
Bartlett,	Edmonds,	Mallery,	Stiefel,
Carr,	Farrell,	McCreesh,	Tallman,
Cavalcante,	Frey,	McGinnis,	Taylor,
Chapman,	Geltz,	McQuiddy,	Tyler,
Coleman,	Haluska,	Miller,	Wade,
Cox,	Heyburn,	Reed,	Walker,
Crider,	James,	Ruth,	Watkins,
Crowe,	Jaspan,	Scarlett,	Wilson, H. I.,
Deitrick,	Kephart,	Shapiro,	Woodward,
DiSilvestro,	Lanius,	Snowden,	

NAYS—1

Becker,

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of

Representatives with information that the Senate has passed the same with amendments in which the concurrence of the House is requested.

BILL OVER IN ORDER

Mr. COLEMAN. Mr. President, I ask unanimous consent that Senate Bill No. 1234, (House Bill No. 1530), on third reading, entitled:

An Act authorizing and directing the Department of Highways to erect and construct a bridge over the Lackawanna River on State Highway Route 35066 in the Borough of Blakely Lackawanna County and in the Borough of Olyphant in Lackawanna County and to provide the necessary approaches thereto and making an appropriation

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILLS ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 1251, (House Bill No. 1835), as follows:

An Act creating a Highway Traffic Advisory Committee to the War Department of the United States of America providing for its appointment prescribing the powers and duties and authorizing the use by the committee of the employes equipment supplies and facilities of certain State agencies

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows:

Whereas the Secretary of War of the United States of America has requested the Governor of this Commonwealth to appoint a Highway Traffic Advisory Committee to the War Department of the United States to consist of a representative of the Department of Highways the Department of Revenue and the Pennsylvania Motor Police for the purpose of advising and assisting the War Department in matters of national defense pertaining to highway transportation and highway transportation equipment and

Whereas, The Commonwealth is vitally concerned in the defense of the nation and the preparation therefor and

Whereas, It is in the interest of the Commonwealth that such defense preparation be carried on with minimum interference with normal civilian functions

Section 1 There is hereby created the Pennsylvania Highway Traffic Advisory Committee hereinafter referred to as the "committee" which shall be composed of a representative of the Department of Highways a representative of the Department of Revenue and a representative of the Pennsylvania Motor Police who shall be appointed by the Governor to serve at his pleasure The Governor shall designate one of its members as chairman The members of the committee shall receive no additional compensation for their services

Section 2 The committee shall have the power and its duty shall be

(a) To cooperate with the agencies of this and other states and of the Federal government which are connected with national defense in the formulation and execution of plans for the rapid and safe movement over the highways of troops vehicles of a military nature and materials affecting the national defense

(b) To coordinate the activities of the Department of Highways the Department of Revenue and the Pennsylvania Motor Police in a manner which will best serve to effectuate any such plan for the rapid and safe movement of troops vehicles and materials as referred to in paragraph (a) of this section

(c) To solicit the cooperation of officials of the various political subdivisions of the Commonwealth in the proper execution of such plans

(d) To take an inventory by counties of the trucks and buses in the Commonwealth publicly and privately owned which would be available in case of emergency affecting the national defense

Section 3 The committee may in conjunction with any interested public or private agency conduct a highway safety and driver training program as an aid to the national defense

Section 4 The Department of Highways the Department of Revenue and the Pennsylvania Motor Police with the approval of the Governor shall cooperate with the committee in the use of such of their employes facilities supplies and equipment as the committee with the approval of the Governor shall deem necessary to enable it to carry out its functions under this act The traveling and other expenses of members of the committee and of such employes shall be paid out of the appropriations to the State agencies with which they are associated

Section 5 This act shall become effective immediately upon final enactment

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—44

Barr,	Dent,	Kephart,	Stevenson,
Bartlett,	DiSilvestro,	Letzler,	Stiefel,
Becker,	Ealy,	Mallery,	Tallman,
Carr,	Edmonds,	McCreesh,	Taylor,
Cavalcante,	Farrell,	McGinnis,	Thomas,
Chapman,	Frey,	Miller,	Tyler,
Coleman,	Geltz,	Reed,	Wade,
Cox,	Haluska,	Ruth,	Walker,
Crider,	Heyburn,	Scarlett,	Watkins,
Crowe,	James,	Shapiro,	Wilson, H. I.,
Deitrick,	Jaspan,	Snowden,	Woodward,

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 1263, (House Bill No. 846), as follows:

An Act requiring school boards in all school districts to grant leaves of absence to all school employes who shall volunteer or be called for military or naval service in time of war or during a state of national emergency preserving certain contracts salaries increments retirement rights seniority State contributions and grants to local school boards eligibility lists re-employment authorizing school boards to employ substitutes in place of such employes reserving all rights and privileges of employes granted leaves of absence under the provisions herein superseding or repealing all contrary laws

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The Congress of the United States of America has enacted and the President of the United States has approved a statute entitled "An act to provide for the common defense by increasing the personnel of the armed forces of the United States and providing for its training" in which it is provided that certain male citizens of the United States shall be liable for training and service in the land or naval forces of the United States under a system of compulsory selective induction into such forces

Under said statute and subsequent statutes of the United States of America and under the laws of the United States concerning the National Guard and the land and naval reserves forces employes of school districts in the Commonwealth of Pennsylvania may volunteer or be selected and assigned to military or naval service in defense of this nation

It is hereby declared to be the intention of this act that such employes so affected shall retain all of the rights and privileges they shall have acquired prior to assignment to service under said Federal statutes or any such rights and privileges they would have acquired or received if they had not been assigned to such service it is intended that such employes assigned to such service shall be considered in all respects to be continuing in the service of the school board for which they were last working prior to such assignment to military or naval service

Section 2 (a) Any employe of any school district within the Commonwealth who shall have been regularly employed by said school district for a period of not less than one year prior thereto and who shall volunteer or be called for military or naval service by the United States of America in time of war or during a state of national emergency shall within thirty days of the receipt of notice to said effect send a copy of such notice to the secretary of the school board by which he is employed

(b) The secretary of the school board shall verify the information contained in the notice from any employe concerning selection or induction into military or naval service and upon verification of such facts shall record the same in the records of the school board and send notice thereof to said employe

(c) Without further action by the board of school directors the employe inducted into military or naval service shall forthwith be considered to be upon leave of absence for the entire duration of such service all rights and privileges shall be reserved to such employe as if he continued in the service of said school board provided however that no such leave of absence shall be granted unless said employe shall in writing agree upon termination of the said leave to return to employment in said school district for a period of not less than one school year

Section 3 (a) Wherever a contract is required by law and wherever a contract actually exists between the school board and the employe the same shall be considered to continue in full force and effect during said leave of absence

(b) Upon termination of the military or naval service of an employe in time of war or during a state of national emergency the school board shall immediately return said employe to the same position in the same school or schools from which said employee was granted leave of absence or if this is impracticable in the opinion of the board then to a similar position

(c) During the leave of absence under the aforesaid conditions the school board shall be required to pay to the employe or to the dependent wife dependent child or children or dependent parent or parents of the difference between his regular salary and the salary paid to any substitute employe temporarily engaged because of such absence but in no event more than half of the employe's regular salary from the school district provided that no school district shall pay to any employe or to the dependent or dependents of any employe in military or naval service a total of more than one thousand dollars ($1000) per annum

No school district shall pay to any employe or to the dependent or dependents of any employe more than the difference between the military or naval pay including commutation and allowance of said employe and the regular salary that said employe would have received if he were actually performing the duties of his regular position as an employe of the school district

No allowance shall be paid under the provisions of this Act to any employe or to the dependent or dependents of any employe if his military or naval pay including commutation and allowance exceeds the regular salary that said employe would have received if he were actually performing the duties of his regular position

(d) Increments shall not be abated during the said leave of absence but shall continue to accrue to such employes

(e) In all cases where an employe's regular salary and that paid to a substitute temporarily engaged in his absence is the same then during such leave of absence the school board shall continue to pay the required amount to the retirement fund in behalf of the said employe so that such employe's retirement rights in no way be affected by such leave of absence

(f) The period of said leave of absence shall be considered as service to the school board in the matter of seniority rights and credit toward the time necessary for sabbatical leave Such leave shall not be regarded as a Sabbatical Leave

Section 4 During the period of said leave of absence if a qualified substitute is employed the Commonwealth shall pay the school board the full amount of State contribution or grant as if the said employe were performing his regular school duties for the said school board

Section 5 (a) No person who shall have acquired a place upon the eligibility list for any position in any school district shall suffer the loss of such listing and the position thereon as the result of such induction into military naval or similar service it shall be the duty of the school board to provide a fair and equitable method of preserving rights of such persons

(b) Any person who shall have entered the military or naval services as aforesaid and whose name shall be reached upon said eligibility lists for any position in any school district shall be appointed to said position as if such person were in fact available for actual service in said position and such person shall be so notified by the secretary of the school board of said district and thereafter all of the provisions of this act shall apply

Section 6 For the purposes herein provided this act shall supersede any act or acts of Assembly contrary hereto

Section 7 This act shall become effective immediately upon final enactment any employe inducted into military naval or similar service as aforesaid prior to the final enactment hereof shall nevertheless be entitled to all of the benefits hereof

Section 8 This act shall apply to all employes of all school districts inducted into the military or naval services under the laws of the United States of America

Section 9 The provisions of this act are severable if any provision shall be construed or deemed to be in violation of the Constitution of the Commonwealth or of the United States or otherwise invalid then the other provisions herein shall not be affected thereby but shall be enforced

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—44

Barr,	Dent,	Kephart,	Stevenson,
Bartlett,	DiSilvestro,	Letzler,	Stiefel,
Becker,	Ealy,	Mallery,	Tallman,
Carr,	Edmonds,	McCreesh,	Taylor,
Cavalcante,	Farrell,	McGinnis,	Thomas,
Chapman,	Frey,	Miller,	Tyler,
Coleman,	Geltz,	Reed,	Wade,
Cox,	Haluska,	Ruth,	Walker,
Crider,	Heyburn,	Scarlett,	Watkins,
Crowe,	James,	Shapiro,	Wilson, H. I.,
Deitrick,	Jaspan,	Snowden,	Woodward,

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same with amendments in which the concurrence of the House is requested.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 1309, (House Bill No. 448), as follows:

An Act to further amend clause (e) of section seven and to amend the first paragraph of section nine of the act approved the twenty-fourth day of June one thousand nine hundred and thirty-seven (P. L. 2051) entitled "An act relating to public assistance providing for and regulating assistance to certain classes of persons designated and defined as dependent children aged persons blind persons and other persons requiring relief providing for the administration of this act by the Department of Public Assistance and county boards of assistance hereby created for this purpose authorizing the Department of Public Assistance to cooperate with and to accept and disburse moneys received from the United States Government for assistance to such persons providing for the liquidation of the State Emergency Relief Board Boards of Trustees of the Mothers' Assistance Fund and Boards of Trustees of Pension Fund for the Blind and repealing laws relating to mothers' assistance pensions for the blind old age assistance and the State Emergency Relief Board" by redefining eligibility for assistance providing for appeals from certain decisions of the Department of Public Assistance to common pleas courts and imposing powers and duties on common pleas court

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Clause (e) of section seven of the act approved the twenty-fourth day of June one thousand nine hundred and thirty-seven (P. L. 2051) entitled "An act relating to public assistance providing for and regulating assistance to certain classes of persons designated and defined as dependent children aged persons blind persons and other persons requiring relief providing for the administration of this act by the Department of Public Assistance and county boards of assistance hereby created for this purpose authorizing the Department of Public Assistance to cooperate with and to accept and disburse moneys received from the United States Government for assistance to such persons providing for the liquidation of the State Emergency Relief Board Boards of Trustees of the Mothers' Assistance Fund and Boards of Trustees of Pension Fund for the Blind and repealing laws relating to mothers' assistance pensions for the blind old age assistance and the State Emergency Relief Board" as last amended by the act approved the twenty-sixth day of June one thousand nine hundred thirty-nine (P. L. 1091) is hereby further amended to read as follows

Section 7 Powers and Duties of County Boards of Assistance Each county board of assistance shall have the power and its duty shall be

* * * * *

(e) To hear and determine appeals from actions of its employes affecting the rights of those applying for or receiving assistance Any person applying for or receiving assistance of any type covered by the public assistance provisions of the Federal Social Security Act may appeal to the Department of Public Assistance from any decision of the board refusing or discontinuing his assistance in whole or in part in every such appeal an opportunity for a fair hearing shall be granted and the decision of the department on such appeal shall be final except as otherwise hereinafter provided All such appeals shall be in accordance with rules and regulations established by the department with the approval of the State Board of Public Assistance Any person applying for or receiving assistance may appeal to the common pleas court of the county in which such person resides from any decision of a County Board of Assistance or of the Department of Public Assistance refusing or discontinuing his assistance because he is deemed ineligible under Section 9 of this act as a person who advocates or actively participates by an overt act or acts in a movement proposing a change in the form of Government of the United States by means not provided for in the Constitution of the United States or as a person who advocates Communism Fascism or Naziism or any "un-American or Subversive Doctrines" or who advocates or supports a political party or organization of individuals advocating or supporting Communism Fascism or Naziism or any "un-American or Subservise Doctrines" or is a member of any organization of individuals advocating or supporting Communism Fascism or Naziism or any "un-American or Subversive Doctrines" Such appeal may be made within ten days after receipt by such person of a registered mail notice of the decision of the County Board of Assistance or of the Department of Public Assistance The common pleas court as aforesaid shall give such person an opportunity for a fair hearing at such hearing the burden of proof shall be on the department The decision of the common pleas court on such appeal shall be final All appeals from the county board to the Department of Public Assistance or from the Department of Public Assistance or County Board of Assistance to the common pleas court as aforesaid shall operate as a supersedeas of any order of said board or said Department of Public Assistance in all cases where the appellant is already receiving assistance The phrase "un-American or Subversive Doctrines" shall be construed to mean doctrines which teach or advocate the overthrow of the Government of the United States of America or of the Commonwealth of Pennsylvania by revolution or the destruction or change of the democratic form of American Government and the substitution therefor of an undemocratic form of government by means or methods other than those provided for in the Constitution of the United States or the Constitution of the Commonwealth of Pennsylvania

Section 2 The first paragraph of section nine of said act is hereby amended to read as follows

Section 9 Eligibility for Assistance Except as hereinafter specifically otherwise provided in the case of pensions for the blind all persons of the following classes except those who hereafter advocate or actively participate by an overt act or acts in a movement proposing a change in the form of Government of the United States by means not provided for in the Constitution of the United States or who advocate Communism Fascism or Naziism or any "un-American or Subversive Doctrines" or who advocate or support a political party or organization of individuals advocating or supporting Communism Fascsm or Naziism or any "un-American or Subversive Doctrines" or are members of any organization of individuals advocating or supporting Communism Fascism or Naziism or any "un-American or Subversive Doctrines" shall be eligible to receive assistance in accordance with rules regulations and standards established by the Department of Public Assistance with the approval of the State Board of Assistance as to eligibility for assistance and as to its nature and extent

Section 2 The provision of this act shall become effective immediately upon final enactment

And said bill having been read at length the third time,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Will the Senate agree to the bill?

Mr. SHAPIRO. Mr. President, this is the so-called subversive act. When this bill was passed by the House, as I understand it, it provided that those who advocate or actively participate by their act or acts in a movement proposing a change in the form of government of the United States by means not provided for by the Constitution of the United States, are subject to the provisions of this act.

Mr. President, I think all of us remember the discussion concerning this act in the newspapers and the criticism that was leveled at the House members because of the fact that they have been charged with delaying passage of this bill.

I call your attention to the fact that this bill in its then form gave a definition of what subversive activities meant. This bill has since been amended to include all persons subject to the provisions of this act, those who advocate Communism, Fascism, or Naziism or any other un-American subversive doctrines.

I should like in connection with this bill, and in support of the wisdom of the House members who prepared the bill in its original form, to read into the record concerning this bill a short editorial from tonight's Evening Bulletin, reading as follows:

"Guarding the Schools

"Legislative compromises have paved the way for the passage of a measure at Harrisburg to check subversive and un-American activities in the schools. A definition of the term 'subversive doctrines,' inserted in th ebill, limits it to mean 'the teaching and advocacy of the overthrow of the Government by methods not provided in the Constitution.' Teachers who offend can, after the bill becomes a law, be dismissed—a procedure not possible as the Tenure Act now stands.

"The drafting of a law which will put an end to the propaganda of Communists and Nazis in the schools and at the same time protect the teachers against infringement of their academic freedom has not been easy. The bill in its present form represents an intelligent effort to meet the difficulty by clearly defining the loose term 'subversive.'

"It can be taken for granted that nearly every local Superintendent and the State Department of Public Instruction are more than ready to clear out of the schools any who advocate violent overthrow of the Government. No patriotic teacher can reasonably object to this being done."

The amendments suggested by the Senate do not define the loose terms, Communism, Fascism, or Naziism. However, I am going to vote for this bill, and I ask my colleagues to join me in voting, because I am quite sure that the bill can be corrected when it is passed with these amendments, when it goes back to the House for concurrence. In any event, I do not know whether the addition of the words will do any harm, but they certainly do not do any good.

Mr. EDMONDS. Mr. President, I desire to interrogate the gentleman from Philadelphia, Senator Shapiro.

The PRESIDENT. Will the gentleman from Philadelphia permit himself to be interrogated?

Mr. SHAPIRO. I will, Mr. President.

Mr. EDMONDS. May I ask the gentleman from Philadelphia, Senator Shapiro, is there a bill coming from the House that applies this same term to teachers, as an amendment to the tenure act? I have not seen such a bill.

Mr. SHAPIRO. Mr. President, I am not discussing that at all. I read the editorial because it is applicable to both. We just passed a bill on second reading which dealt with all employes, which includes teachers, and therefore, since that bill was on second reading, I did not want to make a statement at that time, but this bill is on third reading, and is to be passed on by the members of the Senate and it contains an amendment which is objectionable to some of us on this side. I am suggesting that we vote for it, because it can be taken care of.

The language used in this bill is the same as the language used in the bill on second reading, which covers teachers, explaining what is meant by subversive activities.

Mr. EDMONDS. Does the gentleman from Philadelphia think the other bill covers teachers, if it does not amend the tenure act?

Mr. SHAPIRO. Yes I do, Mr. President, it covers every employe of any department of the state or any political subdivision. I think it plainly covers teachers, and if the gentleman from Montgomery reads it, I think he will agree with me.

Mr. COLEMAN. Lest the discussion of the Senator from Philadelphia be a bit confusing to the members of the Senate, may I state that this is a bill that prevents anybody from receiving assistance who advocates the overthrow of the government. There is an appeal to the courts in the event he feels there has been discrimination against him, but I think it ought to be clearly understood. I understand what the gentleman from Philadelphia is trying to get across, but it seems to me this is an entirely different bill. This is a bill which would prevent anybody from being eligible for public assistance who is advocating the overthrow of government.

Mr. CAVALCANTE. Mr. President, I think the remarks of the gentleman from Lackawanna further confuse this issue. We understand that the bill is to prevent the giving of relief to those who advocate the overthrow of government by force or by violence, and we know that Communism has been held by the courts of our country to be a form of political idea that does teach the overthrow of government by force and violence but this bill includes two forms that have never yet been defined, Fascism and Naziism.

I do not understand that here in the United States we have any legal decision of any kind, in any court, that Fascism or Naziism teaches the overthrow of American government by force or by violence, but Communism has been so adjudicated in our courts. This bill goes beyond the idea of trying to eliminate from our relief system the giving of relief to persons who advocate the overthrow of government by force and violence. We have a lot of versions here, we have people who may entertain a philosophy different than we entertain, but that philosophy is not based upon the overthrow of our American government by force and violence.

I agree with the gentleman from Philadelphia, Mr. Shapiro, that the words are used very loosely here in this bill and I think that we ought to know what is meant

by the terms Fascism and Naziism, and in what particular we are using them in this bill now before us.

Mr. SHAPIRO. Mr. President, for the information of the gentleman from Montgomery, Senator Edmonds, on second reading we passed tonight House Bill No. 413, Senate Bill No. 1335. It contains the following: "The phrase 'un-American or subversive doctrine' shall be construed to mean doctrines which teach or advocate the overthrow of the government of the United States or of the Commonwealth of Pennsylvania by revolution or the changing of the form of government of the United States or of the government of Pennsylvania by means not provided for in the Constitution of the United States or the Constitution of the Commonwealth of Pennsylvania." That is the definition which was adopted by the House to describe subversive doctrines, used in this bill, and the bill on which we are now voting.

The bill in the House answers the question as to whether or not there is any bill coming over dealing with teachers, which reads as follows: "No person who hereafter advocates or participates by an overt act or acts in any un-American or subversive doctrines * * * shall be permitted to be employed in any capacity by any department, board, commission or other agency of this Commonwealth, or any county, city, borough, incorporated town, township, school district, vocational school district or institution district thereof or any other authority or institution which is supported in whole or in part out of public funds."

That definition in my opinion covers the teachers, even though it is not an amendment to the Teacher Tenure Act, and therefore I say, the phrase having been adopted in both cases, the amendment in this third reading bill we are now acting on is meaningless.

Mr. EDMONDS. Mr. President, I thank the gentleman from Philadelphia for his explanation and I think he has made the matter quite clear. I understand his explanation but I do not agree that it legally amends the Teacher Tenure Act.

And the question recurring,

Will the Senate agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—44

Bartlett,	DiSilvestro,	Kephart,	Stevenson,
Becker,	Ealy,	Letzler,	Stiefel,
Carr,	Edmonds,	Mallery,	Tallman,
Cavalcante,	Farrell,	McCreesh,	Taylor,
Chapman,	Frey,	McGinnis,	Thomas,
Coleman,	Geltz,	McQuiddy,	Tyler,
Cox,	Haluska,	Miller,	Wade,
Crider,	Heyburn,	Reed,	Watkins,
Crowe,	Homsher,	Ruth,	Watkins,
Deitrick,	James,	Shapiro,	Wilson, H. I.,
Dent	Jaspan,	Snowden,	Woodward,

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same with amendments in which the concurrence of the House is requested.

BILLS OVER IN ORDER

Mr. GELTZ. Mr. President, I ask unanimous consent that Senate Bill No. 1315, on third reading, entitled:

An Act to reenact and further amend the title and the provisions of the act, approved the twenty-fifth day of May, one thousand eight hundred ninety-seven (P. L. 83), entitled "An act to provide for the maintenance, care and treatment of the indigent insane in county and local institutions," as amended by reviving said act for a limited period of time and including institution districts within the act, in conformity with existing law.

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. GELTZ. Mr. President, I ask unanimous consent that Senate Bill No. 1316, on third reading, entitled:

An Act to further amend section three hundred nine of the act, approved the twenty-fourth day of June, one thousand nine hundred thirty-seven (P. L. 2017), entitled "An act creating in each county (except of the first class) as a separate corporation, and in each city of the first and second class as a part of the city government, an institution district for the care and maintenance of certain indigent persons and children; prescribing the powers and duties of county commissioners, county treasurers, city departments of public welfare, the State Department of Welfare and the State Department of Public Assistance in respect thereto; abolishing certain poor districts and terminating the terms of directors, overseers, guardians and managers of the poor and poor district auditors, and providing for the temporary employment of certain of them; providing for the transfer, vesting, sale and disposition of the property of poor districts and the payment of their obligations; imposing certain existing obligations on institution districts and on the Commonwealth; regulating the affairs of poor districts until abolished; revising, amending, changing and consolidating the law relating to the care of the poor; and repealing existing laws," by authorizing county institution districts to adopt a supplemental budget and to borrow money to operate institutions for mental patients heretofore transferred to the Commonwealth.

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. GELTZ. Mr. President, I ask unanimous consent that Senate Bill No. 1317, on third reading, entitled:

An Act to reenact and further amend the title and section one of the act, approved the twenty-fifth day of April, one thousand nine hundred twenty-nine (P. L. 707), entitled "An act fixing the liability of the counties, poor districts, and the Commonwealth for the support of the indigent and partly indigent insane in State institutions," by reviving the provisions of said act for a limited period of time; further fixing the liability of counties, institution districts and the Commonwealth; and conforming the title and the act to existing law.

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. GELTZ. Mr. President, I ask unanimous consent that Senate Bill No. 1325, on third reading, entitled:

An Act making an appropriation to the Department of Welfare to pay for the care, treatment, removal, and maintenance of the indigent insane in county and institution district hospitals.

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILL ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 1326, (House Bill No. 355), as follows:

An Act to provide for the change of object of the corporate existence of beneficial and relief associations as herein defined and authorizing and providing a mode for the dissolution and surrender of the charter of such associations

The General Assembly of the Commonwealth of Pennsylvania hreby enacts as follows

Section 1 The term "beneficial or relief associations" as used in this act shall mean and include all incorporated beneficial societies and companies and relief associations conducted not for profit formed by churches societies classes firms or corporations with or without ritualistic form of work the privilege of membership in which is confined to the members of such churches societies or classes and to members and employes of such firms or corporations and which have been in continuous existence for twenty years or more The term shall not include any such society company or association having a lodge system or representative form of government nor any such society company or association having affiliates or subsidiaries

Section 2 Any beneficial or relief association that may be desirous of continuing or maintaining its corporate existence for any literary charitable or benevolent purpose or as a hall association or society for the mutual benefit of its members may by a vote of the majority of its members present (who by the laws of the particular company or association are or may be entitled to vote) at a stated meeting after at least one month's notice has been given declare the purpose and object for which they desire to continue as aforesaid Such beneficial or relief association shall within three months thereafter present their petition to the court of common pleas of the county praying that the purpose or object for which they may desire to continue their corporate existence as aforesaid may be approved by said court whereupon said petition shall be filed and if the object or purpose therein expressed and stated shall appear to the judges of the court to be lawful and not injurious to the community and if no sufficient objection thereto be shown by any person or persons interested therein the said court shall on the first day of the next succeeding term not less than four weeks after the filing of the said petition enter their decree approving of the object or purpose for which such corporation shall thereafter continue A certified copy of such decree shall be recorded in the office of the recorder of deeds of the county and thereupon such object or purpose shall supersede the object or purpose named or expressed in the charter or act of incorporation of said beneficial or relief association and shall be as valid and binding as if the same had been the original object or purpose for which such beneficial or relief association had been incorporated And such beneficial or relief association may also issue shares of stock not exceeding in amount the value of their property and effects and distribute the same to and amongst the members thereof entitled thereto Such shares shall be assignable and transferable in the usual manner The holder or holders of any share or shares shall be entitled to one vote for each share held by him Such beneficial or relief association may also by and with the assent and approval of the court change the name of such corporation and provide for its management by such officers and board of directors or managers not exceeding seven in number exclusive of president and treasurer as to them may seem just and expedient

Section 3 If any beneficial or relief association shall be desirous of disbanding dissolving and surrendering their corporate existence it shall be lawful for it so to do and the property and effects or the proceeds thereof may be distributed and divided to and among the members entitled thereto under the following conditions to wit

(1) Such beneficial or relief association shall give at least six months' notice of its intention to dissolve and surrender its corporate existence by advertisement in at least one daily newspaper published in the county to be designated by the court of common pleas upon application by the proper beneficial or relief association said advertisement to be published at least once a week for four weeks or continuously for one week

(2) Such beneficial or relief association shall through its secretary or by a committee appointed for that purpose make a roll of all such members who are entitled to participate in the distribution of its property or the proceeds thereof who may apply to him or to them personally or otherwise Said roll shall be kept open during the whole of said six months and it shall be the duty of such secretary or committee to enter upon such roll the name or names of any and all members who may apply who are known to him or them or if unknown who shall produce satisfactory evidence that he or they is or are entitled to have his or their name or names placed on said roll and said roll shall at the expiration of said six months be verified by the oath or affirmation of said secretary or committee

(3) Such beneficial or relief association shall immediately after the expiration of said six months appoint a committee of not less than three members which committee in conjunction with the president and treasurer of said beneficial or relief association shall make out and sign a schedule of the description amount and value of all the property and effects of such beneficial or relief association the names of all persons who are included within the provisions of clause (2) of this section and the description amount and value of the property effects or moneys allotted to each of such persons respectively which allotments shall be as nearly equal as may be Such schedule shall be verified by oath or affirmation of a majority of such committee one of whom shall be the president or treasurer Said schedule shall be submitted at a stated meeting of the beneficial or relief association and if approved by a vote of the majority of such members present as are included in clause (2) hereof shall be final and conclusive

(4) As soon as all steps and proceedings provided for in this section shall have been completed a certified copy thereof shall be made out attested by the signatures of the officers of such beneficial or relief association and by the seal of the corporation and shall be duly acknowledged as in the case of a deed made by a corporation and recorded in the office of the recorder of deeds of the county Therefter such corporation shall be dissolved and cease to exist and all the powers and authorities thereto belonging shall become and be null and void and of no effect except such as are necessary to carry this act into effect. The distribution of the property and effects of such beneficial or relief association shall be made as soon after the approval of the schedule mentioned in clause (3) as may be convenient Provided That nothing herein contained shall be construed as to prevent any person who may deem himself aggrieved by the action of any beneficial or relief association in his case applying to the proper court for redress by bill in equity or upon or for a mandamus upon his giving such security as the court may determine to pay all damages that may be incurred and all costs that may accrue if the decree of the court upon final hearing shall be against him and a part of such costs shall be a reasonable counsel fee to be allowed by the court in the particular case and fixed by the decree.

Section 4 In the event any beneficial or relief association included within the provision of this act which has changed by virtue of the provisions of any previously existing law of this Commonwealth into stock companies the shares into which the capital stock of such corporation may be divided shall be issued to such of the members of said beneficial or relief association as were required to perform active services as a condition of membership or who may have been transferred from the ac-

tive roll to the roll of honorary members as a reward or token of recognition for previous active services and to those only who may have signed the constitution or by-laws of such beneficial or relief association and in case of a total dissolution of such beneficial or relief association under the provision of this act those members only who are designated in this section shall be entitled to a distributive share of the proceeds of the property of such beneficial or relief association

Section 5 If in any case any number of the active and honorary members either or both of any beneficial or relief association not less than ten in number may desire to perpetuate the corporate existence of any beneficial or relief association either for social purposes or for any of the purposes mentioned in section two of this act and a majority of such beneficial or relief association may desire to dissolve as aforesaid it shall be lawful for such members by signing and presenting to such beneficial or relief association an agreement in writing to perpetuate the existence of such corporation to take unto themselves the liabilities and responsibilities imposed and to enjoy the privileges granted in and by the charter of such beneficial or relief association In such case the proceedings directed in and by section three of this act shall be pursued except as to the division of their property and the recording of proceedings in lieu of which after the amount of dividend shall have been ascertained and approved as aforesaid the receipt of such dividend by any member shall be construed to be a resignation and shall be so entered upon the books of such beneficial or relief association and the members so receiving a dividend shall thenceforth cease to be a member of such beneficial or relief association Provided That it shall be unlawful for any beneficial or relief ssociation to purchase the right of any member and upon the payment of the agreed price the membership of such person shall thereupon terminate

Section 6 The sales by any beneficial or relief association included in section one of this act hereafter made shall be deemed and taken to have been made pursuant to the provisions of this act and are hereby declared to be valid and to vest the title to such property in the purchasers of such property

Section 7 It shall and may be lawful for any of the beneficial or relief associations mentioned in the first section of this act to accept the provisions of this act as a supplement to the charter or act of incorporation of such beneficial or relief association by the vote of a majority of the members entitled to vote who may be present at any stated meeting of such beneficial or relief association If so accepted the provisions hereof shall be deemed and taken to be a part of the charter or act of incorporation of such accepting beneficial or relief association except where a particular number have a right to continue Provided That nothing contained in this act shall be held to affect the right of any member or beneficial or relief associations as the same have been heretofore adjudicated by any court and the same are hereby confirmed Provided That this act shall not repeal or affect the provisions of any special law relating to the same subject in any county township borough or city in this Commonwealth

Section 8 The provisions of this act shall become effective immediately upon final enactment

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—43

Bartlett,	DiSilvestro,	Letzler,	Tallman,
Becker,	Ealy,	Mallery,	Taylor,
Carr,	Edmonds,	McCreesh,	Thomas,
Cavalcante,	Farrell,	McGinnis,	Tyler,
Chapman,	Frey,	McQuiddy,	Wade,
Coleman,	Geltz,	Miller,	Walker,
Cox,	Haluska,	Reed,	Watkins,
Crider,	Heyburn,	Ruth,	Wilson, H. I.,
Crowe,	James,	Snowden,	Woodward,
Deitrick,	Jaspan,	Stevenson,	Ziesenheim,
Dent,	Kephart,	Stiefel,	

NAYS—1

Shapiro,

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

BILL ON THIRD READING

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 1327, (House Bill No. 1952), entitled:

An Act fixing the salary of the Parlimentarian of the House of Representatives

And said bill having been read at length the third time,

On the question,

Will the Senate agree to the bill?

Mr. KEPHART. Mr. President, I ask unanimous consent to amend title, page 1, line 1 of title, by striking out the following: "Fixing the salary of the" and inserting in lieu thereof: "To amend section four of the act approved the first day of July one thousand nine hundred and nineteen (P. L. 717), entitled 'An act fixing the number, compensation, mileage and duties of the officers and employes of the General Assembly and providing for their election or appointment, term of office and manner of filling vacancies,' by providing for the appointment, compensation and duties of clerks and pages to the majority and minority floor leaders respectively of the Senate and of the House of Representatives; providing for the appointment of a"; amend title, page 1, line 2 of title, by inserting after the word "Representatives" at the end of the line, the following: "defining his duties and fixing his salary and making an appropriation;" amend Sec. 1, page 1, lines 1 to 4, both inclusive, by striking out all of said lines and inserting in lieu thereof: Section 1. Section four of the act, approved the first day of July, one thousand nine hundred and nineteen (P. L. 717), entitled "An act fixing the number, compensation, mileage and duties of the officers and employes of the General Assembly and providing for their election or appointment, term of office and manner of filling vacancies," is hereby amended to read as follows:

Section 4. In addition to the officers and employes herein specified the Speaker of the House of Representatives shall at the commencement of each session of the General Assembly, appoint a parliamentarian to advise the Speaker on parliamentary questions and legislative procedure, and to perform such other duties in connection with the House desk and House transcribing room as the Speaker and Chief Clerk of the House shall direct. The parliamentarian shall receive a salary of five thousand dollars ($5,000) per annum. Between legislative sessions, the parliamentarian shall perform such duties for the Speaker, any committee of the House, or any legislative commission, as the Speaker of the House shall prescribe. In the event of a vacancy

existing in the office of Parliamentarian for the House of Representatives by reason of death, resignation or removal, the Speaker shall appoint a qualified person to fill such vacancy. The Chief Clerk of the Senate is hereby authorized to appoint for the session not more than four stenographers for the use of the members and officers of the Senate and the chief clerk of the House of Representatives is hereby authorized to appoint for the session not more than six stenographers for the use of the members and officers of the House of Representatives. The salary of each of the stenographers specified in this section shall be five dollars per diem.

The majority floor leader and the minority floor leader in both the Senate and the House of Representatives are each hereby authorized to appoint one clerk and one page and to prescribe their respective duties. The clerk to each of the aforesaid majority and minority floor leaders shall receive a salary of two thousand four hundred dollars ($2,400) per annum and the page to each of such floor leaders shall receive compensation of seven hundred and twenty dollars ($720) per annum

Section 2. The sum of nine thousand and forty dollars ($9040), or so much thereof, as may be necessary, is hereby specifically appropriated to the House of Representatives of the General Assembly for the two years beginning June first, one thousand nine hundred and forty-one, for the payment of the salaries of the clerks and pages to the floor leaders of the House of Representatives and for the payment of the increase in the salary of the Parliamentarian effected by this act, and the sum of six thousand two hundred and forty dollars ($6240) or so much thereof as may be necessary is hereby specifically appropriated to the Senate for the payment of the clerks and pages to the floor leaders of the Senate.

Amend Sec. 2, page 1, line 5, by striking out the numeral "2" and inserting in lieu thereof: "3"; Amend Sec. 3, page 1, line 7, by striking out the figure "3" and inserting in lieu thereof: "4".

On the question,

Will the Senate agree to the amendments?

Mr. WADE. I object, Mr. President.

Mr. CAVALCANTE. I want to object also, Mr. President; I do not think any Parliamentarian is worth a greater salary than a Senator sitting in this Senate.

POINT OF ORDER

Mr. WADE. Mr. President, I rise on a point of order.

The PRESIDENT. The gentleman from Cumberland will proceed.

Mr. WADE. Mr. President, is it not necessary to obtain unanimous consent to amend a bill on third reading?

The PRESIDENT. The point of order of the gentleman from Cumberland is well taken.

Mr. KEPHART. Mr. President, I understood the Chair to ask whether any one objected to presentation of the amendments and nobody objected. The amendments were presented and now there is objection after they are presented.

The PRESIDENT. That is correct. The Senator from Philadelphia, Mr. Kephart, asked unanimous consent to present amendments, there was no objection, the amendments were read, and now the question is on the adoption of the amendments.

Mr. CAVALCANTE. Mr. President, it is my understanding the gentleman from Philadelphia, Senator Kephart, requested unanimous consent to present amendments. The gentleman may present amendments if he desires, but they can not be inserted in the bill without unanimous consent.

The PRESIDENT. That is a matter for the Senate to determine.

Mr. WADE. My objection, Mr. President, is to adoption of the amendments; not to presentation of amendments.

The PRESIDENT. The Chair so understood.

And the question recurring,

Will the Senate agree to the amendments,

The yeas and nays were required by Mr. KEPHART and were as follows,

YEAS—20

Barr,	Ealy,	McCreesh,	Scarlett,
Coleman,	Geltz,	McGinnis,	Shapiro,
Cox,	Jaspan,	McQuiddy,	Stiefel,
Dent,	Kephart,	Miller,	Tallman,
DiSilvestro,	Letzler,	Ruth,	Wilson, H. I.,

NAYS—21

Bartlett,	Deitrick,	Heyburn,	Stevenson,
Carr,	Edmonds,	James,	Taylor,
Cavalcante,	Farrell,	Mallery,	Thomas,
Chapman,	Frey,	Reed,	Wade,
Crider,	Haluska,	Snowden,	Walker,
			Watkins,

So the question was determined in the negative.

And the question recurring,

Will the Senate agree to the bill on second reading?

BILL OVER IN ORDER

Mr. GELTZ. Mr. President, I ask unanimous consent that Senate Bill No. 1327, (House Bill No. 1952), on third reading, go over in its order temporarily.

The PRESIDENT. If there objection? The Chair hears none.

BILL ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 1332, (House Bill No. 1895), as follows:

An Act to amend section five of the act approved the fourth day of April one thousand nine hundred twenty-nine (P. L. 144) entitled "An act prescribing the powers and duties of the Department of Agriculture with regard to farm products providing for co-operation with the Department of Internal Affairs to establish standard receptacles for farm products authorizing the Department of Agriculture to establish and promulgate standards for the grade and other classification of farm products and to promulgate regulations for the enforcement thereof defining farm products to include agricultural horticultural vegetable fruit and floricultural products of the soil live stocks and meats wools hides poultry eggs dairy products nuts mushrooms and honey and providing penalties" by including certificates of the United States Department of Agriculture as evidence of grade and classification

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section five of the act approved the fourth

day of April one thousand nine hundred twenty-nine (P. L. 144) entitled "An act prescribing the powers and duties of the Department of Agriculture with regard to farm products providing for co-operation with the Department of Internal Affairs to establish standard receptacles for farm products authorizing the Department of Agriculture to establish and promulgate standards for the grade and other classification of farm products and to promulgate regulations for the enforcement thereof defining farm products to include agricultural horticultural vegetable fruit and floricultural products of the soil live stock and meats wool hides poultry eggs dairy products nuts mushrooms and honey and providing penalties" is hereby amended to read as follows

Section 5 A certificate when not superseded by a finding of the grade or other classification of any farm product issued under this act and a certificate issued by the United States Department of Agriculture independently or in co-operation with a co-operating agency as to grade or other classification of any farm product when certified by the authorized agent of that department shall be accepted in any court of this Commonwealth as prima facie evidence of the [true grade or other classification of such farm product at the time of its classification] truth of the statements therein contained including the true grade or other classification of such farm product at the time of its classification

Section 2 The provisions of this act shall become effective immediately upon final enactment

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—44

Bartlett,	DiSilvestro,	Letzler,	Stevenson,
Becker,	Ealy,	Mallery,	Stiefel,
Carr,	Edmonds,	McCreesh,	Tallman,
Cavalcante,	Farrell,	McGinnis,	Taylor,
Chapman,	Frey,	McQuiddy,	Thomas,
Coleman,	Geltz,	Miller,	Tyler,
Cox,	Haluska,	Reed,	Wade,
Crider,	Heyburn,	Ruth,	Walker,
Crowe,	James,	Scarlett,	Watkins,
Deitrick,	Jaspan,	Shapiro,	Wilson, H. I.,
Dent,	Kephart,	Snowden,	Woodward,

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

BILLS SIGNED

The PRESIDENT (Lieutenant-Governor Samuel S. Lewis) announced that the Chief Clerk having reported that the following bills had passed both houses of the General Assembly and the same being correct, the titles were publicly read as follows:

Senate Bill No. 1, entitled:

An Act providing that when inmates of an orphan's home or other children's institution, or private home are maintained at the cost of any county, and attend public school and are not legal residents of and collect the same from the school district liable therefor.

Senate Bill No. 241, entitled

An Act to further amend section two thousand six hundred and four of an act approved the eighteenth day of May, one thousand nine hundred and eleven, (P. L. 309), entitled "An act to establish a public school system in the Commonwealth of Pennsylvania, together with the provisions by which it shall be administered, and prescribing penalties for the violation thereof; providing revenue to establish and maintain the same, and the method of collecting such revenue; and repealing all laws, general, special, or local, or any parts thereof, that are or may be inconsistent therewith," by providing for the audit of accounts of fourth class school districts by the borough or township controller or auditors.

Senate Bill No. 338, entitled:

An Act to further amend sections four and five of the act, approved the sixth day of April, one thouasnd nine hundred thirty-five (P. L. 90), entitled "An act to promote uniformity in the assessment and taxation of properties and persons within the territorial limits of cities of the second class A, by providing that city and school taxes within such territorial limits shall be assessed, levied, and collected upon the basis of the assessments for taxation for county purposes; and requiring the furnshing of tax duplicates by the county taxing authorities to such cities and to school districts coterminous therewith; abolishing the department of assessors in cities of the second class; consolidating tax statements covering city, school, county, and poor taxes therein, and making uniform the time for levy and collection of said taxes respectively, and regulating the discounts therefrom and penalties thereon" by further regulating discounts for prompt payment of taxes and penalties and interest imposed on said taxes and by changing the date of certain tax payments.

Senate Bill No. 344, entitled:

An Act to amend further section five of the act, approved the thirteenth day of June, one thousand eight hundred and thirty-six (P. L. 551) entitled "An act relating to roads, highways and bridges" as amended by permitting the maximum width of a public road to be two hundred feet when the right of way is acquired by the Federal Government and providing for the cost of relocating public service lines.

Senate Bill No. 367, entitled:

An Act authorizing the Department of Public Instruction, with the approval of the Board of Trustees of the Millersville State Teachers' College, to contract with the Borough of Millersville for the erection of a sewage disposal plant and the connection therewith and use thereof by the Millersville State Teachers' College, and the payment of part of the cost of maintenance thereafter; and making an appropriation.

Senate Bill No. 509, entitled:

An Act making an appropriation to the State Council for the Blind for use in supplying medical treatment, surgical operations, eyeglasses or other necessary aids or services to needy blind persons or persons with impaired vision.

Senate Bill No. 574, entitled·

An Act to amend section twenty of the act, approved the thirtieth day of April, one thousand nine hundred and twenty-nine (P. L. 885), entitled "An Act to provide for the incorporation and regulation of cooperative agricultural associations having capital stock; and defining agricultural so as to include persons engaged in agricultuure, dairying, livestock raising, poultry raising, floriculture, mushroom growing, bee keeping, horticulture, and other allied occupations; and providing penalties," by further limiting exemptions of and exempting certain classes of associations formed under such act from State, county and municipal taxation, and from the duty of filing certain tax reports with State county or municipal agencies.

Senate Bill No. 587, entitled:

An Act to amend section three hundred six of the act, approved the twenty-fourth day of June, one thousand nine hundred thirty-seven (P. L. 2017) entitled "An act creating in each county (except of the first class) as a separate corporation, and in each city of the first and second class as a part of the city government, an institution district for the care and maintenance of certain indigent persons and children; prescribing the powers and duties of county commissioners, county treasurers, city departments of public welfare, the State Department of Welfare, and the State Department of Public Assistance in respect thereto; abolishing certain poor districts and terminating the terms of directors, overseers, guardians and managers of the poor and poor district auditors, and providing for the temporary employment of certain of them; providing for the transfer, vesting, sale and disposition of the property of poor districts and the payment of their obligations; imposing certain existing obligations on institution districts and on the Commonwealth; regulating the affairs of poor districts until abolished; revising, amending, changing and consolidating the law relating to the care of the poor; and repealing existing laws," authorizing the county commissioners to appoint and fix the compensation of a solicitor for county institution districts in counties of the third class

Senate Bill No. 784, entitled:

An Act to amend section four hundred three of the act, approved the fifteenth day of May, one thousand nine hundred and thirty-three (P. L. 565), entitled "An act relating to the powers and duties of the Department of Banking and the Secretary of Banking in exercising supervision over, and taking possession of and conducting or liquidating the business and property of, corporations, associations, and persons receiving deposits or otherwise transacting a banking business, corporations acting as fiduciaries, and building and loan associations; providing for the payment of the expenses of the Department of Banking by supervised corporations, associations, or persons, and appropriating the Banking Department Fund; authorizing the Department of Banking, under certain circumstances, to examine corporations, associations, or persons affiliated, or having business transactions with supervised corporations, associations or persons; authorizing appeals to the Supreme Court, and prescribing and limiting the powers and duties of certain other courts and their prothonotaries, registers of wills, recorders of deeds and certain State departments, commissions, and officers; authorizing certain local public officers and State department to collect fees for services rendered under this act; providing penalties; and repealing certain acts and parts of acts," further regulating the publication of advertisements and notices required under the provisions of said act.

Senate Bill No. 785, entitled:

An Act to further amend section nine of the act, approved the first day of May, one thousand nine hundred and thirteen (P. L. 138), entitled "An act defining vocational education; providing for the establishment and regulation of vocational schools; and providing for State aid in the maintenance thereof; and for the payment of tuition by certain school districts, and reimbursement thereof by the State," further regulating State reimbursements to school districts for vocational education; and making provision for additional types of vocational education for which funds may be provided by Congress.

Senate Bill No. 883, entitled:

An Act to enlarge the powers of the Navigation Commission for the Delaware River and its navigable tributaries with respect to the maintenance, operation and financing of a nautical school for the Commonwealth of Pennsylvania.

Senate Bill No. 905, entitled:

An Act to further amend clause (a) of section two of the act, approved the seventh day of June, one thousand nine hundred and seventeen (P. L. 388), entitled "An act relating to the jurisdiction, powers, and procedure of the orphans' court and the court of common pleas as to sales, mortgages, conveyances on ground rents, leases, extinguishment of ground-rents, partition, exchange, squaring and adjusting of lines between adjoining owners, consolidation and combination of mining lands and the leasing thereof, the joining by owners of undivided interests in making and taking conveyances in order to change the route or location of any right of way or passage over adjoining or other lands, and the subdivision of premises so as to command the highest price or greatest rents, and for such purpose, the laying out or dedication of roads, streets, and alleys, or the vacation of such as have not been accepted by the public authorities, where the court shall be of opinion that such decrees will be to the interest and advantage of all those interested; and where the legal title is held by minors, lunatics, habitual drunkards or weak-minded persons, a married person whose spouse is a lunatic, or has abandoned him or her for one year or has been absent and unheard of for seven years by corporations having no capacity to convey or by any unincorporated association, by any religious, beneficial, or charitable society or association, incorporated or unincorporated, and the title is subject to forefeiture if real estate is held in excess of the amount prescribed by its charter or by law; by a corporation, or individual or individuals, and is subject to a trust of any description whatever; by any person as to whom a presumption of death may have arisen, or any interest wherein is held by any person under legal disability to dispose thereof; where the legal title is an estate tail or is subject to the lien of debts of a decedent not of record, contingent remainders, executory devises, or remainders to a class, some or all of whom may not be in being or ascertained; where estates shall have been devised or granted for special or limited purposes, where there is a power of sale but the time may not have arrived for its exercise, any preliminary act may not have been done to bring it into exercise, the time limited for its exercise may have expired, or any one or more persons required to consent or join in its exercise may be non compos mentis, have removed out of the State, have died, refuse to act, unreasonably withhold consent or be absent and unheard of; where there has been or shall be a defective appointment in any deed or will, and the necessary power is not given to the executor, devisee, or appointee to make sale and conveyance; where a trust has been created, and no power conferred on the trustee to do any of the acts which the court is hereby empowered to authorize or confirm; and to the effects of such decrees," extending the provisions of said act to cases where real estate is held by entireties, and the one spouse has been declared weakminded.

Senate Bill No. 994, entitled:

An Act making an appropriation to the Thomas Jefferson Bicentennial Commission of Pennsylvania.

Senate Bill No. 1006, entitled:

An Act to amend Route 18033 established by amendment to the act, approved the twenty-second day of June, one thousand nine hundred and thirty-one (P. L. 594), entitled "An act establishing certain township roads as State highways authorizing their construction, maintenance and improvement under certain conditions and restrictions; limiting the obligation of the Commonwealth in the construction of certain structures located on such highways, conferring certain powers upon the Department of Highways and local authorities, persons, associations and corporations for sharing the cost of the maintenance and construction of such highways; and making an appropriation to carry out the provisions of said act."

Senate Bill No. 1019, entitled:

An Act authorizing the Department of Property and Supplies, with the approval of the Governor and the Board of Trustees of Pennsylvania Soldiers' Orphan School to acquire a certain tract of land for the use of said school and making an appropriation therefor.

Senate Bill No. 1095, entitled:

An Act to further amend paragraph nineteen of section one thousand two hundred and ten of the act approved the eighteenth day of May one thousand nine hundred and eleven (P. L. 309) entitled "An act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith" providing for minimum salary and increments of part-time teachers of children of exceptional physical or mental condition unable to attend regular public school and for payments by the Commonwealth on account thereof.

Senate Bill No. 1186, entitled:

An Act authorizing the Department of Military Affairs of the Commonwealth of Pennsylvania to arrange for the design and permanent display in the County of Philadelphia of a plaque or monument in memory of the Honorable Theodore Rosen; and making an appropriation.

Senate Bill No. 1256, entitled:

An Act authorizing the Department of Property and Supplies with the approval of the Governor to sell and convey certain plots of land.

Whereupon,

The PRESIDENT (Lieutenant-Governor Samuel S. Lewis) in the presence of the Senate signed the same.

SENATE BILL No. 649, (HOUSE BILL No. 971), ON FINAL PASSAGE POSTPONED CALLED UP.

Mr. GELTZ. Mr. President, I now call up Senate Bill No. 649, (House Bill No. 971), on final passage postponed, page 25 of the Calendar.

Mr. MILLER. Mr. President, I second the motion.

The motion was agreed to.

BILLS ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate resumed the third reading and consideration of Senate Bill No. 649, (House Bill No. 971), entitled:

An Act to further amend section fifteen and to repeal sections fifteen and one-tenth and fifteen and two-tenths and fifteen and three-tenths of the act approved the sixteenth day of May one thousand nine hundred and twenty-three (P. L. 207), entitled "An act providing when how upon what property and to what extent liens shall be allowed for taxes and for municipal improvements for the removal of nuisances and for water rents or rates sewer rates and lighting rates for the procedure upon claims filed therefor the methods for preserving such liens and enforcing payment of such claims the effect of judicial sales of the property liened the distribution of the proceeds of such sales and the redemption of the property therefrom for the lien and collection of certain taxes heretofore assessed and of claims for municipal improvements made and nuisances removed within six months before the passage of this act and for the procedure on tax and municipal claims filed under other and prior acts of Assembly" as amended by providing for the renewal extension and continuation of liens for taxes and water lighting power and sewer rates until such taxes and rates are fully paid and satisfied and authorizing the filing and revival of liens heretofore lost and in certain cases reviving validating preserving and extending liens

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—44

Bartlett,	DiSilvestro,	Letzler,	Stevenson,
Becker,	Ealy,	Mallery,	Stiefel,
Carr,	Edmonds,	McCreesh,	Tallman,
Cavalcante,	Farrell,	McGinnis,	Taylor,
Chapman,	Frey,	McQuiddy,	Thomas,
Coleman,	Geltz,	Miller,	Tyler,
Cox,	Haluska,	Reed,	Wade,
Crider,	Heyburn,	Ruth,	Walker,
Crowe,	James,	Scarlett,	Watkins,
Deitrick,	Jaspan,	Shapiro,	Wilson, H. I.,
Dent,	Kephart,	Snowden,	Ziesenheim,

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same with amendment in which the concurrence of the House is requested.

SENATE BILL No. 415, (HOUSE BILL No. 653), ON THIRD READING AND FINAL PASSAGE POSTPONED CALLED UP

Mr. GELTZ. Mr. President, I now call up Senate Bill No. 415, (House Bill No. 653), on third reading and final passage postponed, page 26 of the Calendar.

Mr. MILLER. Mr. President, I second the motion.

The motion was agreed to.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 415, (House Bill No. 653), as follows:

An Act to add clause eighteen A to section three of article nineteen of the act approved the seventh day of March one thousand nine hundred one (P. L. 20) entitled "An act for the government of cities of the second class" authorizing cities of the second class to impose and collect charges for the care and treatment at municipal hospitals of persons who are financially able to pay the expenses of such care and treatment

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section three of article nineteen of the act approved the seventh day of March one thousand nine hundred one (P. L. 20) entitled "An act for the government of cities of the second class" is hereby amended by adding thereto immediately after clause eighteen a new clause to read as follows

Section 3 Every city of the second class in its corporate capacity is authorized and empowered to enact ordinances for the following purposes in addition to the other powers granted by this act

* * * *

XVIII-A To impose and collect charges covering all or any portion of the cost of care or treatment at municipal hospitals where the persons receiving such care or treatment are financially able to pay all or any portion of the cost of such care or treatment

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—44

Bartlett,	DiSilvestro,	Letzler,	Stevenson,
Becker,	Ealy,	Mallery,	Stiefel,
Carr,	Edmonds,	McCreesh,	Tallman,
Cavalcante,	Farrell,	McGinnis,	Taylor,
Chapman,	Frey,	McQuiddy,	Thomas,
Coleman,	Geltz,	Miller,	Tyler,
Cox,	Haluska,	Reed,	Wade,
Crider,	Heyburn,	Ruth,	Walker,
Crowe,	James,	Scarlett,	Watkins,
Deitrick,	Jaspan,	Shapiro,	Wilson, H. I.,
Dent,	Kephart,	Snowden,	Ziesenheim,

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

SENATE BILL No. 502, (HOUSE BILL No. 895), ON THIRD READING AND FINAL PASSAGE POSTPONED CALLED UP

Mr. GELTZ. Mr. President, I now call up Senate Bill No. 502, (House Bill No. 895), on third reading and final passage, postponed, on page 27 of the Calendar.

Mr. MILLER. Mr. President, I second the motion.

The motion was agreed to.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 502, (House Bill No. 895), as follows:

An Act to authorize counties cities boroughs incorporated towns townships school districts poor districts and county institution districts to file tax and municipal claims not filed within the time specified by law and to file suggestions of nonpayment and averments of default or to sue out writs of scire facias on certain tax or municipal claims and to revive judgments where the lien of such claims or the judgments thereon have been lost and providing for the reinstatement of the liens of such claims and judgments

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Whenever any county city borough incorporated town township school district poor district or county institution district has hereto failed to file in the office of the prothonotary of the county any tax claim or municipal claim assessed against any property within the time limit required by law for such filing whereby the lien of such tax or municipal claim is lost or has heretofore filed in the office of the prothonotary of the proper county any tax or municipal claim and the county city borough incorporated town township school district poor district or county institution district has not within the period of five years after the date on which any such claim was filed sued out a writ of scire facias to reduce the same to judgment or has not done so in time or in the case of a tax or municipal claim has not within said period of five years filed a suggestion of nonpayment and an averment of default or whenever any writ of scire facias has been issued to reduce any such claim to judgment and by reason of defense or any other court proceedings or by reason of failure to file a praecipe on time judgment has not been entered within the period of five years after the date on which such writ was issued or whenever any such tax or municipal claim has been reduced to judgment and the county city borough incorporated town township school district poor district or county institution district has not within the period of five years after the date on which such judgment was entered or within five years after the date on which such judgment was last revived filed a suggestion of nonpayment and an averment of default or sued out a writ of scire facias to revive the same then in any such case any such county city borough incorporated town township school district poor district or county institution district may within six months after the effective date of this act file such tax or municipal claim or issue or reissue its praecipe for a writ of scire facias on any such tax or municipal claim and proceed to judgment in the manner provided by law to obtain judgments upon tax or municipal claims or in case a writ of scire facias has been issued but the same has not been reduced to judgment within five years from the date of issuance issue its praecipe for an alias writ of scire facias on any such tax or municipal claim and proceed to judgment in the manner provided by law to obtain judgments upon tax or municipal claims or in the case of a tax or municipal claim where no judgment has been entered file a suggestion of nonpayment and an averment of default or in case judgment has been entered on a tax or municipal claim either file a suggestion of nonpayment and an averment of default or issue its praecipe for a writ of scire facias on any such judgment and proceed to judgment in the manner provided by law to obtain judgments of revival and such claim or judgment so entered or revived shall be a valid claim or judgment and be a lien upon the real estate upon which it was assessed or upon which it was a lien at the time the claim was filed or the judgment was entered and said claim or judgment may be revived or further revived and collected as other claims or judgments upon tax or municipal claims are revived and collected Provided however That the lien of any such claim or judgment shall not attach or reattach against any real estate transferred to any purchaser before such claim is filed or during the time when the lien of any such tax or municipal claim or judgment was lost nor shall the lien of any such claim or judgment impair or affect the priority of the lien of any mortgage or other lien which gained priority because of the failure of the county city borough incorporated town township school district poor district or county institution district to file such claim or to sue out the writ of scire facias or file a suggestion of nonpayment and an averment of default within the five year period or was entered of record during the time the lien of such tax or municipal claim or judgment was lost nor shall any such lien so revived impair or effect the priority of the lien of any mortgage or other lien which was entered prior to the tax or municipal or which gained priority during the time such lien was not revived

Section 2 This act shall become effective immediately upon its final enactment

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—44

Bartlett,	DiSilvestro,	Letzler,	Stevenson,
Becker,	Ealy,	Mallery,	Stiefel,
Carr,	Edmonds,	McCreesh,	Tallman,
Cavalcante,	Farrell,	McGinnis,	Taylor,
Chapman,	Frey,	McQuiddy,	Thomas,
Coleman,	Geltz,	Miller,	Tyler,
Cox,	Haluska,	Reed,	Wade,
Crider,	Heyburn,	Ruth,	Walker,
Crowe,	James,	Scarlett,	Watkins,
Deitrick,	Jaspan,	Shapiro,	Wilson, H. I.,
Dent,	Kephart,	Snowden,	Ziesenheim,

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same with amendments in which the concurrence of the House is requested.

BILL DROPPED FROM CALENDAR

Mr. GELTZ. Mr. President, I move that Senate Bill No. 550, on third reading, postponed, entitled:

An Act to amend the act approved the ninth day of April, one thousand nine hundred twenty-nine (P. L. 177), entitled, "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments, boards, commissions, and officers thereof, including the boards of trustees of State Normal Schools, or Teachers Colleges; abolishing, creating, reorganizing or authorizing the reorganization of certain administrative departments, boards, and commissions; defining the powers and duties of the Governor and other executive and administrative officers, and of the several administrative departments, boards, commissions, and officers; fixxing the salaries of the Governor, Lieutenant-Governor, and certain other executive and administrative officers; providing for the appointment of certain administrative officers, and of all deputies and other assistants and employes in certain departments, boardss, and commissions; and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments, boards and commissions shall be determined," by adding thereto section 2114 establishing a civil service system for the Department of Health.

be dropped from the Calendar.

Mr. TAYLOR. Mr. President, I second the motion.

The motion was agreed to.

SENATE BILL No. 772. (HOUSE BILL No. 1253) ON THIRD READING AND FINAL PASSAGE POSTPONED CALLED UP

Mr. GELTZ. Mr. President, I now call up Senate Bill No. 772, (House Bill No. 1253), on third reading postponed, on page 29 of the Calendar.

Mr. MILLER. Mr. President, I second the motion.

The motion was agreed to.

BILLS ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 772, (House Bill No. 1253), as follows:

An Act providing a method of annexation of parts of townships now owned by and contiguous to cities of the first class acquired and used or to be used as an airport seaplane base and rail and marine terminal and regulating the proceedings pertaining thereto

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 That any part of a township contiguous to and now owned by an adjacent city of the first class acquired and used or to be used as an airport seaplane base and rail and marine terminal not exceeding six hundred acres in area may be annexed to the said city of the first class in the manner hereinafter set forth Provided however That no such annexation shall be made under the provisions of this act after the expiration of two years from the effective date of this act

Section 2 The Council of the said City of the first class shall pass an ordinance annexing said contiguous part of the township owned by it to the said City of the first class Said ordinance shall contain a plot of the township and of the portion thereof to be annexed to the said City

Section 3 After the passage of the said Ordinance a certified copy thereof shall be filed in the Court of Quarter Sessions of the county in which the said City of the first class is located and in the Court of Quarter Sessions of the county in which such township is located and thirty (30) days after such filing the said annexation shall become effective and such part of the township shall become a part of the City and if such township and such city be in different counties the part of the township annexed shall become a part of the county in which such City is situated

Section 4 Unless and until changed in the manner provided by law the part of such township so annexed if not divided into wards shall constitute a separate new ward of the enlarged City and if the part of the township so annexed at the time of annexation be divided into wards then each ward of such part of the township shall constitute a separate new ward of the enlarged city and shall be numbered by the Council of the City consecutively beginning with the next highest number after the existing highest numbered ward of the City Unless and until changed in the manner provided by law all election districts in such annexed part of the township shall remain as constituted at the time of the annexation and upon annexation shall become election districts of the enlarged city All election and other officers of such election districts in office at the time of the taking effect of the annexation shall continue in office until the expiration of their respective terms unless sooner removed as provided by law

Section 5 All the public property owned by such township and situated within the portion thereof which shall be so annexed shall become the public property of the City to which it is annexed All taxes thereafter levied by said City shall be uniform throughout the territorial limits of the enlarged city

Section 6 The county township and school district officers of the county township and school district in which the annexed territory was situated and the City Council shall make a just and proper adjustment and apportionment of all public property owned by the county township or school district at the time of annexation both real and personal including county township and school district funds as well as an adjustment and apportionment of the county township and school district indebtedness if any between the county township and school district and the City In making such adjustment and apportionment of the property and indebtedness the county township and school district and the City shall be entitled respectively to share in a division of the property and indebtedness in the portion that the assessed valuation of the land remaining in the county township and school district respectively bears to the assessed valuation of the land annexed The adjustment and apportionment as so made shall be reduced to writing in proper form and duly executed and acbnowledged by the proper official and filed in the office of the Clerk of the Court of Quarter Sessions of the county in which such City is located

Section 7 In case the Council of the City and the said county township and school district authorities cannot make such amicable apportionment and adjustment of such public property and indebtedness in compliance with this Act within six months after any such annexation then the Council or any officer of the said county township or school district may present a petition to the Court of Quarter Sessions of the County in which the City is located whereupon the Court shall appoint three commissioners one of whom shall be a resident and taxpayer of the said City one of whom shall be a resident and taxpayer of the township and one of whom shall not reside or be taxpayer in the county or counties in which either the City or the township is situated Said commissioners after hearing notice of which shall be given to the City and to the county township and school district interested as the Court shall direct make report to the Court making an apportionment and adjustment of all the public property as well as the indebtedness if any between the City and the county township and school district which said report shall state the amount if any that shall be due and payable from the City to the said county township or school district or from the said county township or school district to the City as well as the amount of indebtedness if any that shall be assumed by the City

Section 8 The Commissioners shall give the City and the said county township and school district at least five (5) days' notice of the filing of their report and unless exceptions are filed thereto by the City or by the county township or school district within thirty (30) days after the filing thereof the same shall be confirmed by the Court absolutely and any sum awarded by the said Court to the City or to the county township or school district shall be a legal and valid claim in its favor against the City or against the county township or school district charged therewith and the amount of debt if any apportioned to the City or to the county township or school district shall be a legal and valid debt of such City or of such county township or school district and any property real or personal given and adjudged to the City or to said county township or school district shall become and be the property of the City or the county township or school district to whichever one the same is given and adjudged and upon such report being confirmed such claim or indebtedness charged against any City or against any county township or school district may be collected in the same manner as judgments are collected against counties cities townships or school districts in accordance with law The commissioners shall be allowed compensation to be fixed by the Court appointing them together with their actual necessary expenses Such compensation and all costs and expenses of such proceedings shall be apportioned by the Court between the City and the county township and school district as it shall deem proper In case exceptions are filed to the report of the commissioners the Court shall dispose of the same taking testimony therein if deemed advisable and the decision of the Court thereon shall be final and binding upon such City and upon such county township or school district unless an appeal is taken within thirty (30) days to the Superior or Supreme Court as in other cases

Section 9 In cases in which such cities townships and school districts are situated in different counties the Court of Quarter Sessions of the county in which the City is located shall have exclusive jurisdiction in all matters which are the subject of this Act but the same shall be heard by a judge not a resident of either of the judicial districts affected who shall be called to preside specially in the matter

Section 10 This Act shall become effective immediately upon its final enactment

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

Mr. EDMONDS. Mr. President, this bill proposes the annexation of a portion of Delaware County by the City of Philadelphia, for the purpose of providing a marine terminal, a sea terminal and an airport. The portion that is to be taken is limited to six hundred acres and a portion is already owned by the City of Philadelphia, Hog Island, having been purchased from the government.

I think the amendments inserted in the bill safeguard properly the adjoining communities and yet I am under the necessity, in order to comply with my own pledges, to vote against this bill, because earlier in the session there was a bill proposed in the House involving annexation of adjacent counties to Philadelphia and at that time I put myself on public record that I would vote against anything of that kind.

I want to say, however, if we have to go outside of the county you can not do it in a more courteous way than has been done by Philadelphia, with the limitations put in this bill. Nevertheless I shall vote against it, although I say very frankly it is a piece of legislation that, if it had been proposed at the beginning of the session, before I made pledges, I should have supported with pleasure.

And the question recurring,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—41

Barr,	Dent,	Mallery,	Stevenson,
Bartlett,	DiSilvestro,	McCreesh,	Stiefel,
Becker,	Ealy,	McGinnis,	Tallman,
Carr,	Farrell,	McQuiddy,	Taylor,
Cavalcante,	Frey,	Miller,	Thomas,
Chapman,	Geltz,	Reed,	Tyler,
Coleman,	Haluska,	Ruth,	Wade,
Cox,	Jaspan,	Scarlett,	Walker,
Crider,	Kephart,	Shapiro,	Watkins,
Crowe,	Letzler,	Snowden,	Wilson, H. I.,
Deitrick,			

NAYS—3

Edmonds,	Heyburn,	James,

A majority of all the Senators having voted "aye" the question was determined in the affimative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same with amendments in which the concurrence of the House is requested.

SENATE BILL No. 813, (HOUSE BILL No. 896), ON THIRD READING AND FINAL PASSAGE POSTPONED CALLED UP

Mr. GELTZ. Mr. President, I now call up Senate Bill No. 813 (House Bill No. 896), on third reading and final passage postponed, page 29 of the Calendar.

Mr. MILLER. Mr. President, I second the motion.

The motion was agreed to.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 813, (House Bill No. 896), as follows:

An Act authorizing county commissioners to sell seated and unseated lands purchased at tax sales upon which the period of redemption has expired and validating certain sales heretofore made

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The county commissioners of each county are hereby authorized within one year from the effective date of this act to sell at public or private sale in the manner provided by law for the best price obtainable all seated and unseated lands heretofore purchased by them at tax sales and upon which the period of redemption provided by law has expired

Section 2 All sales of any such lands heretofore made by any county commissioners shall be valid and binding on the county and all deeds and conveyances given by the county for any such lands are hereby ratified confirmed and validated and the purchasers thereof and their respective heirs successors and assigns shall hold and may convey such titles and estates indefeasibly as to any rights of the county therein notwithstanding the fact that the time within which such sales were by law required to be made had expired when such sales were made

Section 3 The provisions of section seventeen of the act approved the twenty-ninth day of May one thousand nine hundred and thirty-one (P. L. 280) entitled "An act relating to delinquent taxes on seated lands and prescribing interest charges on nonpayment thereof requiring the receivers and collectors of county city borough town township school district and poor district taxes to make a return to the county commissioners of such unpaid taxes and providing for the lien thereof authorizing the county treasurers to collect such taxes and to sell seated lands at public sale for taxes heretofore or hereafter returned as unpaid and authorizing the county commissioners to purchase such lands and resell the same under certain circumstances" as amended is hereby repealed in so far as the same is inconsistent with the provisions of this act

All other acts and parts of acts inconsistent herewith are hereby repealed

Section 4 The provisions of this act shall become effective immediately upon final enactment

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—44

Barr,	Dent,	Kephart,	Snowden,
Bartlett,	DiSilvestro,	Letzler,	Stevenson,
Becker,	Ealy,	Mallery.	Stiefel.
Carr,	Edmonds,	McCreesh,	Tallman,
Cavalcante,	Farrell,	McGinnis,	Taylor,
Chapman,	Frey,	McQuiddy,	Thomas,
Coleman,	Geltz,	Miller,	Tyler,
Cox,	Haluska,	Reed,	Wade,
Crider,	Heyburn,	Ruth,	Walker,
Crowe,	James,	Scarlett,	Watkins,
Deitrick,	Jaspan,	Shapiro,	Wilson, H. I.,

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

SENATE BILL No. 859, (HOUSE BILL No. 724), ON THIRD READING AND FINAL PASSAGE POSTPONED CALLED UP

Mr. GELTZ. Mr. President, I now call up Senate Bill No. 859, (House Bill No. 724), on third reading and final passage postponed, on page 30 of the Calendar.

Mr. MILLER. Mr. President, I second the motion.

The motion was agreed to.

Agreeably to order,

The Senate proceeded to the third reading ond consideration of Senate Bill No. 859, (House Bill No. 724), as follows:

An Act to further amend section 363 of the act approved May second one thousand nine hundred twenty-nine (P. L. 1278) entitled "An act relating to counties of the second, third, fourth, fifth, sixth and seventh and eighth classes and revising amending and consolidating the laws relating thereto" and further regulating the form and contents of county auditors reports.

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows:

Section 1 That section 363 of the act approved the second day of May one thousand nine hundred twenty-nine (P. L. 1278) entitled "An act relating to counties of the second, third, fourth, fifth, sixth, seventh and eighth classes and revising amending and consolidating the laws relating thereto" as amended by the act of June ninth one thousand nine hundred thirty-one (P. L. 401) is hereby further amended to read as follows:

Section 363 Audit of Accounts The auditors shall audit, settle and adjust the accounts of all county officers of the county and make report thereof annually to the court of common pleas of such county in detail showing distinctly and separately all receipts and expenditures of the several offices and all debts and accounts due and amount raised from each source of revenue and the expenditures in detail and classified by reference to the objects thereof together with a full statement of the financial conditions of the county and a statement of the balance due from or to such county officers.

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—44

Barr,	Dent,	Kephart,	Snowden,
Bartlett,	DiSilvestro,	Letzler,	Stevenson,
Becker,	Ealy	Mallery,	Stiefel,
Carr,	Edmonds,	McCreesh,	Tallman,
Cavalcante,	Farrell,	McGinnis,	Taylor,
Chapman,	Frey,	McQuiddy,	Thomas,
Coleman,	Geltz,	Miller,	Tyler,
Cox,	Haluska	Reed,	Wade,
Crider,	Heyburn,	Ruth,	Walker,
Crowe,	James,	Scarlett,	Watkins,
Deitrick,	Jaspan,	Shapiro,	Wilson, H. I.,

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

SENATE BILL No. 924, (HOUSE BILL No. 1035), ON THIRD READING AND FINAL PASSAGE POSTPONED CALLED UP

Mr. GELTZ. Mr. President, I now call up Senate Bill No. 924, (House Bill No. 1035), on third reading and final passage postponed, on page 30 of the Calendar.

Mr. MILLER. Mr. President, I second the motion.

The motion was agreed to.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 924, (House Bill No. 1035), as follows:

An Act to further amend clause ten of section one of the act approved the twenty-seventh day of June one thousand nine hundred and twenty-three (P. L. 858), entitled "An act establishing a State employes' retirement system and creating a retirement board for the administration thereof establishing certain funds from contributions by the Commonwealth and contributing State employes defining the uses and purposes thereof and the manner of payments therefrom and providing for the guaranty by the Commonwealth of certain of said funds imposing powers and duties upon the heads of departments in which State employes serve excepting annuities allowances returns benefits and rights from taxation and judicial process and providing penalties" further defining "new member"

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Clause ten of section one of the act approved the twenty-seventh day of June one thousand nine hundred and twenty-three (P. L. 858), entitled "An act establishing a State employes' retirement system and creating a retirement board for the administration thereof establishing certain funds from contributions by the Commonwealth and contributing State employes defining the uses and purposes thereof and the manner of payments therefrom and providing for the guaranty by the Commonwealth of certain of said funds imposing powers and duties upon the heads of departments in which State employes serve excepting annuities allowances returns benefits and rights from taxation and judicial process and providing penalties" as last amended by section one of the act approved the eighteenth day of May one thousand nine hundred and thirty-seven (P. L. 683) is hereby further amended to read as follows

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the following words and phrases as used in this act unless a different meaning is plainly required by the context shall have the following meaning

* * * * *

10 "New member" of the retirement association shall mean a State employe who shall have become [a State employe and] a member of the retirement association at a date subsequent to the thirty-first day of December one thousand nine hundred twenty-four or who upon becoming a member subsequent to December thirty-first one thousand nine hundred and twenty-four elected or hereafter elects not to make back payments and in the case of a ujdge shall mean any judge who was not an original member and who is elected reelected or appointed to the office of judge subsequent to the second Monday of January one thousand nine hundred and thirty Any person who became a State employe as herein defined subsequent to December thirty-first one thousand nine hundred and twenty-four may become a "New member" as of the date when he or she became such "State employe" upon payment to the retirement association of a sum equal to all back payments which such person would have made had he or she become a member at the date of becoming a "State employe" Any person who became a State employe as herein defined prior to January first one thousand nine hundred and twenty-five may become a "New member" as of January first one thousand nine hundred and twenty-five upon payment to the retirement association of a sum equal to all back payments which such person would have made had be or she become a State employe and a member on January first one thousand nine hundred and twenty-five Such back payments may be spread over a period of years by having the regular payroll deduction of such person increased for not less than one-third of the amount thereof which deduction increase shall be credited to such back payments owing which shall be continued until the amount thereof shall be paid in full unless such member is retired under the provisions of this act before such back payments have been completed Any such deduction increase may be anticipated in full by the member at any time and shall be anticipated in full at the time of retirement before a retirement allowance is granted and if not so anticipated then the member's annuity shall be calculated on the total accumulated deductions standing to his credit and his State annuity shall be reduced by an amount equivalent to the reduction which occurs in the member's annuity due to the amount of the back payments not so anticipated

Section 2 The provisions of this act shall become effective immediately upon final enactment

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—35

Barr,	Dent,	Jaspan,	Stiefel,
Bartlett,	DiSilvestro,	Letzler,	Tallman,
Becker,	Edmonds,	Mallery,	Taylor,
Cavalcante,	Farrell,	McCreesh,	Thomas,
Coleman,	Frey,	McGinnis,	Wade,
Cox,	Geltz,	McQuiddy,	Walker,
Crider,	Haluska,	Miller,	Watkins,
Crowe,	Heyburn,	Ruth,	Wilson, H. I.,
Deitrick,	James,	Scarlett,	

NAYS—8

Carr,	Ealy,	Shapiro,	Stevenson,
Chapman,	Kephart,	Snowden,	Tyler,

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

SENATE BILL No. 987, (HOUSE BILL No. 1417), ON THIRD READING AND FINAL PASSAGE POSTPONED CALLED UP

Mr. GELTZ. Mr. President, I now call up Senate Bill No. 987, (House Bill No. 1417), on third reading and final passage postponed, on page 30 of the Calendar.

Mr. MILLER. Mr. President, I second the motion.

The motion was agreed to.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 987, (House Bill No. 1417), as follows:

An Act making an appropriation to The General State Authority to defray the costs and expenses of the said Authority in connection with the organization administration and operation thereof

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The sum of three hundred eighty-five thousand dollars ($385,000) or as much thereof as may be necessary is hereby specifically appropriated to The General State Authority for the two fiscal years beginning June first one thousand nine hundred forty-one for the payment of all salaries and organization and general expenses of every description as provided by the act approved the twenty-eighth day of June one thousand nine hundred thirty-five (Pamphlet Laws 452)

Section 2 Payments from the foregoing appropriation shall be made to the Treasurer of The General State Authority upon requisition by the Governor

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—44

Barr,	Dent,	Kephart,	Snowden,
Bartlett,	DiSilvestro,	Letzler,	Stevenson,
Becker,	Ealy,	Mallery,	Stiefel,
Carr,	Edmonds,	McCreesh,	Tallman,
Cavalcante,	Farrell,	McGinnis,	Thomas,
Chapman,	Frey,	McQuiddy,	Taylor,
Coleman,	Geltz,	Miller,	Tyler,
Cox,	Haluska,	Reed,	Wade,
Crider,	Heyburn,	Ruth,	Walker,
Crowe,	James,	Scarlett,	Watkins,
Deitrick,	Jaspan,	Shapiro,	Wilson, H. I.,

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

SENATE BILL No. 1001, (HOUSE BILL No. 750), ON THIRD READING AND FINAL PASSAGE POSTPONED CALLED UP

Mr. GELTZ. Mr. President, I now call up Senate Bill No. 1001, (House Bill No. 750), on third reading and final passage, postponed, on page 31 of the Calendar.

Mr. EALY. Mr. President, I second the motion.

The motion was agreed to.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 1001, (House Bill No. 750), as follows:

An Act Authorizing the Department of Property and Supplies with the approval of the Governor to convey to the county commissioners of Somerset County certain real property located in said county and heretofore acquired by the Commonwealth for development as an airport

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The Department of Property and Supplies acting on behalf of the Division of Aeronautics Department of Revenue and subject to the approval of the Governor is hereby specifically authorized to grant and convey to the county commissioners of Somerset County all that certain piece parcel or tract of land situate lying and being in the township of Somerset County of Somerset and Commonwealth of Pennsylvania

Beginning at a spike in the center line of the concrete pavement in State Highway Route No. 53 and being also a common corner of land now being described land of Samuel S Berkley and other land of Webster W Barron one of the grantors herein thence with said center line of said State Highway Route and other land of Webster W Barron north 68° 51' E 1421.37 ft to a spike in the center line of the concrete pavement of said State Highway Route No 53 thence by land of Fred F Smith for the next three lines S 41° 35' E 292.21 ft to a concrete monument marked as corner No 1 thence S 83° 35' E 557 ft to a concrete monument marked as corner No 2 thence N 56° 25' E 511.5 ft to a concrete monument marked as corner No 3 thence by lands of George W Pile S 19° 35' E 1410.7 ft to a concrete monument marked as corner No 4 thence by lands of Harry W Berkley for the next three lines to wit S 89° 25' W 518.1 ft to a concrete monument marked as corner No 5 thence S 13° 25' W 1106.12 ft to a concrete monument marked as corner No 6 thence S 39° 59' E 322.13 ft to a concrete monument marked as corner No 7 thence by land of Stauffer-Quemahoning Coal Co S 52° 25' W 447.75 ft to a concrete monument marked as corner No 8 thence by land of the Stauffer-Quemahoning Coal Co and lands of Mrs Charles Walker N 57° 15' W 2026.2 ft to a concrete monument marked as corner No 9 thence by lands of John DeFilipps and land of Samuel S Bergley N 14° 39' W 1363.72 ft to a spike in the center line of the concrete pavement of the said State Highway Route No 53 being the place of beginning containing 119.9 acres more or less

This being the same tract of land which was acquired by the Commonwealth on the twenty-third day of April one thousand nine hundred and thirty-seven by deed recorded in Somerset County Deed Book Vol 313 page 195 and intended to be developed and improved for use as an airport

The conveyance herein authorized shall be subject to the same reservations and exceptions as expressed in the deed to the Commonwealth hereinbefore described

Sction 2 The grant or conveyance herein authorized may be made for such consideration or without consideration as the Governor may approve Said grant or conveyance shall be effected by execution of a deed in regular form from the Commonwealth executed and delivered by the Department of Property and Supplies to the Board of County Commissioners of Somerset County

Section 3 The provisions of this act shall become effective immediately upon final enactment

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—44

Barr,	Dent,	Kephart,	Snowden,
Bartlett,	DiSilvestro,	Letzler,	Stevenson,
Becker,	Ealy,	Mallery,	Stiefel,
Carr,	Edmonds,	McCreesh,	Tallman,
Cavalcante,	Farrell,	McGinnis,	Taylor,
Chapman,	Frey,	McQuiddy,	Thomas,
Coleman,	Geltz,	Miller,	Tyler,
Cox,	Haluska,	Reed,	Wade,
Crider,	Heyburn,	Ruth,	Walker,
Crowe,	James,	Scarlett,	Watkins,
Deitrick,	Jaspan,	Shapiro,	Wilson, H. I.,

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

SENATE BILL No. 1064, (HOUSE BILL No. 848), ON THIRD READING AND FINAL PASSAGE CALLED UP

Mr. GELTZ. Mr. President, I now call up Senate Bill No. 1064, (House Bill No. 848), on third reading and final passage postponed, on page 31 of the Calendar.

Mr. MILLER. Mr. President, I second the motion.

The motion was agreed to.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 1064, (House Bill No. 848), as follows:

An Act to further amend paragraph nineteen of section one thousand two hundred ten of the act approved the eighteenth day of May one thousand nine hundred eleven (P. L. 309) entitled "An act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith" providing for the continuation of payments for closed schools to districts which by reason of any increase in population have been changed from a fourth class district to one of another class

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Paragraph nineteen of section one thousand two hundred ten of the act approved the eighteenth day of May one thousand nine hundred eleven (P. L. 309) entitled "An act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith" as last amended by section twenty-eight of the act approved the twenty-ninth day of May one thousand nine hundred thirty-one (P. L. 243) is hereby further amended to read as follows

Nineteen Of the salaries herein provided for full-time teachers supervisors principals and all other full-time members of the teaching and supervisory staff in the public schools of the Commonwealth the Commonwealth shall pay for the biennium year beginning June first one thousand nine hundred and twenty-three and each biennium year thereafter to such school districts as comply with the laws governing the public schools of the Commonwealth for the payment of the salaries of each of said persons employed therein as shown by the certificate herein required to be filed with the Superintendent of Public Instruction in the November immediately preceding any such biennium year as follows In school districts of the first class for each member of the teaching and supervisory staff twenty-five per centum (25%) of the annual minimum salary prescribed herein for elementary teachers in such districts in school districts of the second and third class for each member of the teaching and supervisory staff thirty-five per centum (35%) of the annual minimum salary prescribed herein for elementary teachers in such districts except that where such districts are organized upon a quarterly basis and the schools thereof are being operated and kept open throughout the entire twelve months of the school year the Commonwealth shall pay for each member of the teaching and supervisory staff so employed in such districts forty-six and two-thirds per centum (46-2/3%) of the annual minimum salary prescribed herein for elementary teachers in such districts in school districts of the fourth class for each member of the teaching and supervisory staff fifty per centum (50%) of the annual minimum salary prescribed herein for teachers in such districts Provided That the amount paid by the Commonwealth to a school district of the first second and third class which has a true valuation per teacher of assessable property of fifty thousand dollars ($50,000) or less shall be seventy-five per centum (75%) of the annual minimum salary prescribed herein for elementary teachers in such districts and that the amount paid to a school district of the first second and third class which has a true valuation per teacher of assessable property of more than fifty thousand dollars ($50,000) and not more than one hundred thousand dollars ($100,000) shall be sixty per centum (60%) of the annual minimum salary prescribed herein for elementary teachers in such districts Provided That the amount paid by the Commonwealth to a school district of the fourth class which has a true valuation per teacher of assessable property of fifty thousand dollars ($50,000) or less shall be seventy-five per centum (75%) of the annual minimum salary prescribed herein for teachers in such districts and that the amount paid to a school district of the fourth class which has a true valuation per teacher of assessable property of more than fifty thousand dollars ($50,000) and not more than one hundred thousand dollars ($100,000) shall be sixty per centum (60%) of the annual minimum salary prescribed herein for teachers in such districts Provided That where any member of the teaching or supervisory staff receives less salary than the minimum salary prescribed by the foregoing salary schedule for the class of district in which he is teaching there shall be paid to the district a corresponding per centum of the salary paid to such person Provided further That in districts of the first second third and fourth classes the minimum salary of part-time teachers supervisors and principals employed in the extension schools and classes of the Commonwealth established for the education of adults and legally employed minors and not designated as continuation or other vocational schools or classes shall be one dollar ($1.00) per hour the minimum annual increment in salary in such extension schools and classes shall be twenty-five cents ($.25) per hour the minimum number of such annual increments shall be two (2) And providing further That for each part-time member of the teaching and supervisory staff employed by any school district in extension schools and classes approved by the Department of Public Instruction established for the education of adults and legally employed minors and not designated as continuation or other vocational schools or classes the Commonwealth shall pay to the several districts the same per centum of the minimum salary herein required to be paid to part-time teachers in such extension schools and classes as is paid to such districts of the minimum salary of the full-time teachers And provided further That for each full-time teachers of a special class and for each full-time supervisor or principal of special schools or classes organized by any school district and approved under legislation providing for the special education of physically or mentally handicapped pupils there shall be paid to the district in addition to other payments herein provided sums as follows To districts of the first class twenty-five per centum (25%) and to other districts thirty per centum (30%) of the minimum salary respectively prescribed herein for elementary teachers in such respective districts and for each part-time teacher supervisor or principal employed in approved special education a fraction of such amounts proportional to the time for which such person is employed And provided further That the total amount paid to any school district on account of any such teacher supervisor or principal employed in special education shall not exceed eighty per centum (80%) of the salary actually paid to such person Provided further That the Superintendent of Public Instruction shall annually apportion to each fourth class district the sum of two hundred dollars ($200) for each school permanently closed or discontinued in such district since nineteen hundred eleven or which may hereafter be permanently closed or discontinued or which was heretofore permanently closed or discontinued under the provisions of the act of April twenty-fifth one thousand nine hundred and one (P. L. 105) entitled "An act to provide for the centralization of township schools and to provide high schools for townships" and all payments heretofore made by the Commonwealth and all requisitions and warrants heretofore drawn for payments for schools permanently closed or discontinued under the provisions of said act are hereby ratified validated and declared legal Such annual apportionment shall continue to be made to such districts notwithstanding that they may be changed from fourth class districts to other classes by reason of an increase in population And provided further That in addition to the payments herein provided on account of members of the teaching and supervisory staff employed in any school district and on account of schools permanently closed or discontinued in any district each district shall receive its proportionate share of the minimum salaries required to be paid to such additional members of the teaching and supervisory staff as may have been employed subsequent to the certificate to the

Superintendent of Public Instruction in the November previous to the biennium year and its apportionment as herein provided for additional schools permanently closed or discontinued subsequent to such certificate Payments required by this proviso shall be made after certificate to the Superintendent of Public Instruction in the November of the biennium year in addition to the last quarterly payment of the biennium as hereinafter provided

The true valuation per teacher for each district shall be determined by the State Council of Education on data and material submitted by the officers of such district in the annual report to the Superintendent of Public Instruction if such data and material shall after investigation by the State Council of Education be found correct otherwise upon such data and material as modified corrected and approved by said Council of Education The true valuation per teacher shall be found by dividing the true valuation of the district by the number of full-time teachers which number shall include all teachers principals supervisors and superintendents employed in the vocational and non-vocational schools of the district for the year covered by such report which number in district of the fourth class shall also include one teacher for each teacher who at the time of the closing of any school in such district subsequent to June first one thousand nine hundred and twenty-three not since reopened was employed in such school The true valuation of the taxable property of each school district shall be obtained by dividing the amount of the assessed valuation certified in the annual report of the district for the school year ending June thirtieth one thousand nine hundred and twenty-two and every second year thereafter as corrected and approved by the State Council of Education after investigation by the average rate of assessment certified in such annual reports for the three years immediately preceding the date on which such true valuation is determined as corrected and approved by the State Council of Education after investigation The true valuation of each school district for the two fiscal years beginning on June first one thousand nine hundred and twenty-five and ending May thirty-first one thousand nine hundred and twenty-seven and for each biennium thereafter shall be determined during the month of October one thousand nine hundred and twenty-four and in the month of October of every second year thereafter The State Council of Education is hereby given full power and authority to make such investigations to take such action and to institute such proceedings as may be necessary to determine any of the questions that may be raised in the determination and adjustment of the aforesaid true valuations and the decisions which such council reaches in such questions shall be final and conclusive

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—44

Barr,	Dent,	Kephart,	Snowden,
Bartlett,	DiSilvestro,	Letzler,	Stevenson,
Becker,	Daly,	Mallery,	Stiefel,
Carr,	Edmonds,	McCreesh,	Tallman,
Cavalcante,	Farrell,	McGinnis,	Taylor,
Chapman,	Frey,	McQuiddy,	Thomas,
Coleman,	Geltz,	Miller,	Tyler
Cox,	Haluska,	Reed,	Wade,
Crider,	Heyburn,	Ruth,	Walker,
Crowe,	James,	Scarlett,	Watkins,
Deitrick,	Jaspan,	Shapiro,	Wilson, H. I.,

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

BILL DROPPED FROM CALENDAR

Mr. GELTZ. Mr. President, I move that Senate Bill No. 1099, on third reading, postponed, entitled:

An Act to further amend the act approved the eighteenth day of May, one thousand nine hundred and eleven (P. L. 309) entitled "An act to establish a public school system in the Commonwealth of Pennsylvania, together with the provisions by which it shall be administered, and prescribing penalties for the violation thereof; providing revenue to establish and maintain the same, and the method of collecting such revenue; and repealing all laws, general, special or local, or any parts thereof, that are or may be inconsistent therewith," as amended, by defining qualifications for certification as a supervising principal by the Department of Public Instruction.

be dropped from the Calendar.

Mr. TAYLOR. Mr. President, I second the motion.

The motion was agreed to.

BILL ON THIRD READING AND FINAL PASSAGE

SENATE BILL No. 1198, (HOUSE BILL No. 1390), ON THIRD READING AND FINAL PASSAGE POSTPONED CALLED UP

Mr. GELTZ. Mr. President, I now call up Senate Bill No. 1198, (House Bill No. 1390), on third reading postponed, on page 32 of the Calendar.

Mr. MILLER. Mr. President, I second the motion.

The motion was agreed to.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 1198, (House Bill No. 1390), as follows:

An Act making an appropriation to the Treasury Department out of various funds to pay replacement checks issued in lieu of outstanding checks when presented

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The following sums of money are hereby appropriated to the Treasury Department for the payment of replacement checks issued by that department in accordance with the provisions of the act approved the twelfth day of July one thousand nine hundred and thirty-five (Pamphlet Laws 996)

Out of the General Fund	$15,000.00
Out of the Motor License Fund	12,000.00
Out of the Fire Insurance Tax Fund	1,508.63
Out of the Fish Fund	10.60
Out of the Game Fund	385.00
Out of the Administration Fund	311.85
Out of the School Employes' Retirement Fund	300.00
Out of the State Farm Products Show Fund	100.00
Out of the State Employes' Retirement Fund	350.00
Out of the State Work Relief Compensation Fund	61.20
Out of the State Workmen's Insurance Fund	5,000.00
Out of the Federal Social Security Fund	15.55
Out of the Liquor License Fund	750.00
Out of the Milk Control Fund	4.75
Out of the State Forests and Waters Fund	8.00
Out of the State Stores Fund	650.00
Out of the Veterans' Compensation Fund	3,970.00

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—44

Barr,	Dent,	Kephart,	Snowden,
Bartlett,	DiSilvestro,	Letzler,	Stevenson,
Becker,	Ealy,	Mallery,	Stiefel,
Carr,	Edmonds,	McCreesh,	Tallman,
Cavalcante,	Farrell,	McGinnis,	Taylor,
Chapman,	Frey,	McQuiddy,	Thomas,
Coleman,	Geltz,	Miller,	Tyler,
Cox,	Haluska,	Reed,	Wade,
Crider,	Heyburn,	Ruth,	Walker,
Crowe,	James,	Scarlett,	Watkins,
Deitrick,	Jaspan,	Shapiro,	Wilson, H. I.,

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same with amendments in which the concurrence of the House is requested.

HOUSE MESSAGES

HOUSE INSISTS UPON ITS AMENDMENTS NON-CONCURRED IN BY THE SENATE TO SENATE BILL No. 653

The Clerk of the House of Representatives being introduced, informed the Senate that the House insists upon its amendments non-concurred in by the Senate to Senate Bill No. 653, entitled:

An Act regulating and improving the civil service of certain departments and agencies of the Commonwealth vesting in the State Civil Service Commission and a personnel Director certain powers and duties providing for classification of positions adoption of compensation schedules and certification of payrolls, imposing duties upon certain officers and employes of the Commonwealth, authorizing service to political subdivisions of the Commonwealth in matters relating to civil service, defining certain crimes and misdemeanors, imposing penalties, making an appropriation and repealing certain acts and parts thereof.

SENATE INSISTS UPON ITS NON-CONCURRENCE IN THE AMENDMENTS MADE BY THE HOUSE TO SENATE BILL No. 653

Mr. EALY. Mr. President, I move that the Senate insist upon its amendments non-concurred in by the House to the foregoing bill.

Mr. GELTZ. Mr. President, I second the motion.

On the question,

Will the Senate agree to the motion?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—44

Barr,	Dent,	Kephart,	Snowden,
Bartlett,	DiSilvestro,	Letzler,	Stevenson,
Becker,	Ealy,	Mallery,	Stiefel,
Carr,	Edmonds,	McCreesh,	Tallman,
Cavalcante,	Farrell,	McGinnis,	Taylor,
Chapman,	Frey,	McQuiddy,	Thomas,
Coleman,	Geltz,	Miller,	Tyler,
Cox,	Haluska,	Reed,	Wade,
Crider,	Heyburn,	Ruth,	Walker,
Crowe,	James,	Scarlett,	Watkins,
Deitrick,	Jaspan,	Shapiro,	Wilson, H. I.,

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk inform the House of Representatives accordingly.

BILL STRUCK FROM CALENDAR

Mr. GELTZ. Mr. President, I move that Senate Bill No. 1147, (House Bill No. 1337), on page 33 of the Calendar, entitled:

An Act making an appropriation to the Department of Property and Supplies, for the payment of claims against the Commonwealth arising from failure to lease premises after owners thereof had been induced to expend money thereon.

be struck from the Calendar.

Mr. SHAPIRO. Mr. President, I second the motion.

The motion was agreed to.

Mr. GELTZ. This bill appears on the Second Reading Calendar in error, and is a duplication of Senate Bill No. 1147, (House Bill No. 1337), Printer's No. 788 on today's Calendar, which was defeated.

MOTION TO STRIKE SENATE BILL No. 961, (HOUSE BILL No. 654), FROM CALENDAR

Mr. GELTZ. Mr. President, I move that Senate Bill No. 961, (House Bill No. 654), on second reading postponed, page 33 of the Calendar be struck from the Calendar.

Mr. MILLER. Mr. President, I second the motion.

The motion was agreed to.

SENATE BILL No. 770, (HOUSE BILL No. 1198), ON SECOND READING POSTPONED, CALLED UP

Mr. GELTZ. Mr. President, I now call up Senate Bill No. 770, (House Bill No. 1198), on second reading postponed, page 33 of the Calendar.

Mr. MILLER. Mr. President, I second the motion.

The motion was agreed to.

BILL ON SECOND READING

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 770, (House Bill No. 1198), entitled:

An Act to add subdivision (e) to article two and to amend section eight hundred five of the act, approved the fourth day of May one thousand nine hundred twenty-seven (P. L. 519), entitled "An act concerning boroughs, and revising, amending, and consolidating the law relating to boroughs," providing for the incorporation of boroughs from townships of the first class having a population of eight thousand or more by referendum, and prescribing the procedure therefor.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

SENATE BILL No. 1122, (HOUSE BILL No. 1197), ON SECOND READING POSTPONED CALLED UP

Mr. GELTZ. Mr. President, I now call up Senate Bill No. 1122, (House Bill No. 1197), on second reading postponed, page 33 of the Calendar.

Mr. MILLER. Mr. President, I second the motion.

The motion was agreed to.

BILL ON SECOND READING

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 1122, (House Bill No. 1197), entitled:

An Act to amend Sections 201, 202, 204, 205, 211 and 805 of the act, approved the fourth day of May, one thousand nine hundred twenty-seven (P. L. 519), entitled "An act concerning boroughs, and revising, amending, and consolidating the law relating to boroughs," changing certain provisions relating to the incorporation of new boroughs, and providing for the incorporation of boroughs from townships of the first class having a population of eight thousand or more, and for the organization of the government therein.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

MOTION TO READ BILLS THE FIRST TIME

Mr. GELTZ. Mr. President, I move that the Senate do now proceed to the first reading of all bills reported from committees for the first time at today's session.

Mr. EALY. Mr. President, I second the motion.

The motion was agreed to.

BILLS ON FIRST READING

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 1200, (House Bill No. 1425), entitled:

An Act authorizing the appointment of a commission to make a thorough study of the laws relating to crime and criminal procedure in this Commonwealth; conferring upon the commission full power to issue subpoenas; requiring the commission to make a report of its findings and recommendations to the General Assembly; and authorizing the commission to employ counsel and employes; and making an appropriation.

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 1344, (House Bill No. 1955), entitled:

An Act to amend section two hundred and fifty-four of the act approved the second day of May one thousand nine hundred and twenty-five (P. L. 448) entitled "An act relating to fish and amending consolidating and changing the law relating to fish in the inland waters and the boundary lakes and boundary rivers of the Commonwealth" limiting the right of certain lessees or holders of certain rights in property for fishing purposes to exclude the general public from fishing from such property.

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

PERMISSION TO ADDRESS SENATE

Mr. CAVALCANTE. Mr. President, I desire permission to address the Senate.

The PRESIDENT. The gentleman from Fayette, will proceed.

Mr. CAVALCANTE. Mr. President, before we go too far this evening I want to call attention to this bill, No. 961, on page 33, that we have dropped from the Calendar. This bill was placed on the postponed Calendar June 11, 1941, and it remained on the postponed Calendar and was never called from the postponed Calendar until tonight. This bill on June 11th was placed on the postponed Calendar when it was on second reading. It was not read the second time nor has it been read the third time. I am calling that to your attention in order to prevent here a serious mistake in the passage of this bill. You will find that it was still on the postponed Calendar, second reading bills, on page 29 of the Calendar for June 10th. There is no record showing this bill was called from the postponed Calendar yesterday and read for the second time.

Mr. COLEMAN. Mr. President, I desire to call attention of the Senate to the fact that this bill was called from the postponed Calendar yesterday and amended so that it appears today, on the third reading Calendar and has been legally passed.

RECESS

Mr. GELTZ. Mr. President, I move that the Senate do now take a recess for ten minutes.

Mr. EALY. Mr. President, I second the motion.

The motion was agreed to.

AFTER RECESS

The PRESIDENT. The time of recess having elapsed the Senate will be in order.

HOUSE MESSAGE

SENATE BILL No. 46 RETURNED WITH AMENDMENTS

The Clerk of the House of Representatives being introduced, returned to the Senate, Senate Bill No. 46, entitled:

An Act to amend the act approved the second day of May, one thousand nine hundred and twenty-nine (P. L. 1278), entitled "An act relating to counties of the second, third, fourth, fifth, sixth, seventh and eighth classes and revising, amending and consolidating the laws relating thereto," authorizing the county treasurer to appoint a solicitor and providing for his salary payable by the county

with the information that the House has passed the same with amendments, in which the consurrence of the Senate is requested.

Mr. EALY. Mr. President, I move that Rule 21, which requires amended bills to be noted on the Calendar, be in this case dispensed with, and that the Senate proceed to the consideration of the amendments made by the House of Representatives to the foregoing bill.

Mr. MILLER. Mr. President, I second the motion.

The motion was agreed to.

MOTION THAT SENATE NON-CONCUR IN THE AMENDMENTS MADE BY THE HOUSE TO SENATE BILL No. 46

Mr. EALY. Mr. President, I move that the Senate non-concur in the amendments made by the House to Senate Bill No. 46.

Mr. MILLER. Mr. President, I second the motion.

On the question,

Will the Senate agree to the motion?

It was agreed to.

Ordered, That the Clerk inform the House of Representatives accordingly.

SENATE BILL No. 1098 RETURNED WITH AMENDMENTS

He also returned to the Senate, Senate Bill No. 1098, entitled:

An Act relating to the sale, transfer, assignment and pledge of choses in action and requiring the assignor of accounts receivable and choses in action to make appropriate record of the fact of such assignment, and prescribing penalties for failure to do so.

with the information that the House has passed the same with amendments, in which the concurrence of the Senate is requested.

Mr. EALY. Mr. President, I move that Rule 21, which requires amended bills to be noted on the calendar, be in this case dispensed with, and that the Senate proceed to the consideration of the amendments made by the House of Representatives to the foregoing bill.

Mr. GELTZ. Mr. President, I second the motion.

The motion was agreed to.

Mr. EALY. Mr. President, Senate Bill No. 1098 is a bill which deals with assignment of accounts receivable and so forth. The House has placed certain amendments in the bill. Personally I felt the bill was a bad bill, but it has passed the House and these amendments, I am told, make it better than when it passed the Senate.

SENATE CONCURS IN AMENDMENTS BY THE HOUSE TO SENATE BILL No. 1098

Mr. EALY. Mr. President, I move that the Senate concur in the amendments made by the House to Senate Bill No. 1098.

Mr. MILLER. Mr. President, I second the motion.

The motion was agreed to.

Ordered, That the Clerk inform the House of Representatives accordingly.

SENATE BILL No. 1327, (HOUSE BILL No. 1952), ON THIRD READING CALLED UP

Mr. GELTZ. Mr. President, I now call up Senate Bill No. 1327, (House Bill No. 1952), on third reading, page 15 of the Calendar, which went over in its order.

Mr. MILLER. Mr. President, I second the motion.

The motion was agreed to.

BILL RECOMMITTED

Mr. GELTZ. Mr. President, I move that Senate Bill No. 1327, (House Bill No. 1952), on third reading, entitled:

An Act fixing the salary of the Parliamentarian of the House of Representatives.

be recommitted to the Committee on State Government for the purpose of further study.

Mr. MILLER. Mr. President, I second the motion.

On the question,

Will the Senate agree to the motion?

Mr. COLEMAN. Mr. President, I desire to be recorded as voting "no".

The PRESIDENT. The gentleman from Lackawanna will be so recorded.

The yeas and nays were required by Mr. COLEMAN and were as follows:

YEAS—19

Bartlett,	Farrell,	Miller,	Tyler,
Becker,	Geltz,	Scarlett,	Wade,
Crider,	Heyburn,	Snowden,	Walker,
Ealy,	Letzler,	Tallman,	Wilson, T. B
Edmonds,	Mallery,	Taylor,	

NAYS—8

Coleman,	DiSilvestro,	Jaspan,	Shapiro,
Cox,	Haluska,	McQuiddy,	Stiefel,

So the question was determined in the affirmative.

ADJOURNMENT

Mr. GELTZ. Mr. President, I move that the Senate do now adjourn until Saturday, July 12, 1941, at 1:00 o'clock, p. m. Eastern Standard Time.

Mr. CRIDER. Mr. President, I second the motion.

The motion was agreed to.

The Senate adjourned at 11:59 o'clock, p. m. Eastern Standard Time until Saturday, July 12, 1941, at 1:00 o'clock, Eastern Standard Time.

HOUSE OF REPRESENTATIVES

FRIDAY, July 11, 1941

The House met at 12 m.

The SPEAKER (Elmer Kilroy) in the Chair.

PRAYER

The Chaplain, Rev. Donald McFall offered the following prayer:

Our gracious God and Father, in the rush of many duties, we would be quiet before Thee. In the quietness of the moment, may each one of us have given thanks unto Thee for all the blessings of life which are as numberless as the grains of sand that make up the sea side. In our attempt to count our blessings, naming them one by one, we have found Thee to be a good Father not only to us as individuals, but Thou hast blessed our State and our Nation. Help us, O God, to be good children of Thine at all times.

In our relationships within this House of Representa-

tives, may each one, in his contacts from time to time, have found the finest and the best in the life of each man, and recalling it to mind, give thanks to Thee, for having had the privilege of friendship and fellowship. We thank Thee for friends. May we not only have been a friend to mankind while here in this House, but when we return to our respective homes, may we radiate that friendship wherever we go, and with whomsoever we meet on the highway of life. In Jesus' name we pray. Amen.

JOURNAL APPROVED

The SPEAKER. The Clerk will read the Journal of yesterday.

The Clerk proceeded to read the Journal of yesterday, when, on motion of Mr. RANK, unanimously agreed to, the further reading was dispensed with and the Journal approved.

COMMUNICATIONS AND PETITIONS

The SPEAKER laid before the House the following communications and petitions which were read by the Clerk.

HIGHWAY PROTECTIVE AREA

A communication from the Pennsylvania Council of Republican Women, Harrisburg favoring passage of House Bill No. 711, Highway Protective Area Bill.

Referred to the Committee on Highways.

FEDERAL UNION OF DEMOCRACIES

A communication from Helen Reed Fox, Pocopson, favoring adoption of resolution memorializing Congress for a Federal Union of Democracies.

Referred to the Committee on Rules.

MOTOR VEHICLES

A communication from Quay H. Zinn, addressed to the Speaker, favoring passage of legislation restricting trucks and trailers on the highways.

Referred to the Committee on Rules.

BILLS SIGNED BY SPEAKER

Bills numbered and entitled as follows having been prepared for presentation to the Governor, and the same being correct, the titles were publicly read as follows:

HOUSE BILL No. 99.

An Act to amend sections one and two of the act approved the twenty-fourth day of June one thousand nine hundred thirty-nine (P. L. 806) entitled "An act limiting the number of licenses for the retail sale of liquor malt or brewed beverages or malt and brewed beverages to be issued by the Pennsylvania Liquor Control Board defining hotels and prescribing the accommodations required of hotels in certain municipalties" by exempting certain clubs from such limitation and by providing that retail dispenser's licenses may be exchanged or surrendered for liquor licenses without violating the limits upon the number of licenses imposed by such act; and authorizing the Pennsylvania Liquor Control Board to effect such exchange or substitution upon compliance with certain conditions.

HOUSE BILL No. 710.

An Act to enable tax collectors and receivers of taxes to make return to the county commissioners of unpaid taxes assessed on seated lands for certain years and validating the liens of such taxes

HOUSE BILL No. 139.

An Act to amend section one of the act which became effective on the seventh day of July, one thousand eight hundred and seventy-nine (P. L. 194), entitled "An act to enlarge the jurisdiction of justices of the peace, and regulating the fees of constables making sales under this act," further enlarging the jurisdiction of justices of the peace and extending the provisions of said act to aldermen

HOUSE BILL No. 1621.

An Act to add section forty-three to the act approved the twentieth day of June one thousand nine hundred and nineteen (P. L. 521) entitled "An act providing for the imposition and collection of certain taxes upon the transfer of property passing from a decedent who was a resident of this Commonwealth at the time of his death and of property within this Commonwealth of a decedent who was a nonresident of the Commonwealth at the time of his death and making it unlawful for any corporation of this Commonwealth or national banking association located therein to transfer the stock of such corporation or banking association standing in the name of any such decedent until the tax on the transfer thereof has been paid and providing penalties and citing certain acts for repeal" authorizing compromise of tax claims in cases where there is a dispute as to the domicile of the decedent

HOUSE BILL No. 1771.

An Act requiring prothonotaries and clerks of courts to forward to the Department of Health a certificate of decrees in divorce annulment of marriage adoption and annulment of adoption proceedings providing for the registration of such certificates by the said department the issuance of certified copies thereof and fixing fees and penalties

Whereupon,

The SPEAKER, in the presence of the House, signed the same.

CONGRATULATORY RESOLUTION

Messrs. GATES and HELM offered the following resolution and asked and obtained unanimous consent for its immediate consideration.

The resolution was read, considered and adopted:

In the House of Representatives, July 11, 1941.

The long rows of lighted windows in the shops and factories and foundaries of the Commonwealth at night and their smoke belching chimneys by day indicate the time that defense workers are engaged in turning out implements of warfare in Pennsylvania.

Blocked railroad crossings and long lines of trucks upon the highways tell the part that transportation facilities are taking in the delivery of raw products and finished articles of defense.

Only a visit to Indiantown Gap however, will give any idea of the vast accomplishment already achieved in turning the raw draftee into a finished fighting unit or of the wonderful progress that has been made in transforming a National Guard camping ground into a modern military reservation.

At the head of this new military wonderland with its thousands of student soldiers is the Honorable Edward Martin of peace times but now magically changed from Adjutant General and former State Treasurer, Auditor General, State Chairman and lawyer into a military genius known as Major General Martin.

No man in Pennsylvania has so long a joint-record of

political and military achievement. To match his service to the Commonwealth in peace times is a war record that includes service in the Spanish-American War, Philippine Insurrection, Mexican Border and the first World War. He began his military career as a member of the National Guard in 1898 and is a member of Veterans of Foreign Wars, American Legion, Legion of Valor, Military Order of the Carabou and Spanish-American War Veterans.

General Martin is Pennsylvania's number one soldier and Pennsylvania yields to no other State or Commonwealth when selecting the Nations ranking military leader

He has proven his valor on the field of battle and at Indiantown Gap he has demonstrated his value as an organizer. We want no participation in the present war but if war comes the Commonwealth's honor and her pride in the valor of her sons is safe in the hands of General Martin; therefore be it

Resolved by the House of Representatives of the Commonwealth of Pennsylvania, That the House is proud of the accomplishments of General Martin at Indiantown Gap and to him it extends its sincere congratulations on the transformation of camp and men that have been brought about under his direction; and be it further

Resolved, That a copy of this resolution be transmitted by the Chief Clerk of the House to General Edward Martin at Indiantown Gap.

CONDOLENCE RESOLUTION

Messrs. REAGAN and FISS offered the following resolution and asked and obtained unanimous consent for its immediate consideration.

The resolution was read, considered and adopted:

In the House of Representatives, July 11, 1941.

The Seventeenth Judicial District of the Commonwealth composed of Union and Snyder Counties has lost a much loved Judge, an eminent jurist and an outstanding citizen.

Before the sun of life had begun to set and while honors were still thick upon him, the Honorable Curtis C. Lesher died last Saturday at Lewisburg in the county of his birth, the place he has served so well.

Judge Lesher was born August 17th, 1881 in Buffalo Township, Union County, and graduated from the Lewisburg High School in 1898 and Bucknell University in 1904. He was admitted to the Bar of Union County in 1910 and after practicing his profession for only six years was elected District Attorney of the county and was subsequently reelected for three succeeding terms.

Judge Lesher started life on a farm and fought his way to the top of the profession he had chosen. He made friends easily and held them long. He was quiet and unassuming, ever ready to help those in need and created such a warm place in the hearts of those who knew him that he was never defeated in his home county at any election in spite of the fact that politically he was a member of the minority party.

Judge Lesher was elevated to the bench in the seventeenth Judicial District in 1931 for a term of ten years; therefore be it

Resolved, That the House extends to his widow its most sincere sympathy and directs the Chief Clerk to transmit to her a copy of this resolution as an evidence of its recognition of the place her husband held in the Commonwealth and in the hearts and lives of his fellowmen.

The SPEAKER. The Chair at this time calls to the rostrum to preside a man who is never heard addressing the House. The Chair is pleased that at last we are really going to hear his voice,—the gentleman from Bradford, Mr. Gillette.

MR. GILLETTE IN THE CHAIR

CONGRATULATORY RESOLUTION

Mr. BAKER offered a privileged resolution which was read, considered and unanimously adopted as follows:

In the House of Representatives, July 11, 1941.

It was a grand party, the Chief Clerk's midnight supper in the Penn-Harris ball room last evening. Every member of the House and every employe was there, and had the time of his life.

The refreshments were of the finest and tastiest. The little prima donna, the acrobats and the Spaniard furnished a high type of entertainment. The singing, led by our jovial fellow member, "Tony" Gerard, was spontaneous and wholehearted. And above all, the brief presence of our genial host upon the stage served to complete an evening long to be remembered; therefore, be it

Resolved, That the members of the House of Representatives, shout of one accord, "Thank you, Tom Callahan, for a swell evening! As a host you are excelled only by your efficiency as our Chief Clerk;" and further, be it

Resolved, That the Secretary of the House of Representatives be called upon to prepare and present to the Chief Clerk a certified copy of these resolutions as a further token of our appreciation of his hospitality.

The SPEAKER pro tempore. The Chair recognizes the Chief Clerk of the House, Thomas J. Callahan.

The CHIEF CLERK. Honorable Members, I am glad to have been host to you last night and I hope you all had a good time. Thank you.

PERMISSION TO ADDRESS HOUSE

Mr. GERARD asked and obtained unanimous consent to address the House.

Mr. Speaker and Members of the House I am sure each Member who sat in this House last evening was deeply impressed with the solemnity of the occasion and I am sure more so with the remarks that were made in tribute to our distinguished Speaker. They will be long remembered by us, but to make sure they shall be remembered we deem it fitting and proper that the House adopt a resolution which the Honorable gentleman from Allegheny, Mr. Baker, and I will present, and ask unanimous consent for its immediate consideration.

CONGRATULATORY RESOLUTION AND REMARKS TO BE PRINTED

Messrs. GERARD and BAKER offered a privileged resolution which was read, considered and adopted as follows:

In the House of Representatives, July 11, 1941.

Resolved, That the Chief Clerk of the House be directed to have printed the resolution of congratulations to the Speaker of the House introduced by the gentleman from Delaware Mr. Turner, on Thursday July 10th, 1941, together with the remarks of the members of the House relating thereto.

Be it further resolved That a copy of the bulletin be sent to each member of the House.

THE SPEAKER (Elmer Kilroy) IN THE CHAIR

The SPEAKER. The Chair thanks the gentleman from Bradford, Mr. Gillette, for presiding.

BILLS ON SECOND READING PASSED OVER

There being no objection House Bill No. 1617, (Senate

Bill No. 86), Printer's No. 18, was passed over at the request of Mr. BROWN.

There being no objection House Bill No. 1940, (Senate Bill No. 913), Printer's No. 397, was passed over at the request of the SPEAKER.

BILLS ON SECOND READING

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 1960, (Senate Bill No. 258), entitled:

An Act making an appropriation to the Medical School of the University of Pittsburgh Pittsburgh Pennsylvania

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 1959, (Senate Bill No. 257), entitled:

An Act making an appropriation to the Nursing School of the University of Pittsburgh Pittsburgh Pennsylvania

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 1977, (Senate Bill No. 1313), entitled:

A Supplement to the act approved the twenty-seventh day of June one thousand nine hundred thirty-nine (Appropriation Acts page sixty) entitled "An act to provide for the ordinary expenses of the Executive Legislative and Judicial Departments of the Commonwealth interest on the public debt and the support of the public schools for two years beginning June first one thousand nine hundred and thirty-nine and for the payment of bills incurred and remaining unpaid at the close of fiscal year ending May thirty-first one thousand nine hundred and thirty-nine" providing for deficiencies in certain appropriations made by the act for the fiscal biennium ending May thirty-first one thousand nine hundred forty-one

The first section was read.

On the question,

Will the House agree to the section?

Mr. READINGER. Mr. Speaker, I desire to offer the following amendments.

The amendments were read by the Clerk as follows:

Amend Section 1, page 3, by inserting after line 17 and before Section 2, the following:

To the House

For the payment of the mileage of two hundred eight members session of one thousand nine hundred and forty-one the sum of ten thousand dollars ($10,000)

For the payment of the salaries of the officers and employes of the House session of one thousand nine hundred and forty-one also for the payment of the session and recess salaries of all officers and employes whose positions are now or may be hereafter created and for the payment of which provision is not otherwise made also for the payment of any increase which may now or hereafter be authorized in the recess and session salaries of the officers and employes of the House whose present salaries are provided for in the act to which this is a supplement the sum of thirty thousand dollars ($30,000) or so much thereof as may be necessary for the duration of the session of one thousand nine hundred and forty-one and the period of time necessary to complete the work of such session

To the chief clerk of the House for the payment of the postage on the Legislative Journal bills and calendars session of one thousand nine hundred and forty-one the sum of one thousand dollars ($1,000)

For the payment of the incidental expenses of the House for six months commencing December first one thousand nine hundred and forty and for the entire period of the session of one thousand nine hundred and forty-one should the same extend beyond May thirty-first such sum as may be necessary to be expended by the chief clerk of the House who shall render to the Auditor General accounts from time to time with proper specifically itemized vouchers to be settled in the same manner as other accounts but the whole amount expended by said chief clerk under this act shall not exceed the sum of three thousand five hundred dollars ($3,500) out of which amount such necessary extra labor in the House shall be paid as shall be certified by the Speaker of the House and the chief clerk.

The amendments were agreed to.

The section was agreed to as amended.

The second section and title were separately read and agreed to.

And said bill having been read at length the second time and agreed to as amended.

Ordered, To be transcribed for a third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 1941, (Senate Bill No. 1190), entitled:

An Act making an appropriation to the Department of Public Instruction for the cost of improving repairing operating and maintaining the Thaddeus Stevens Industrial School at Lancaster Pennsylvania

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILL PASSED OVER

There being no objection House Bill No. 1975, (Senate Bill No. 1215), Printer's No. 520, was passed over at the request of the SPEAKER.

BILLS ON SECOND READING

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 1699, (Senate Bill No. 571), entitled:

An Act making an appropriation to the Local Government Commission to continue its work

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 1967, (Senate Bill No. 1260), entitled:

An Act to amend the act approved the twenty-second day of June one thousand nine hundred and thirty-one (P. L. 594) entitled "An act establishing certain township roads as State highways authorizing their construction mainte-

nance and improvement under certain conditions and restrictions limiting the obligation of the Commonwealth in the construction of certain structures located on such highways conferring certain powers upon the Department of Highways and local authorities persons associations and corporations for sharing the cost of the maintenance and construction of such highways and making an appropriation to carry out the provisions of said act" as amended by changing a certain route

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 1887, (Senate Bill No. 1172, entitled:

An Act making an appropriation to the Department of Health for the purpose of equipping and operating a sanitarium for the treatment of cancer and for cancer research

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 1969, (Senate Bill No. 1282), entitled:

An Act authorizing the Department of Property and Supplies with the approval of the Governor and the Board of Trustees of the California State Teachers College to acquire a certain tract of land for the use of said college and making an appropriation

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILL PASSED OVER

There being no objection House Bill No. 1981, (Senate Bill No. 399), Printer's No. 536, was passed over at the request of the SPEAKER.

BILLS ON SECOND READING

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 1904, (Senate Bill No. 1188), entitled:

An Act making an appropriation for the purpose of reconstruction, preservation and maintenance of public roads, and improving and replacing bridges thereon through the Cornplanter Indian Reservation in Elk Township, Warren County, Pennsylvania.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 1974, (Senate Bill No. 1306), entitled:

An Act making an appropriation to the Trustees of the Pennsylvania State College for the use of the School of Mineral Industries

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 1916, (Senate Bill No. 489), entitled:

An Act authorizing the Department of Property and Supplies to acquire by gift from the Pennsylvania State College on behalf of the Commonwealth of Pennsylvania that certain tract of land in Northumberland Borough County of Northumberland upon which is located the home of Joseph Priestley and now the property of the Pennsylvania State College providing for the control management and maintenance thereof by the said department and the Pennsylvania Historical Commission authorizing the Pennsylvania Historical Commission to accept in trust from the American Chemical Society and other interested societies or individuals such moneys as they may see fit to present to the Commonwealth to assist in the maintenance and development of this property as a permanent memorial authorizing the Pennsylvania Historical Commission to accept as gifts or loan such books manuscripts pamphlets relics and furniture as interested societies or individuals may provide for the permanent utilization of the property as a museum of science and making an appropriation

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 1970, (Senate Bill No. 229), entitled:

An Act creating a commission to make a study and investigation of the laws governing and the practical operation of the parole and penal systems of this Commonwealth and other parole and penal systems defining its powers and duties and making an appropriation

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 1108, (Senate Bill No. 205), entitled:

An Act making an appropriation to the Trustees of the Pennsylvania State College for the use of the School of Mineral Industries for research and investigation of problems affecting mineral industries

The first section was read.

On the question,

Will the House agree to the section?

Mr. READINGER. Mr. Speaker, I desire to offer the following amendments.

The amendments were read by the Clerk as follows:

Amend Sec. 1, page 1, lines 1 and 2, by striking out the following "one hundred and twenty-five thousand dollars ($125,000)" and inserting in lieu thereof: "seventy-five thousand dollars ($75,000)."

Amend Sec. 1, page 1, line 10, by striking out the following "seventy-five thousand dollars ($75,000)" and inserting in lieu thereof: "twenty-five thousand dollars ($25,000)."

The amendments were agreed to.

The section was agreed to as amended.

The title was read and agreed to.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 1945, (Senate Bill No. 1259), entitled:

An Act to amend article twenty of the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 177) entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments boards commissions and officers thereof including the boards of trustees of State Normal Schools or Teachers Colleges abolishing creating reorganizing or authorizing the reorganization of certain administrative departments boards and commissions defining the powers and duties of the Governor and other executive and administrative officers and of the several administrative departments boards commissions and officers fixing the salaries of the Governor Lieutenant Governor and certain other executive and administrative officers providing for the appointment of certain administrative officers and of all deputies and other assistants and employes in certain departments boards and commissions and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments boards and commissions shall be determined" by authorizing the Department of Highways to construct repair and maintain certain facilities of airports

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 1901, (Senate Bill No. 1087), entitled:

An Act authorizing the Secretary of Property and Supplies to sell and convey certain tracts of coal lands in Hempfield Township, Westmoreland County, Pennsylvania.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILL PASSED OVER

There being no objection House Bill No. 1860, (Senate Bill No. 575), Printer's No. 450, was passed over at the request of Mr. SPEAKER.

BILL ON SECOND READING

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 1776, (Senate Bill No. 56), entitled:

An Act providing for the observance of a Bill of Rights Week in the public schools of this Commonwealth

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILL PASSED OVER

There being no objection House Bill No. 1745, (Senate Bill No. 839), Printer's No. 305, was passed over at the request of the SPEAKER.

BILL ON SECOND READING

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 1944, (Senate Bill No. 1257), entitled:

An Act to amend section one of the act, approved the twenty-fifth day of May, one thousand nine hundred thirty-three (P. L. 1016), entitled "An act relating to aeronautics; providing for the maintenance and operation of intermediate landing fields and air navigation facilities by the Commonwealth alone or in cooperation with the United States Government or political subdivisions of the Commonwealth; providing for the execution of leases or the issuance of licenses to the United States Government or to political subdivisions of the Commonwealth for the maintenance of navigation facilities on intermediate landing fields of the Commonwealth; conferring powers and duties on the Department of Revenue with respect thereto; and repealing certain acts and parts of acts," by extending the powers of the department in relation to air transport facilities.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILL PASSED OVER

There being no objection House Bill No. 1608, (Senate Bill No. 545), Printer's No. 236, was passed over at the request of the SPEAKER.

BILLS ON SECOND READING

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 1889, (Senate Bill No. 715), entitled:

An Act to repeal certain obsolete acts relating to paupers and the management, control and operation of poor districts.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 1984, (Senate Bill No. 598), entitled:

An Act to add section two thousand two and one-tenth to the act approved the eighteenth day of May one thousand nine hundred eleven (P. L. 309) entitled "An act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith" providing for cooperation of State Teachers Colleges at the request of the State Council of Defense with other agencies in furthering national defense programs and activities

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 1384, (Senate Bill No. 480), entitled:

An Act requiring the Department of Health to furnish free of charge all State and State-aided hospitals certain vaccines or serum used in the Pasteur treatment and requiring such hospitals to furnish and innoculate all persons bitten by dogs in this Commonwealth with such vaccine or serum free of charge.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILLS PASSED OVER

There being no objection House Bill No. 1943, (Senate Bill No. 1097), Printer's No. 504, and House Bill No. 1942, (Senate Bill No. 1096), Printer's No. 504, were passed over at the request of the SPEAKER.

BILL ON SECOND READING

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 937, (Senate Bill No. 298), entitled:

An Act making an appropriation out of the Motor License Fund to the Department of Highways for allocation to and expenditure in cities, boroughs, towns and townships of the Commonwealth for maintenance, construction, reconstruction, resurfacing, or improvement of municipal roads, highways and bridges, during the calendar years one thousand nine hundred forty-two and one thousand nine hundred forty-three; permitting the use of the funds for maintenance and repair of municipal roads, highways and bridges under certain conditions; and providing for the method of payment to such political subdivisions.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILLS NOT ON FILE PASSED OVER

The SPEAKER. House Bill No. 1856, (Senate Bill No. 1047), Printer's No. 399, and House Bill No. 1872, (Senate Bill No. 1091), Printer's No. 437, are not on file and will be passed over.

BILLS ON SECOND READING

Mr. BROWN asked and obtained unanimous consent to call up out of order House Bill No. 1608, (Senate Bill No. 545), on page 6 of today's calendar, bill on second reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 1608, (Senate Bill No. 545), entitled:

An Act relating to the summoning and service of jurors (except grand jurors) in the civil and criminal courts of the several counties of the Commonwealth except counties of the first class.

The first section was read.

On the question,

Will the House agree to the section?

Mr. BROWN. Mr. Speaker, I desire to offer the following amendment.

The amendment was read by the Clerk as follows:

Amend sec. 1, page 1, line 3, by inserting after the word "first" the words: "and second."

The amendment was agreed to.

The section was agreed to as amended.

The second, third and fourth sections were separately read and agreed to.

The title was read.

On the question,

Will the House agree to the title?

Mr. BROWN. Mr. Speaker, I desire to offer the following amendment.

The amendment was read by the Clerk as follows:

Amend the title, page 1, last line of title by inserting after the word "first" the words: "and second."

The amendment was agreed to.

The title was agreed to as amended.

And said bill having been read at length the second time and agreed to as amended.

Ordered, To be transcribed for a third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 1957, (Senate Bill No. 783), entitled:

An Act to further amend the act approved the twenty-eighth day of June one thousand nine hundred and thirty-five (P. L. 463) entitled as amended "An act providing for the incorporation as bodies corporate and politic of 'Authorities' for municipalities counties and townships defining the same prescribing the rights powers and duties of such Authorities authorizing such Authorities to acquire construct improve maintain and operate projects and to borrow money and issue bonds therefor providing for the payment of such bonds and prescribing the rights of the holders thereof conferring the right of eminent domain on such Authorities authorizing such Authorities to enter into contracts with and to accept grants from the Federal Government or any agency thereof and for other purposes" by changing the method by which notice of the formation of a municipal authority shall be made public further regulating incorporation purposes and existence of the authority defining procedure whereby an authority can enter into contracts and dispose of its bonds imposing additional qualifications and duties on members of the authority imposing civil liability on members of the board and officers of an authority in certain cases requiring annual audits imposing additional duties on the court of common pleas giving authorities right of eminent domain in certain cases extending with certain limitations the power of Authorities to make certain purchases

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILLS ON FINAL PASSAGE RECALLED FROM GOVERNOR

Agreeably to order,

The House proceeded to the consideration on final passage of House Bill No. 1513, as follows:

An Act to further amend section three of the act approved the twenty-second day of June one thousand nine hundred thirty-five (P. L. 414) entitled as amended "An act to provide revenue for State purposes imposing taxes upon certain classes of personal property providing for the assessment collection and lien of the same and the distribution of the proceeds thereof imposing duties on executors administrators registers of wills recorders of deeds prothonotaries and court clerks and on persons copartnerships associations banks national banks trust companies and other corporations receiving deposits of money and on certain corporations and limited partnerships conferring powers and imposing duties on certain State officers and departments imposing penalties and making an appropriation" by exempting assets held by liquidating trustees exempting casualty insurance corporations not having capital stock imposing the tax upon personal property held and managed in this Commonwealth owned held or possessed by residents as trustees agents or attorneys-in-fact jointly with one or more trustees agents or attorneys-in-fact domiciled in another state and imposing the tax upon equitable interests of residents in personal property held and managed in another state where the legal title to such personal property is held by more than one trustee agent or attorney-in-fact one or more of whom are domiciled in another state and one or more of whom are domiciled within this Commonwealth

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section three of the act approved the twenty-second day of June one thousand nine hundred thirty-five (P. L. 414) entitled as amended "An act to provide revenue for State purposes imposing taxes upon certain classes of personal property providing for the assessment collection and lien of the same and the distribution of the proceeds thereof imposing duties on executors administrators registers of wills recorders of deeds prothonotaries and court clerks and on persons copartnerships associations banks national banks trust companies and other corporations receiving deposits of money and on certain corporations and limited partnerships conferring powers and imposing duties on certain State officers and departments imposing penalties and making an appropriation" as last amended and reenacted by the act approved the —— day or ——— one thousand nine hundred forty-one (P. L. —) is hereby further amended to read as follows

Section 3 State Tax on Mortgages Judgments Et Cetera Imposition and Rate of Tax Exceptions All personal property of the classes hereinafter enumerated owned held or possessed by any resident whether such personal property be owned held or possessed by such resident in his own right or as active trustee agent attorney-in-fact or by any resident as trustee agent or attorney-in-fact jointly with one or more trustees agents or attorneys-in-fact domiciled in another state where such personal property is held and managed in this Commonwealth or in any other capacity except as executor or administrator of the estate of a nonresident decedent and except as trustee for a resident or nonresident religious charitable or educational organization no part of the net earnings of which inures to the benefit of any private stockholder or individual for the use benefit or advantage of any other person copartnership unincorporated association company joint-stock company or association limited partnership bank or corporation and the equitable interest in any such personal property of the classes hereinafter enumerated owned held or possessed by any resident where the legal title to such personal property is vested in a trustee agent or attorney-in-fact domiciled in another state or where the legal title to such personal property is vested in more than one trustee agent or attorney-in-fact one or more of whom are domiciled in another state and one or more of whom are domiciled within this Commonwealth and such personal property is held and managed in another state and where such resident is entitled to receive all or any part of the income therefrom is hereby made taxable annually for State purposes at the rate of four mills on each dollar of the value thereof as of a date to be fixed annually in the manner provided in section five of this act and no failure to assess or return the same shall discharge such owner or holder thereof from liability therefor that is to say

All mortgages all moneys owing by solvent debtors whether by promissory note or penal or single bill bond or judgment all articles of agreement and accounts bearing interest all public loans whatsoever except those issued by this Commonwealth or the United States and those made taxable for State purposes by section seventeen hereof all loans issued by any corporation association company or limited partnership created or formed under the laws of this Commonwealth or of the United States or of any other state or government including car-trust securities and loans secured by bonds or any other form of certificate or evidence of indebtedness whether the interest be included in the principal of the obligation or payable by the terms thereof except such loans as are made taxable for State purposes by section seventeen hereof all shares of stock in any bank corporation association company or limited partnership created or formed under the laws of this Commonwealth or of the United States or of any other state or government except shares of stock in any bank bank and trust company national banking association savings institution corporation or limited partnership liable to a tax on its shares or the capital stock tax or franchise tax imposed by section twenty-one of the act approved the first day of June one thousand eight hundred eighty-nine (P. L. 420) and its amendments and supplements for State purposes under the laws of this Commonwealth all moneys loaned or invested in other states territories the District of Columbia or foreign countries all other moneyed capital owing to individual citizens of the State and the principal value of all annuities Provided That this section shall not apply to bank notes or notes discounted or negotiated by any bank or banking institution savings institution or trust company nor to loans shares of stock or other securities held by bankers or brokers solely for trading purposes nor to accounts or debit balances owing by customers of bankers or brokers in the usual courses of business nor to interest-bearing accounts in any bank or banking institution savings institution employes thrift or savings association whether operated by employes or the employer or trust company nor to personal property held in the commercial department and owned in its own right by a banking institution savings institution or trust company in liquidation by a receiver trustee or other fiduciary nor to personal property formerly held by a banking institution in its own right but assigned by it to one or more trustees for liquidation and payment to the creditors and stockholders of such banking institutions it being the intent and purpose of this proviso that no tax be assessed or collected for the years one thousand nine hundred and thirty-five one thousand nine hundred and thirty-six one thousand nine hundred and thirty-seven one thousand nine hundred and thirty-eight one thousand nine hundred and thirty-nine one thousand nine hundred and forty and thereafter upon the personal property enumerated herein And provided further That the provisions of this act shall not apply to building and loan associations or to shares of stock issued by building and loan associations or to savings institutions having no capital stock and if at any time either now or hereafter any persons individuals or bodies corporate have agreed or shall hereafter agree to issue his their or its securities bonds or other evidences of indebtedness clear of and free from the said four mills tax herein provided for or any part thereof or have agreed or shall hereafter agree to pay the same or any part thereof nothing herein contained shall be so construed as to relieve or exempt him it or them from paying the said four mills tax on any of the said securities bonds or other evidences of indebtedness as may be held owned by or owing to the said savings institution having no capital stock And provided further That the provisions of this act shall not apply to fire companies firemen's relief associations life casualty or fire insurance corporations having no capital stock secret and beneficial societies labor unions and labor union relief associations and all beneficial or-

ganizations paying sick or death benefits or either or both from funds received from voluntary contributions or assessments upon members of such associations societies or unions And provided further That corporations limited partnerships and joint-stock associations liable to a tax on their shares or the aforesaid capital stock or franchise tax for State purposes shall not be required to make any report or pay any further tax under this section on the mortgages bonds and other securities owned by them in their own right but corporations limited partnerships and joint-stock associations holding such securities as trustees executors administrators guardians or in any other manner except as executor or administrator of the estate of a non-resident decedent and except as trustee for a resident or non-resident religious charitable or educational organization no part of the net earnings of which inures to the benefit of any private stockholder or individual shall return and pay the tax imposed by this section upon all securities so held by them as in the case of individuals And provided further That none of the classes of property made taxable by this section for State purposes shall be taxed or taxable for any other local purpose under the laws of this Commonwealth except for county purposes and in cities coextensive with counties for city and county purposes as now provided by law And provided further That the provisions of this section shall not apply to personal property of the class hereinabove enumerated received from any person or persons copartnership or unincorporated association or company nonresident in or not located within this Commonwealth or from any joint-stock company or association limited partnership bank or corporation formed erected or incorporated by under or in pursuance of any law of the United States or of any state or government other than this Commonwealth by any person or persons copartnership unincorporated association company joint-stock company or association limited partnership bank or corporation as active trustee agent attorney-in-fact or in any other capacity for the use benefit or advantage of any person or persons copartnership or unincorporated association or company nonresident in or not located within this Commonwealth or for the use benefit or advantage of any joint-stock company or association limited partnership bank or corporation formed erected or incorporated by under or in pursuance of any law of the United States or of any state or government other than this Commonwealth Nor shall the provisions of this section apply to personal property held for the use benefit or advantage of any resident who shall have in each of the ten preceding calendar years given or contributed all of his net income to any corporation organized or operated exclusively for religious charitable scientific literary or educational purposes

The value of the equitable interest in any personal property made subject to tax by this section shall be measured by ascertaining the value of the personal property in which such resident has the sole equitable interest or in case of divided equitable interests in the same personal property then by ascertaining such part of the value of the whole of such personal property as represents the equitable interest of such resident therein

Section 2 This Act shall become effective immediately upon its final enactment

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows, viz:

YEAS—204

Achterman,	French,	Lyons,	Rosenfeld,
Allmond,	Gallagher,	Malloy,	Royer,
Auker,	Gates,	Marks,	Rush,
Baker,	Gerard,	Maxwell,	Sarge,
Balthaser,	Gillan,	McClanaghan,	Sarraf,
Bentley,	Gillette,	McClester,	Scanlon,
Bentzel,	Goodwin,	McDermott,	Schwab,
Boles,	Greenwood,	McDowell,	Serrill,
Boney,	Gross,	McFall,	Shaffer,
Boorse,	Gryskewicz,	McIntosh,	Shaw,
Bower,	Gyger,	McKinney,	Shepard,
Bradley,	Habbyshaw,	McLanahan,	Simons,
Bretherick,	Haberlen,	McLane,	Skale,
Brown,	Haines,	McMillen,	Snyder,
Brunner, C. H.,	Hall,	McSurdy,	Sollenberger,
Brunner, P. A.,	Hamilton,	Melchiorre,	Sorg,
Burns,	Hare,	Mihm,	Stambaugh,
Burris,	Harkins,	Modell,	Stank,
Cadwalader,	Harmuth,	Monks,	Stine,
Chervenak,	Harris,	Mooney,	Stockham,
Chudoff,	Heatherington,	Moran,	Tarr,
Cochran,	Helm,	Moul,	Tate,
Cohen, M. M.,	Hering,	Muir,	Taylor,
Cohen, R. E.,	Herman,	Munley,	Thompson, E. F.,
Cook,	Hersch,	Nagel,	Thompson, R. L.,
Cooper,	Hewitt,	Nunemacher,	Trout,
Cordier,	Hirsch,	O'Brien,	Turner,
Corrigan,	Holland,	O'Connor	VanAllsburg,
Croop,	Huntley,	O'Dare,	Verona,
Cullen,	Imbrie,	O'Mullen,	Vincent,
Dalrymple,	James,	O'Neill,	Vogt,
Dennison,	Jefferson,	Owens,	Voldow,
DiGenova,	Jones, G. E.,	Petrosky,	Voorhees,
Dix,	Jones, P. N.,	Pettit,	Wagner,
Dolon,	Keenan,	Polaski,	Watkins,
D'Ortona,	Kenehan,	Polen,	Weingartner,
Duffy,	Kline,	Powers,	Weiss,
Early,	Knoble,	Prosen,	Welsh, E. B.,
Eckels,	Kolankiewicz,	Rank,	Welsh, M. J.,
Elder,	Komorofski,	Rausch,	Wilkinson,
Elliott,	Krise,	Readinger,	Williams,
Ely,	Lee, E. A.,	Reagan,	Winner,
Falkenstein,	Lee, T. H.,	Reese, D. P.,	Wood, L. H.,
Finestone,	Leisey,	Reese, R. E.,	Wood, N.,
Finnerty,	Leonard,	Regan,	Woodring,
Fisher,	Lesko,	Reynolds,	Woodside,
Fiss,	Levy,	Rhea,	Wright,
Fleming,	Leydic,	Riley,	Yeakel,
Fletcher,	Lichtenwalter,	Rooney,	Yester,
Flynn,	Longo,	Rose, S.,	Young,
Foor,	Lovett,	Rose, W. E.,	Kilroy, Speaker.

NAYS—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the consideration on final passage of House Bill No. 892, as follows:

An Act authorizing a commission to study recreational facilities available in first class cities imposing powers and duties on said commission

Whereas The City of Philadelphia has various agencies administering recreation and

Whereas The present national emergency requires a recreation program and

Whereas It is deemed desirable to make a thorough study of the recreational facilities available in said city and county in order to ascertain where new facilities can be secured if the same becomes necessary at a minimum cost therefore

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 A commission is hereby created which shall be composed of five members two of which are to be appointed by the President of the Senate and two of which are to be appointed by the Speaker of the House of Representatives and one of which shall be appointed by the mayor of such first class city The two members selected by the President of the Senate shall consist of a members of the Senate and a citizen of the Commonwealth of Pennsylvania to be selected by the President of the Senate from a list of eligibles furnished him by the board of education of such first class city The two members ap-

pointed by the Speaker of the House of Representatives shall consist of a member of the House of Representatives and a citizen of the Commonwealth of Pennsylvania selected by the Speaker of the House of Representatives The Speaker of the House of Representatives shall appoint the Chairman It shall be the duty of the commission to make a careful thorough and impartial study of each and every agency expending public moneys raised by taxation for recreational purposes to ascertain the business and activities of the various governmental agencies and the present allocation of such business among such agencies in such first class cities and to ascertain whether such present facilities are sufficient to take care of a recreation program and further to devise ways and means and methods of raising revenue and of effecting savings in cost of government to carry out a recreation program under a unified system

Section 2 The said commission if it deems necessary and proper is hereby authorized to employ a staff to secure the necessary information statistics and data on this subject provided that it is without cost or obligation to the Commonwealth

Section 3 The said commission shall have the power to issue subpoenas under the hand and seal of its chairman requesting and commanding any person or persons to appear before them and to answer such questions concerning matters properly being inquired into by the commission and to produce such books papers records and documents as the commission may deem necessary such subpoenas may be served upon any person and shall have the force and effect of subpoenas issued out of the courts of this Commonwealth Each member of said commission shall have the power to administer oaths and affirmations to witnesses appearing before the commission Any person who shall wilfully neglect or refuse to testify before said commission or to produce any books papers records or documents shall be subject to penalties provided by the laws of the Commonwealth in such cases

Section 4 The said commission shall remain in existenec until January fifteenth one thousand nine hundred forty-three and shall make a full and complete report of its findings to the General Assembly with appropriate recommendations for legislative action by the General Assembly

Section 5 The provisions of this act shall become effective immediately upon final enactment

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows, viz:

YEAS—204

Achterman,	French,	Malloy,	Royer,
Allmond,	Gallagher,	Marks,	Rush,
Auker,	Gates,	Maxwell,	Sarge,
Baker,	Gerard,	McClanaghan,	Sarraf,
Balthaser,	Gillan,	McClester	Scanlon,
Bentley,	Gillette,	McDermott,	Schwab,
Bentzel,	Goodwin,	McDowell,	Serrill,
Boles,	Greenwood,	McFall,	Shaffer,
Boney,	Gross,	McIntosh,	Shaw,
Boorse,	Gryskewicz,	McKinney,	Shepard,
Bower,	Gyger,	McLanahan,	Simons,
Bradley,	Habbyshaw,	McLane,	Skale,
Bretherick,	Haberlen,	McMillen,	Snyder,
Brown,	Haines,	McSurdy,	Sollenberger,
Brunner, C. H.,	Hall,	Melchiorre,	Sorg,
Brunner, P. A.,	Hamilton,	Mihm,	Stambaugh,
Burns,	Hare,	Modell,	Stank,
Burris,	Harkins,	Monks,	Stine,
Cadwalader,	Harmuth,	Mooney,	Stockham,
Chervenak,	Harris,	Moran,	Tarr,
Chudoff,	Heatherington,	Moul,	Tate,
Cochran,	Helm,	Muir,	Taylor,
Cohen, M. M.,	Hering,	Munley,	Thompson, E. F.,
Cohen, R. E.,	Herman,	Nagel,	Thompson, R. L.,
Cook,	Hersch,	Nunemacher,	Trout,
Cooper,	Hewitt,	O'Brien,	Turner,
Cordier,	Hirsch,	O'Connor,	Van Allsburg,
Corrigan,	Holland,	O'Dare,	Verona,
	Huntley,	O'Mullen,	Vincent,
	Imbrie,	O'Neill,	Vogt,
	James,	Owens,	Voldow,
	Jefferson,	Petrosky,	Voorhees,
	Jones, G. E.,	Pettit,	Wagner,
	Jones, P. N.,	Polaski,	Watkins,
	Keenan,	Polen,	Weingartner,
	Kenehan,	Powers,	Weiss,
	Kline,	Prosen,	Welsh, E. B.,
	Knoble,	Rank,	Welsh, M. J.,
	Kolankiewicz,	Rausch,	Wilkinson,
	Komorofski,	Readinger,	Williams,
	Krise,	Reagan,	Winner,
	Lee, E. A.,	Reese, D. P.,	Wood, L. H.,
	Lee, T. H.,	Reese, R. E.,	Wood, N.,
	Leisey,	Regan,	Woodring,
	Leonard,	Reynolds,	Woodside,
	Lesko,	Rhea,	Wright,
	Levy,	Riley,	Yeakel,
	Leydic,	Rooney,	Yester,
	Lichtenwalter,	Rose, S.,	Young,
	Longo,	Rose, W. E.,	Kilroy,
	Lovett,	Rosenfeld,	Speaker.
	Lyons,		

NAYS—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

BILL ON FINAL PASSAGE PASSED OVER

There being no objection House Bill No. 1445, Senate Bill No. 302, Printer's No. 464, was passed over at the request of the SPEAKER.

BILL ON THIRD READING PASSED OVER

There being no objection House Bill No. 1754, (Senate Bill No. 509), Printer's No. 335, was passed over at the request of the SPEAKER.

BILL ON THIRD READING

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1734, (Senate Bill No. 618), as follows:

An Act to further amend section two of the act approved the sixteenth day of June one thousand nine hundred thirty-three (P. L. 252 1933-34) entitled as amended "An act to regulate and restrain the traffic in malt and brewed beverages as herein defined providing for the licensing of the manufacture transportation sale and distribution of such beverages imposing license and permit fees and providing for collection and distribution thereof restricting ownership and interest in licensed places permitting municipalities and townships by vote of the electors to prevent the licensing therein of places where such beverages may be sold for consumption on the premises and regulating elections for this purpose imposing duties upon the Pennsylvania Liquor Control Board quarter sessions courts district attorneys the Department of Justice proper authorities of political subdivisions of the State and election officers providing penalties and repealing existing acts" by permitting clubs to waive or reduce or pay dues payable by members in military service

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section two of the act approved the sixteenth day of June one thousand nine hundred thirty-three (P. L. 252 1933-34) entitled as amended "An act to regulate and restrain the traffic in malt and brewed

beverages as herein defined providing for the licensing of the manufacture transportation sale and distribution of such beverages imposing license and permit fees and providing for collection and distribution thereof restricting ownership and interest in licensed places permitting municipalities and townships by vote of the electors to prevent the licensing therein of places where such beverages may be sold for consumption on the premises and regulating elections for this purpose imposing duties upon the Pennsylvania Liquor Control Board quarter sessions courts district attorneys the Department of Justice proper authorities of political subdivisions of the State and election officers providing penalties and repealing existing acts" as last amended by the act approved the sixteenth day of June one thousand nine hundred thirty-seven (P. L. 1827) is hereby further amended to read as follows

Section 2 Definitions The following words and terms as used in this act shall be construed as defined in this section

(a) The term "malt or brewed beverages" means any beer lager beer ale porter or similar fermented malt or brewed beverage containing one-half of one per centum or more of alcohol by volume by whatever name such malt or brewed beverage may be called

(b) The word "person" means and includes natural persons associations partnerships and corporations

(c) The word "manufacturer" means and includes all persons holding licenses issued by the board to engage in the manufacture transportation and sale of malt or brewed beverages also all persons engaged in the legal manufacture of malt or brewed beverages within the territorial limits of the United States outside the Commonwealth of Pennsylvania

(d) The term "distributor" means and includes persons licensed by the board to engage in the purchase only from Pennsylvania manufacturers and from importing distributors and the resale of malt or brewed beverages except to importing distributors and distributors in the original sealed containers as prepared for the market by the manufacturer at the place of manufacture but not for consumption on the premises where sold and in quantities of not less than two hundred eighty-eight fluid ounces

(e) The term "importing distributor" means and includes persons licensed by the board to engage in the purchase from manufacturers and other persons located outside this Commonwealth and from persons licensed as manufacturers and importing distributors under this act and the resale of malt or brewed beverages in the original sealed containers as prepared for the market by the manufacturer at the place of manufacture but not for consumption on the premises where sold and in quantities of not less than two hundred eighty-eight fluid ounces

(f) The term "retail dispenser" means and includes persons licensed to engage in the retail sale of malt or brewed beverages for consumption on the premises of such licensee with the privilege of selling malt or brewed beverages in quantities not in excess of seventy-two fluid ounces in a single sale to one person to be carried from the premises by the purchaser thereof

(g) The term "original containers" means and includes bottles casks kegs and other suitable containers that have been securely capped sealed or corked by the manufacturer at the place of manufacture with the name and address of the manufacturer permanently affixed to the bottle cask keg or other container or to the cap or cork used in sealing same or to a label securely affixed to a bottle

(h) The term "license" means and includes both the person making the application therefor and the premises upon which the privileges of the license are to be exercised and includes licenses issued under the provisions of this act

(i) "Eating place" means a premise where food is regularly and customarily prepared and sold having a total area of not less than three hundred square feet available to the public in one or more rooms other than living quarters and equipped with tables and chairs accommodating thirty persons at one time

(j) "Club" means any reputable group of individuals associated together not for profit for legitimate purposes of mutual benefit entertainment fellowship or lawful convenience having some primary interest and activity to which the sale of malt and brewed beverages shall be only secondary which if incorporated has been in continuous existence and operation for at least one year and if first licensed after the effective date of these amendments shall have been incorporated in this Commonwealth and if unincorporated for at least ten years immediately preceding the date of its application for a license under this act and which regularly occupies as owner or lessee a club house or quarters for the use of members Continuous existence must be proven by satisfactory evidence The board shall refuse to grant a license if it appears that the charter is not in possession of the original incorporators or their direct and legitimate successors The club shall hold regular meetings conduct its business through officers regularly elected admit members by written application investigation and ballot and charge and collect dues from elected members and maintain such records as the board may prescribe but any such club may waive or reduce in amount or pay from its club funds the dues of any person who was a member at the time he was inducted into the military service of the United States or was enrolled in the armed forces of the United States pursuant to any selective service act during the time of the member's actual service or enrollment

(k) "Board" means the Pennsylvania Liquor Control Board of this Commonwealth

(l) As used in this act the singular shall include the plural and the masculine gender shall include the feminine and neuter

(m) The term "manufacture" shall mean and include all means methods and processes used employed and made use of to produce make and manufacture for commercial purposes malt or brewed beverages from raw materials

(n) "Hotel" shall mean any reputable establishment operated by responsible persons of good reputation where the public may for a consideration obtain sleeping accommodations and meals and which in a city has at least ten and in any other place at least six permanent bedrooms for the use of guests and a public dining room or rooms operated by the same management accommodating at least thirty persons at one time and a kitchen in which food is regularly prepared for the public apart from the public dining room or rooms

(o) The term "sale" or "sell" shall include any transfer of malt or brewed beverages for a consideration

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows, viz:

YEAS—204

Achterman,	French,	Lyons,	Rosenfeld,
Allmond,	Gallagher,	Malloy,	Royer,
Auker,	Gates,	Marks,	Rush,
Baker,	Gerard,	Maxwell,	Sarge,
Balthaser,	Gillan,	McClanaghan,	Sarraf,
Bentzel,	Gillette,	McClester,	Scanlon,
Bentley,	Goodwin,	McDermott,	Schwab,
Boles,	Greenwood,	McDowell,	Serrill,
Boney,	Gross,	McFall,	Shaffer,
Boorse,	Gryskewicz,	McIntosh,	Shaw,
Bower,	Gyger,	McKinney,	Shepard,
Bradley,	Habbyshaw,	McLanahan	Simons,
Bretherick,	Haberlen,	McLane,	Skale,
Brown,	Haines,	McMillen,	Snyder,
Brunner, C. H.,	Hall,	McSurdy,	Sollenberger,

Brunner, P. A.,	Hamilton,	Melchiorre,	Sorg,
Burns,	Hare,	Mihm,	Stambaugh,
Burris,	Harkins,	Modell,	Stank,
Cadwalader,	Harmuth,	Monks,	Stine,
Chervenak,	Harris,	Mooney,	Stockham,
Chudoff,	Heatherington,	Moran,	Tarr,
Cochran,	Helm,	Moul,	Tate,
Cohen, M. M.,	Hering,	Muir,	Taylor,
Cohen, R. E.,	Herman,	Munley,	Thompson, E. F.,
Cook,	Hersch,	Nagel,	Thompson, R. L.,
Cooper,	Hewitt,	Nunemacher,	Trout,
Cordier,	Hirsch,	O'Brien,	Turner,
Corrigan,	Holland,	O'Connor,	Van Allsburg,
Croop,	Huntley,	O'Dare,	Verona,
Cullen,	Imbrie,	O'Mullen,	Vincent,
Dalrymple,	James,	O'Neill,	Vogt,
Dennison,	Jefferson,	Owens,	Voldow,
DiGenova,	Jones, G. E.,	Petrosky,	Voorhees,
Dix,	Jones, P. N.,	Pettit,	Wagner,
Dolon,	Keenan,	Polaski,	Watkins,
D'Ortona,	Kenehan,	Polen,	Weingartner,
Duffy,	Kline,	Powers,	Weiss,
Early,	Knoble,	Prosen,	Welsh, E. B.,
Eckels,	Kolankiewicz,	Rank,	Welsh, M. J.,
Elder,	Komorofski,	Rausch,	Wilkinson,
Elliott,	Krise,	Readinger,	Williams,
Ely,	Lee, E. A.,	Reagan,	Winner,
Falkenstein,	Lee, T. H.,	Reese, D. P.,	Wood, L. H.,
Finestone,	Leisey,	Reese, R. E.,	Wood, N.,
Finnerty,	Leonard,	Regan,	Woodring,
Fisher,	Lesko,	Reynolds,	Woodside,
Fiss,	Levy,	Rhea,	Wright,
Fleming,	Leydic,	Riley,	Yeakel,
Fletcher,	Lichtenwalter,	Rooney,	Yester,
Flynn,	Longo,	Rose, S.,	Young,
Foor,	Lovett,	Rose, W. E.,	Kilroy,
			Speaker.

NAYS—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return it to the Senate with information that the House has passed it with amendments in which the concurrence of the Senate is requested.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1732, (Senate Bill No. 619), as follows:

An Act to further amend section two of the act approved the twenty-ninth day of November one thousand nine hundred thirty-three (P. L. 15 1933-34) entitled "An act to regulate and restrain the sale manufacture possession transportation importation traffic in and use of alcohol and alcoholic and malt or brewed beverages conferring powers and imposing duties upon the Pennsylvania Liquor Control Board and its agents the Department of Public Instruction other officers of the State government courts and districts attorneys authorizing the establishment and operation of State stores for the sale of such beverages not for consumption on the premises and the granting of licenses subject to local option to sell such beverages for consumption on and off the premises forbidding importation or bringing of such beverages into the State except as herein provided prohibiting certain sales or practices in connection with and transactions in such beverages by licensees and others providing for the forfeiture of certain property making disposition of the receipts from State stores and of fees and imposing penalties" by permitting clubs to waive or reduce or pay dues payable by members in military service

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section two of the act approved the twenty-ninth day of November one thousand nine hundred thirty-three (P. L. 15 1933-34) entitled "An act to regulate and restrain the sale manufacture possession transportation importation traffic in and use of alcohol and alcoholic and malt or brewed beverages conferring powers and imposing duties upon the Pennsylvania Liquor Control Board and its agents the Department of Public Instruction other officers of the State government courts and districts attorneys authorizing the establishment and operation of State stores for the sale of such beverages not for consumption on the premises and the granting of licenses subject to local option to sell such beverages for consumption on and off the premises forbidding importation or bringing of such beverages into the State except as herein provided prohibiting certain sales of practices in connection with and transactions in such beverages by licensees and others providing for the forfeiture of certain property making disposition of the receipts from State stores and of fees and imposing penalties" as last amended by the act approved the sixteenth day of June one thousand nine hundred thirty-seven (P. L. 1762) is hereby further amended to read as follows

Section 2 Definitions The following words or phrases unless the context clearly indicates otherwise shall have the meanings ascribed to them in this section

"Association" shall mean a partnership limited partnership or any form of unincorporated enterprise owned by two or more persons

"Board" shall mean the Pennsylvania Liquor Control Board of this Commonwealth

"Club" shall mean any reputable group of individuals associated together not for profit for legitimate purposes of mutual benefit entertainment fellowship or lawful convenience having some primary interest and activity to which the sale of liquor shall be only secondary which if incorporated has been in continuous existence and operation for at least one year and if first licensed after the effective date of these amendments shall have been incorporated in this Commonwealth and if unincorporated for at least ten years immediately preceding the date of its application for a license under this act and which regularly occupies as owner or lessee a clubhouse or quarters for the use of members Continuous existence must be proven by satisfactory evidence The board shall refuse to issue a license if it appears that the charter is not in possession of the original incorporators or their direct or legitimate successors The club shall hold regular meetings conduct its business through officers regularly elected admit members by written application investigation and ballot and charge and collect dues from elected members and maintain such records as the board shall from time to time prescribe but any such club may waive or reduce in amount or pay from its club funds the dues of any person who was a member at the time he was inducted into the military service of the United States or was enrolled in the armed forces of the United States pursuant to any selective service act during the time of the member's actual service or enrollment

"Original container" shall mean all bottles casks kegs or other suitable containers that have been securely capped sealed or corked by the manufacturer at the place of manufacture with the name and address of the manufacturer of the malt or brewed beverages contained or to be contained therein permanently affixed to the bottle cask keg or other container or to the cap or cork used in sealing the same or to a label securely affixed to a bottle

"Corporation" shall mean a corporation or joint-stock association organized under the laws of this Commonwealth the United States or any other state territory or foreign country or dependency

"Hotel" shall mean any reputable place operated by responsible persons of good reputation where the public may for a consideration obtain sleeping accommodations with meals and which in a city has at least ten and in any other place at least six permanent bedrooms for the use of guests a public dining room or rooms operated by the same management accommodating at least thirty persons at one time and a kitchen apart from the public dining room or rooms in which food is regularly prepared for the public

The word "alcohol" means ethyl alcohol originally

produced by the distillation of any fermented liquid whether rectified or diluted with or without water whatever may be the origin thereof and shall include synthetic ethyl alcohol but shall not mean or include ethyl alcohol whether or not diluted that has been denatured or otherwise rendered unfit for beverage purposes

"Liquor" shall mean and include any alcoholic spirituous vinous fermented or other alcoholic beverages or combination of liquors and mixed liquor a part of which is spirituous vinous fermented or otherwise alcoholic including all drinks or drinkable liquids preparations or mixtures and reused recovered or redistilled denatured alcohol usable or taxable for beverage purposes which contain more than one-half of one per cent of alcohol by volume except pure ethyl alcohol and malt or brewed beverages

"Malt or Brewed Beverages" means any beer lager beer ale porter or similar fermented malt liquor containing one-half of one per centum or more of alcohol by volume by whatever name such liquor may be called

"Manufacturer" shall mean any person association or corporation engaged in the producing manufacturing distilling rectifying or compounding of liquor alcohol and malt or brewed beverages in this Commonwealth or elsewhere

"Municipality" shall mean any city borough incorporated town or township of this Commonwealth

"Package" shall mean any container or containers or receptacle or receptacles used for holding liquor or alcohol as marketed by the manufacturer

"Person" Every natural person association or corporation Whenever used in a clause prescribing or imposing a fine or imprisonment or both the term "person" as applied to "association" shall mean the partners or members thereof and as applied to "corporation" shall mean the officers thereof except as to incorporated clubs the term "person" shall mean such individual or individuals who under the by-laws of such club shall have jurisdiction over the possession and sale of liquor therein

"Restaurant" shall mean a reputable place operated by responsible persons of good reputation and habitually and principally used for the purpose of providing food for the public the place to have an area within a building of not less than four hundred square feet equipped with tables and chairs accommodating at least thirty persons at one time

"Sale" or "sell" shall include any transfer of liquor alcohol or malt or brewed beverages for a consideration

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows, viz:

YEAS—204

Achterman,	French,	Malloy,	Royer,
Allmond,	Gallagher,	Marks,	Rush,
Auker,	Gates,	Maxwell,	Sarge,
Baker,	Gerard,	McClanaghan,	Sarraf,
Balthaser,	Gillan,	McClester,	Scanlon,
Bentley,	Gillette,	McDermott,	Schwab,
Bentzel,	Goodwin,	McDowell,	Serrill,
Boles,	Greenwood,	McFall,	Shaffer,
Boney,	Gross,	McIntosh,	Shaw,
Boorse,	Gryskewicz,	McKinney,	Shepard,
Bower,	Gyger,	McLanahan,	Simons,
Bradley,	Habbyshaw,	McLane,	Skale,
Bretherick,	Haberlen,	McMillen,	Snyder,
Brown,	Haines,	McSurdy,	Sollenberger,
Brunner, C. H.,	Hall,	Melchiorre,	Sorg,
Brunner, P. A.,	Hamilton,	Mihm,	Stambaugh,
Burns,	Hare,	Modell,	Stank,
Burris,	Harkins,	Monks,	Stine,
Cadwalader,	Harmuth,	Mooney,	Stockham,
Chervenak,	Harris,	Moran,	Tarr,
Chudoff,	Heatherington,	Moul,	Tate,
Cochran,	Helm,	Muir,	Taylor,
Cohen, M. M.,	Hering,	Munley,	Thompson, E. F.,
Cohen, R. E.,	Herman,	Nagel,	Thompson, R. L.,
Cook,	Hersch,	Nunemacher,	Trout,
Cooper,	Hewitt,	O'Brien,	Turner,
Cordier,	Hirsch,	O'Connor,	Van Allsburg,
Corrigan,	Holland,	O'Dare,	Verona,
Croop,	Huntley,	O'Mullen,	Vincent,
Cullen,	Imbrie,	O'Neill,	Vogt,
Dalrymple,	James,	Owens,	Voldow,
Dennison,	Jefferson,	Petrosky,	Voorhees,
DiGenova,	Jones, G. E.,	Pettit,	Wagner,
Dix,	Jones, P. N.,	Polaski,	Watkins,
Dolon,	Keenan,	Polen,	Weingartner,
D'Ortona,	Kenehan,	Powers,	Weiss,
Duffy,	Kline,	Prosen,	Welsh, E. B.,
Early,	Knoble,	Rank,	Welsh, M. J.,
Eckels,	Kolankiewicz,	Rausch,	Wilkinson,
Elder,	Komorofski,	Readinger,	Williams,
Elliott,	Krise,	Reagan,	Winner,
Ely,	Lee, E. A.,	Reese, D. P.,	Wood, L. H.,
Falkenstein,	Lee, T. H.,	Reese, R. E.,	Wood, N.,
Finestone,	Leisey,	Regan,	Woodring,
Finnerty,	Leonard,	Reynolds,	Woodside,
Fisher,	Lesko,	Rhea,	Wright,
Fiss,	Levy,	Riley,	Yeakel,
Fleming,	Leydic,	Rooney,	Yester,
Fletcher,	Lichtenwalter,	Rose, S.,	Young,
Flynn,	Longo,	Rose, W. E.,	Kilroy,
Foor,	Lovett,	Rosenfeld,	Speaker.
	Lyons,		

NAYS—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return it to the Senate with information that the House has passed it with amendments in which the concurrence of the Senate is requested.

BILLS PASSED OVER

There being no objection House Bill No. 1096, Printer's No. 698; House Bill No. 1949, (Senate Bill No. 1283), Printer's No. 519; House Bill No. 1830, (Senate Bill No. 1041), Printer's No. 400; House Bill No. 1851, Printer's No. 1130; House Bill No. 1813, Printer's No. 1082, and House Bill No. 1620, (Senate Bill No. 714), Printer's No. 227, were passed over at the request of the SPEAKER.

BILLS ON THIRD READING

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1606, (Senate Bill No. 177), entitled:

An Act regulating and limiting the rights of slayers in real and personal property and in the benefits from insurance policies arising out of or as a result of the death of the person slain protecting and saving the rights of purchasers and insurers dealing with slayers without notice of the slaying and repealing certain legislation

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows, viz:

YEAS—204

Achterman,	French,	Malloy,	Royer,
Allmond,	Gallagher,	Marks,	Rush,
Auker,	Gates,	Maxwell,	Sarge,
Baker,	Gerard,	McClanaghan,	Sarraf,
Balthaser,	Gillan,	McClester,	Scanlon,
Bentley,	Gillette,	McDermott,	Schwab,
Bentzel,	Goodwin,	McDowell,	Serrill,

Boies,	Greenwood,	McFall,	Shaffer,
Boney,	Gross,	McIntosh,	Shaw,
Boorse,	Gryskewicz,	McKinney,	Shepard,
Bower,	Cyger,	McLanahan,	Simons,
Bradley,	Habbyshaw,	McLane,	Skale,
Bretherick,	Haberlen,	McMillen,	Snyder,
Brown,	Haines,	McSurdy,	Sollenberger,
Brunner, C. H.,	Hall,	Melchiorre,	Sorg,
Brunner, P. A.,	Hamilton,	Mihm,	Stambaugh,
Burns,	Hare,	Modell,	Stank,
Burris,	Harkins,	Monks,	Stine,
Cadwalader,	Harmuth,	Mooney,	Stockham,
Chervenak,	Harris,	Moran,	Tarr,
Chudoff,	Heatherington,	Moul,	Tate,
Cochran,	Helm,	Muir,	Taylor,
Cohen, M. M.,	Hering,	Munley	Thompson, E. F.
Cohen, R. E.,	Herman,	Nagel	Thompson, R. L.
Cook,	Hersch,	Nunemacher	Trout,
Cooper,	Hewitt,	O'Brien,	Turner,
Cordier,	Hirsch,	O'Connor,	VanAllsburg,
Corrigan,	Holland,	O'Dare,	Verona,
Croop,	Huntley,	O'Mullen,	Vincent,
Cullen,	Imbrie,	O'Neill,	Vogt,
Dalrymple,	James,	Owens,	Voldow,
Dennison,	Jefferson,	Petrosky,	Voorhees,
DiGenova,	Jones, G. E.,	Pettit,	Wagner,
Dix,	Jones, P. N.,	Polaski,	Watkins,
Dolon,	Keenan,	Polen,	Weingartner,
D'Ortona,	Kenehan,	Powers,	Weiss,
Duffy,	Kline,	Prosen,	Welsh, E. B.,
Early,	Knoole,	Rank,	Welsh, M. J.,
Eckels,	Kolankiewicz,	Rausch	Wilkinson,
Elder,	Komorofski,	Readinger,	Williams,
Elliott,	Krise,	Reagan,	Winner,
Ely,	Lee, E. A.,	Reese, D. P.,	Wood, L. H.,
Falkenstein,	Lee, T. H.,	Reese, R. E.,	Wood, N.,
Finestone,	Leisey,	Regan,	Woodring,
Finnerty,	Leonard,	Reynolds,	Woodside,
Fisher,	Lesko,	Rhea,	Wright,
Fiss,	Levy,	Riley,	Yeakel,
Fleming,	Leydic,	Rooney,	Yester,
Fletcher,	Lichtenwalter,	Rose, S.,	Young,
Flynn,	Longo,	Rose, W. E.,	Kilroy,
Foor,	Lovett,	Rosenfeld,	Speaker.
	Lyons,		

NAYS—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return it to the Senate with information that the House has passed it without amendment.

REPORT OF COMMITTEE OF CONFERENCE ON HOUSE BILL No. 663

Mr. READINGER. Mr. Speaker, I desire to call up the report of the Committee of Conference on House Bill No. 663, Printer's No. 1170.

The report was read by the Clerk as follows:

REPORT OF THE COMMITTEE OF CONFERENCE ON HOUSE BILL No. 663

To the Members of the Senate and House of Representatives:

We, the undersigned, Committee of Conference on the part of the Senate and House of Representatives for the purpose of considering House Bill No. 663, entitled:

"An Act authorizing the Commonwealth to negotiate temporary emergency loans to defray the current and other expenses of the State government during the two fiscal years beginning the first day of June one thousand nine hundred forty-one evidenced by tax anticipation notes secured by and payable from current revenues levied assessed collectible and accruing during such two fiscal years defining the powers and duties of the Governor the Auditor General and the State Treasurer in relation thereto providing for the payment of interest on and the repayment of such loans and making an appropriation."

Respectfully submit the following bill as our report:

Weldon B. Heyburn
Franklin S. Edmonds
Harry Shapiro
(Committee on the Part of the Senate.)

Leo A. Achterman
Albert S. Readinger
Edwin Winner
(Committee on the part of the House of Representatives.)

An Act authorizing the Commonwealth to negotiate temporary emergency loans to defray the current and other expenses of the State government during the two fiscal years beginning the first day of June one thousand nine hundred forty-one evidenced by tax anticipation notes secured by and payable from current revenues levied assessed collectible and accruing during such two fiscal years defining the powers and duties of the Governor the Auditor General and the State Treasurer in relation thereto providing for the payment of interest on and the repayment of such loans and making an appropriation

Whereas The present session of the General Assembly has provided revenues of the Commonwealth amounting to at least three hundred seventy-three million dollars ($373,000,000) for general purposes for the biennial fiscal period beginning June first one thousand nine hundred forty-one and

Whereas Such revenues though levied and assessed will not be available in large part for the current and other expenses of the State government until the later parts of the two fiscal years respectively of the said biennial fiscal period and the collectible revenues will not be sufficient to defray the current and other expenses of the State government during the earlier parts of such fiscal years respectively and

Whereas In order that the obligations of the Commonwealth may be met promptly and in order that the State government might not fail through lack of funds it is necessary temporarily to obtain funds to defray the current and other expenses of the State government during the fiscal period aforesaid until the revenues that are subsequent accruing to the State Treasury during said fiscal period are available for this purpose

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The Governor the Auditor General and the State Treasurer on behalf of the Commonwealth of Pennsylvania are hereby authorized and directed during the two fiscal years beginning the first day of June one thousand nine hundred forty-one from time to time to borrow on the credit of the current revenues of the Commonwealth of Pennsylvania such sum or sums of money not exceeding in the aggregate the sum of one hundred seventy-five million dollars ($175,000,000) as may be necessary to defray the current and other expenses of the State government during such fiscal years

Section 2 (a) Such loans shall be evidenced by notes of the Commonwealth of Pennsylvania All of said notes shall mature not later than the thirty-first day of May one thousand nine hundred forty-three Such notes are hereby declared to be tax anticipation notes Such notes or renewals thereof shall be issued from time to time for such total amounts in such sums and subject to such terms and conditions rates of interest not in excess of four and one-half per centum (4½%) per annum and time of payment of interest as the Governor Auditor General and State Treasurer shall determine and direct

(b) All notes issued under the authority of this act shall bear either the signatures of the Governor the Auditor General and the State Treasurer or the facsimile signatures of the Governor the Auditor General and the State Treasurer in which latter event such notes shall be countersigned by two officers of the Philadelphia National Bank (Loan and Transfer Agent of the Commonwealth) All such notes shall bear a fascimile of the great seal of the Commonwealth

(c) All notes issued under the authority of this act shall have the qualities and incidents of negotiable instruments under the Negotiable Instruments Law of the Commonwealth

(d) The current revenues of the biennial fiscal period beginning the first day of June one thousand nine hundred forty-one are pledged for the payment of principal and interest of such notes which shall be payable in lawful money of the United States All notes issued under the provisions of this act shall be exempt from taxation for State and local purposes

Section 3 The proceeds derived from the negotiation of loans under the provisions of this act shall be paid into the General Fund of the State Treasury and shall be used for the payment of appropriations made from such fund to defray the current and other expenses of the State government for the biennial fiscal period beginning the first day of June one thousand nine hundred forty-one

Section 4 Any loans negotiated under the provisions of this act shall be secured by the current revenues levied and assessed for revenue purposes of every kind or character accruing to the General Fund of the State Treasury during the two fiscal years beginning June first one thousand nine hundred forty-one and shall be paid out of such revenues and so much of such revenues as may be necessary for the payment of the principal and interest of such loans are hereby specifically appropriated The Department of Revenue shall allocate such revenues to said payments

Section 5 The provisions of this act are severable and if any of its provisions are held unconstitutional the decision so holding shall not be construed to impair any other provision of this act It is hereby declared as the legislative intent that this act would have been adopted had such unconstitutional provisions not been included therein

Section 6 This act shall become effective immediately upon its final enactment

On the question,

Will the House adopt the report of the Committee of Conference?

Mr. ACHTERMAN. Mr. Speaker, I wish to call to the attention of the Members of the House the fact that the bill that was read by the Clerk is House Bill 663; on the calendar it appears as House Bill 662. I presume one of the two is in error.

The SPEAKER. The Chair was about to state that there is an error in the printing of House Bill No. 662. It should be 663, Printer's No. 1170.

Mr. ACHTERMAN. Mr. Speaker, I wish to state that this report of the Committee of Conference is in conformity with the compromise agreement we had with the Governor of Pennsylvania, and I therefore am urging the Democratic Members of the House to support the report.

On the question recurring,

Will the House adopt the report of the Committee of Conference?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows, viz:

YEAS—204

Achterman,	French,	Malloy,	Royer,
Allmond,	Gallagher,	Marks,	Rush,
Auker,	Gates,	Maxwell,	Sarge,
Baker,	Gerard,	McClanaghan,	Sarraf,
Balthaser,	Gillan,	McClester,	Scanlon,
Bentley,	Gillette,	McDermott,	Schwab,
Bentzel,	Goodwin,	McDowell,	Serrill,
Boles,	Greenwood,	McFall,	Shaffer,
Boney,	Gross,	McIntosh,	Shaw,
Boorse,	Gryskewicz,	McKinney	Shepard,
Bower,	Gyger,	McLanahan,	Simons,
Bradley,	Habbyshaw,	McLane,	Skale,
Bretherick,	Haberlen,	McMillen,	Snyder,
Brown,	Haines,	McSurdy,	Sollenberger,
Brunner, C. H.,	Hall,	Melchiorre,	Sorg,
Brunner, P. A.,	Hamilton,	Mihm,	Stambaugh,
Burns,	Hare,	Modell,	Stank,
Burris,	Harkins,	Monks,	Stine,
Cadwalader,	Harmuth,	Mooney,	Stockham,
Chervenak,	Harris,	Moran,	Tarr,
Chudoff,	Heatherington,	Moul,	Tate,
Cochran,	Helm,	Muir,	Taylor,
Cohen, M. M.,	Hering,	Munley,	Thompson, E. F.,
Cohen, R. E.,	Herman,	Nagel,	Thompson, R. L.,
Cook,	Hersch,	Nunemacher,	Trout,
Cooper,	Hewitt,	O'Brien,	Turner,
Cordier,	Hirsch,	O'Connor,	Van Allsburg,
Corrigan,	Holland,	O'Dare,	Verona,
Croop,	Huntley,	O'Mullen,	Vincent,
Cullen,	Imbrie,	O'Neill,	Vogt,
Dalrymple,	James,	Owens,	Voldow,
Dennison,	Jefferson,	Petrosky,	Voorhees,
DiGenova,	Jones, G. E.,	Pettit,	Wagner,
Dix,	Jones, P. N.,	Polaski,	Watkins,
Dolon,	Keenan,	Polen,	Weingartner,
D'Ortona,	Kenehan,	Powers,	Weiss,
Duffy,	Kline,	Prosen,	Welsh, E. B.,
Early,	Knoble,	Rank,	Welsh, M. J.,
Eckels,	Kolankiewicz,	Rausch,	Wilkinson,
Elder,	Komorofski,	Readinger,	Williams,
Elliott,	Krise,	Reagan,	Winner,
Ely,	Lee, E. A.,	Reese, D. P.,	Wood, L. H.,
Falkenstein,	Lee, T. H.,	Reese, R. E.,	Wood, N.,
Finestone,	Leisey,	Regan,	Woodring,
Finnerty,	Leonard,	Reynolds,	Woodside,
Fisher,	Lesko,	Rhea,	Wright,
Fiss,	Levy,	Riley,	Yeakel,
Fleming,	Leydic,	Rooney,	Yester,
Fletcher,	Lichtenwalter,	Rose, S.,	Young,
Flynn,	Longo,	Rose, W. E.,	Kilroy,
Foor,	Lovett,	Rosenfeld,	Speaker.
	Lyons,		

NAYS—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative, and the report of the Committee of Conference was adopted.

Ordered, That the Clerk inform the Senate accordingly.

REPORT OF COMMITTEE OF CONFERENCE ON HOUSE BILL No. 230

Mr. READINGER. Mr. Speaker, I desire to call up the report of the Committee of Conference on House Bill No. 230, Printer's No. 1175.

The report was read by the Clerk as follows:

To the Members of the Senate and House of Representatives:

We, the undersigned, Committee of Conference on the part of the Senate and House of Representatives for the purpose of considering House Bill No. 230, entitled:

"An act to reenact and amend the title and the act approved the twenty-second day of June one thousand nine hundred thirty-five (P. L. 414) entitled 'An act to provide revenue for State purposes imposing taxes upon certain classes of personal property * * *' as previously reenacted and amended by continuing the State personal property tax and the emergency rate of tax on scrip bonds certificates and evidences of indebtedness assumed or on which interest is paid by corporations for a further limited period of time exempting casualty insurance corporations not having capital stock relieving life insurance corporations from the duty of reporting and paying tax under section seventeen of said act exempting assets held by liquidating trustees imposing the tax upon personal property and held and managed in this Commonwealth owned held or possessed by residents as trustees agents or attorneys-in-fact jointly with one or more trustees agents or attorneys-in-fact domiciled in another state and imposing the tax upon equitable interests of residents in personal property held and managed in another state where

the legal title to such personal property is held by more than one trustee agent or attorney-in-fact one or more of whom are domiciled in another state and one or more of whom are domiciled within this Commonwealth."

Respectfully submit the following bill as our report:

Weldon B. Heyburn
Franklin S. Edmonds
Harry Shapiro
(Committee on the part of the Senate.)

Leo H. Achterman
Albert S. Readinger
Edward Winner
(Committee on the part of the House of Representatives.)

An Act to reenact and amend the title and the act approved the twenty-second day of June one thousand nine hundred thirty-five (P. L. 414) entitled "An act to provide revenue for State purposes imposing taxes upon certain classes of personal property providing for the assessment collection and lien of the same and the distribution of the proceeds thereof imposing duties on executors administrators registers of wills recorders of deeds prothonotaries and court clerks and on persons copartnerships associations banks national banks trust companies and other corporations receiving deposits of money and on certain corporations and limited partnerships conferring powers and imposing duties on certain State officers and departments imposing penalties and making an appropriation" as previously reenacted and amended by continuing the State personal property tax and the emergency rate of tax on scrip bonds certificates and evidences of indebtedness assumed or on which interest is paid by corporations for a further limited period of time exempting casualty insurance corporations not having capital stock relieving life insurance corporations from the duty of reporting and paying tax under section seventeen of said act exempting assets held by liquidating trustees imposing the tax upon personal property held and managed in this Commonwealth owned held or possessed by residents as trustees agents or attorneys-in-fact jointly with one or more trustees agents or attorneys-in-fact domiciled in another state and imposing the tax upon equitable interests of residents in personal property held and managed in another state where the legal title to such personal property is held by more than one trustee agent or attorney-in-fact one or more of whom are domiciled in another state and one or more of whom are domiciled within this Commonwealth

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The title and all the sections of the act approved the twenty-second day of June one thousand nine hundred thirty-five (P. L. 414) entitled "An act to provide revenue for State purposes imposing taxes upon certain classes of personal property providing for the assessment collection and lien of the same and the distribution of the proceeds thereof imposing duties on executors administrators registers of wills recorders of deeds prothonotaries and court clerks and on persons copartnerships associations banks national banks trust companies and other corporations receiving deposits of money and on certain corporations and limited partnerships conferring powers and imposing duties on certain State officers and departments imposing penalties and making an appropriation" as last reenacted and amended by the act approved the fifth day of May one thousand nine hundred thirty-nine (P. L. 76) are hereby reenacted and further amended to read as follows

An Act to provide revenue for State purposes imposing taxes upon certain classes of personal property providing for the assessment collection and lien of the same and the distribution of the proceeds thereof imposing duties on executors administrators registers of wills recorders of deeds prothonotaries and court clerks and on persons copartnerships associations banks national banks trust companies and other corporations receiving deposits of money and on certain corporations and limited partnerships conferring powers and imposing duties on certain State officers and departments imposing penalties and making an appropriation

Section 1 Short Title Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That this act shall be known and may be cited as the "State Personal Property Tax Act"

Section 2 Definitions The following words terms and phrases when use in this act shall have the meanings ascribed to them in this section except where the context clearly indicates a different meaning

"Department" The Department of Revenue of this Commonwealth

"Resident" A person copartnership or unincorporated association or company resident located or liable to taxation within this Commonwealth or a joint-stock company or association limited partnership bank or corporation formed created or incorporated by under or in pursuance of any law of this Commonwealth or of the United States or of any other state or government and liable to taxation within this Commonwealth

The singular shall include the plural and the masculine shall include the feminine and the neuter

Section headings shall not be deemed or construed to limit the text of the sections of this act

Section 3 State Tax on Mortgages Judgments Et Cetera Imposition and Rate of Tax Exceptions All personal property of the classes hereinafter enumerated owned held or possessed by any resident whether such personal property be owned held or possessed by such resident in his own right or as active trustee agent attorney-in-fact or by any resident as trustee agent or attorney-in-fact jointly with one or more trustees agents or attorneys-in-fact domiciled in another state where such personal property is held and managed in this Commonwealth or in any other capacity except as executor or administrator of the estate of a nonresident decedent and except as trustee for a resident or nonresident rligious charitable or educational organization no part of the net earnings of which inures to the benefit of any private stockholder or individual for the use benefit or advantage of any other person copartnership unincorporated association company joint-stock company or association limited partnership bank or corporation and the equitable interest in any such personal property of the classes hereinafter enumerated owned held or possessed by any resident where the legal title to such personal property is vested in a trustee agent or attorney-in-fact domiciled in another state or where the legal title to such personal property is vested in more than one trustee agent or attorney-in-fact one or more of whom are domiciled in another state and one or more of whom are domiciled within this Commonwealth and such personal property is held and managed in another state and where such resident is entitled to receive all or any part of the income therefrom is hereby made taxable annually for State purposes at the rate of four mills on each dollar or the value thereof as of a date to be fixed annually in the manner provided in section five of this act and no failure to assess or return the same shall discharge such owner or holder thereof from liability therefor that is to say

All mortgages all moneys owing by solvent debtors whether by promissory note or penal or single bill bond or judgment all articles of agreement and accounts bearing interest all public loans whatsoever except those issued by this Commonwealth or the United States and those made taxable for State purposes by section seventeen hereof all loans issued by any corporation association company or limited partnership created or formed under the laws of this Commonwealth or of the United States or of any other state or government including car-trust securities and loans secured by bonds or any other form of certificate or evidence of indebtedness whether the interest be included in the principal of the obligation or payable by the terms thereof except such loans as are made taxable for State purposes by section

seventeen hereof all shares of stock in any bank corporation association company or limited partnership created or formed under the laws of this Commonwealth or of the United States or of any other state or government except shares of stock in any bank bank and trust company national banking association savings institution corporation or limited partnership liable to a tax on its shares or the capital stock tax or franchise tax imposed by section twenty-one of the act approved the first day of June one thousand eight hundred eighty-nine (P. L. 420) and its amendments and supplements for State purposes under the laws of this Commonwealth all moneys loaned or invested in other states territories the District of Columbia or foreign countries all other moneyed capital owing to individual citizens of the State and the principal value of all annuities Provided That this section shall not apply to bank notes or notes discounted or negotiated by any bank or banking institution savings institution or trust company nor to loans shares of stock or other securities held by bankers or brokers solely for trading purposes nor to accounts or debit balances owing by customers of bankers or brokers in the usual courses of business nor to interest-bearing accounts in any bank or banking institution savings institution employes thrift or savings association whether operated by employes or the employer or trust company nor to personal property held in the commercial department and owned in its own right by a banking institution savings institution or trust company in liquidation by a receiver trustee or other fiduciary nor to personal property formerly held by a banking institution in its own right but assigned by it to one or more trustees for liquidation and payment to the creditors and stockholders of such banking institutions And provided further That the provisions of this act shall not apply to building and loan associations or to shares of stock issued by building and loan associations or to savings institutions having no capital stock and if at any time either now or hereafter any persons individuals or bodies corporate have agreed or shall hereafter agree to issue his their or its securities bonds or other evidences of indebtedness clear of and free from the said four mills tax herein provided for or any part thereof or have agreed or shall hereafter agree to pay the same or any part thereof nothing herein contained shall be so construed as to relieve or exempt him it or them from paying the said four mills tax on any of the said securities bonds or other evidences of indebtedness as may be held owned by or owing to the said savings institution having no capital stock And provided further That the provisions of this act shall not apply to fire companies firemen's relief associations life casualty or fire insurance corporations having no capital stock secret and beneficial societies labor unions and labor union relief associations and all beneficial organizations paying sick or death benefits or either or both from funds received from voluntary contributions or assessments upon members of such associations societies or unions And provided further That corporations limited partnerships and joint-stock associations liable to a tax on their shares or the aforesaid capital stock or franchise tax for State purposes shall not be required to make any report or pay any further tax under this section on the mortgages bonds and other securities owned by them in their own right but corporations limited partnerships and joint-stock associations holding such securities as trustees executors administrators guardians or in any other manner except as executor or administrator of the estate of a nonresident decedent and except as trustee for a resident or nonresident religious charitable or educational organization no part of the net earnings of which inures to the benefit of any private stockholder or individual shall return and pay the tax imposed by this section upon all securities so held by them as in the case of individuals And provided further That none of the classes of property made taxable by this section for State purposes shall be taxed or taxable for any other local purpose under the laws of this Commonwealth except for county purposes and in cities coextensive with counties for city and county purposes as now provided by law And provided further That the provisions of this section shall not apply to personal property of the class hereinabove enumerated received from any person or persons copartnership or unincorporated association or company nonresident in or not located within this Commonwealth or from any joint-stock company or or association limited partnership bank or corporation formed erected or incorporated by under or in pursuance of any law of the United States or of any state or government other than this Commonwealth by any person or persons copartnership unincorporated association company joint-stock company or association limited partnership bank or corporation as active trustee agent attorney-in-fact or in any other capacity for the use benefit or advantage of any person or persons copartnership or unincorporated association or company nonresident in or not located within this Commonwealth or for the use benefit or advantage of any joint-stock company or association limited partnership bank or corporation formed erected or incorporated by under or in pursuance of any law of the United States or of any state or government other than this Commonwealth Nor shall the provisions of this section apply to personal property held for the use benefit or advantage of any resident who shall have in each of the ten preceding calendar years given or contributed all of his net income to any corporation organized or operated exclusively for religious charitable scientific literary or educational purposes

The value of the equitable interest in any personal property made subject to tax by this section shall be measured by ascertaining the value of the personal property in which such resident has the sole equitable interest or in case of divided equitable interests in the same personal property then by ascertaining such part of the value of the whole of such personal property as represents the equitable interest of such resident therein

Section 4 Returns and Payment of Tax (a) For the purpose of ascertaining the amount of tax payable under the third section of this act it shall be the duty of every resident liable to pay such tax on or before the fifteenth day of February of each year to transmit to the department upon a form prescribed prepared and furnished by the department a return in duplicate the original under oath or affirmation of

(1) The aggregate actual value of each part of the different classes of property made taxable by the third section of this act held owned or possessed by such resident as of the date fixed annually in the manner provided in section five of this act either in his own right as a trustee agent attorney-in-fact or in any other capacity for the use benefit or advantage of any other person copartnership unincorporated association company limited partnership joint-stock association or corporation

(2) The amount of interest dividends or other income derived from each class of such property at any time during the preceding calendar year and

(3) Such other information as may be required by the department concerning each of the different classes of property whether or not taxable enumerated in the third section of this act owned held or in any manner possessed by such resident

The duplicate unsworn return shall be forwarded by the Department of Revenue to the county commissioners board of revision of taxes or board for the assessment and revision of taxes as the case may be of the county from which the return was made for its use and information

The failure of any taxable resident to receive or procure a return form shall not excuse him from making a return

(b) The return so made shall be sworn or affirmed to by the person making the same if an individual and in the case of copartnerships unincorporated associations and joint-stock associations and companies by some member thereof and in the case of limited partnerships and corporations by the president chairman or treasurer thereof

(c) Any agent duly authorized by the department is hereby authorized to administer the oath or affirmation to any person or officer making the return prescribed by this section for the taking of which oath or affirmation no charge shall be made Any such agent who shall make any charge for administering such oath or affirmation shall be deemed guilty of a misdemeanor and upon conviction thereof shall be sentenced to pay a fine not exceeding five hundred dollars ($500.00) or to undergo imprisonment not exceeding one (1) year either or both in the discretion of the court

(d) The tax imposed by section three hereof shall be due and payable when such return is required to be filed and every resident at the time of making every return shall compute and pay to the department the tax due the Commonwealth by such resident

Section 5 Listing Date The department shall on or before the fifteenth day of January one thousand nine hundred thirty-eight and annually thereafter fix a day as of which the property made taxable by the third section of this act shall be listed and returned The day so fixed shall be between the first and the fifteenth days of the month of January both inclusive and the day so fixed shall be printed or stamped on the forms for making returns of all such property If through inadvertence mistake or otherwise the department fails to designate or fix such date or if such date does not appear on the form for making return of such property the date as of which such property shall be listed and assessed shall be the immediately preceded first day of January

Section 6 Assessment by the Department Notice If any taxable resident shall fail to file a return or fail to include in any return all of his property made taxable by the third section of this act or shall fail to compute and pay the tax due the Commonwealth as required in this act the department shall make an assessment of tax against such resident of the amount of tax for which such resident is liable or for which he is believed by the department to be liable together with a penalty of ten per centum of such tax Promptly thereafter the department shall give or send by mail or otherwise notice thereof to such resident If such resident is dissatisfied with the assessment so made he may petition for a reassessment in the manner hereinafter provided

Section 7 Assessment Made at any Time within Five Years An assessment as heretofore provided may be made by the department at any time within five (5) years after any property owned held or possessed or alleged to have been so owned held or possessed by any resident should have been returned by him for taxation notwithstanding he shall have paid a tax assessed on the basis of returns previously made or filed and notwithstanding the department shall have made previous assessments against such resident In any such case no credit shall be given for any penalty formerly assessed and paid

Section 8 Petition for Reassessment Appeal (a) Any resident against whom an assessment is made may petition the department for a reassessment Notice of an intention to file such a petition or to appear and be heard shall be given to the department within ninety (90) days after notice of such assessment is given or sent by the department to the taxpayer as provided in this act The department shall hold such hearings as may be necessary to hear and determine petitions for reassessment at such places and at such times as may be determined by rules and regulations of the department and each petitioner who has duly notified the department of an intention to file a petition for reassessment or to appear and be heard shall be notified by the department of the time when and the place where such hearings shall be held All such petitions shall set forth specifically and in detail the grounds upon which it is claimed the assessment is erroneous or unlawful and shall be accompanied by an affidavit under oath or affirmation certifying to the correctness of the facts stated therein If no petition for reassessment is filed with the department the petitioner may in lieu thereof appear at the hearing and present his petition orally in which event all testimony or statements of facts shall be made under oath or affirmation

(b) If such petitioner is dissatisfied with the action of the department on his petition for reassessment he shall have the right to appeal to the court of common pleas of the county where he resides at any time within sixty (60) days after notice of such action is given to him by the department If any resident shall fail to give due notice of an intention to petition for reassessment and to file a petition for reassessment or to appear and be heard after due notice of his intention to do so or to appeal to the court of common pleas within the time and in the manner herein set forth the right to do so shall be forever barred and any such resident so failing shall not thereafter be permitted in a suit for the recovery of such tax to set up any ground of defense which might have been determined either by the department or the court of common pleas as aforesaid In all cases of petitions for reassessment and appeals the burden of proof shall be on the petitioner or appellant as the case may be and every appeal to the court of common pleas under this section shall specify all the objections to the assessment and any objection not specified in the appeal shall not be considered by the court

Section 9 Information at Source Reports (a) The executor of every will and the administrator of every estate at the time of filing with the register of wills or clerk of the orphans court the inventory and appraisal of such estate or of any affidavit setting forth the real and personal estate of such decedent for the purpose of determining the transfer inheritance tax imposed thereon by existing law shall in addition thereto file with such register of wills or clerk of the orphans court a statement in duplicate under oath or affirmation setting forth the items included in such inventory or affidavit which may be liable to the tax imposed by the third section of this act The register or clerk with whom the same is filed shall forthwith send one copy thereof to the department It shall be the duty of the department to proceed at once to assess the tax due from such decedent with interest as heretofore provided in this act and to present a claim therefor through the Department of Justice to the orphans court of the proper county or to proceed by action or suit at law through the Department of Justice in any court of competent jurisdiction for the recovery thereof or to take any or all appropriate steps or procedure necessary for the collection of such tax

(b) It shall be the duty of the recorder of deeds in each and every county in this Commonwealth to keep a daily record separate and apart from all other records of every mortgage or article of agreement given to secure the payment of money entered in his office for recording which record shall set forth the following information to with The date of the mortgage or agreement the names of the parties thereto the just sum of money secured the precise residence of the mortgagee or person to whom interest is payable a brief description of the real estate upon which such mortgage is secured and the date or several dates when the said sum or portion of the said sum shall become due and payable and a like daily record of every assignment of a mortgage or an article of agreement given to secure the payment of money and also the number of mortgages and agreements together with the amount of same and the names of the parties thereto which shall have been that day satisfied of record For the purpose of obtaining with accuracy the precise residence of all mortgagees assignees and persons to whom interest is payable on articles of agreement it shall be the duty of the recorder of deeds in each county whenever a mortgage assignment or agreement given to secure the payment of money shall be presented to him for record to refuse the same unless the mortgage assignment or agreement has attached thereto and made part thereof a certificate signed by the mortgagee assignee or person entitled to interest or his duly authorized attorney or agent setting forth the precise residence of such mortgagee assignee or person entitled to interest and such certificate shall be recorded with the mortgage assignment or agreement Every recorder of deeds on the first Monday of each month shall file the aforesaid

daily record or a copy thereof with the department

(c) It shall be the duty of the prothonotary or clerk of the court of common pleas in each and every county in this Commonwealth forthwith upon the passage of this act to keep a daily record separate and apart from all other records of every single bill bond judgment or other instrument securing a debt entered of record in his office Such daily record shall set forth the following information to wit The date of the instrument the names of the plaintiff and defendant together with the precise residence of the plaintiff or person to whose use such bill bond judgment or other obligation to pay money is marked whenever such residence can be ascertained the just sum secured and the date or several dates when the said sum or portion of the same shall become due and payable with the further information whether any of said bonds or judgments are accompanied with mortgages and also the number of every single bill bond judgment or other instrument securing a debt together with the amount of same and the names of the plaintiff and defendant thereto which shall have been that day satisfied The prothonotary or clerk of the court of common pleas shall file the aforesaid daily record or a copy thereof with the department on the first Monday of each month

Section 10 Compensation of Recorders and Prothonotaries The several recorders of deeds prothonotaries and court clerks as aforesaid shall be entitled to receive ten cents for each and every mortgage judgment or lien assignment or satisfaction thereof reported to the department as heretofore required in this act Such fees shall be paid by the respective county treasurers on the presentation of proper vouchers certified by the department and shall be applied in like manner as other fees received by such recorders prothonotaries or clerks Provided That no fee shall be allowed in any case where the residence of any plaintiff mortgagee or assignee is omitted in such reports And provided further That the amount allowed any prothonotary or clerk or recorder of deeds under this act shall not exceed the sum of six hundred dollars ($600.00) per annum

Section 11 Due Date All taxes imposed by the third section of this act shall be due and payable on the fifteenth day of February of each year

Section 12 Interest The tax imposed by the third section of this act shall bear interest at the rate of six per centum per annum from the date such tax is due and payable until thirty (30) days after the department shall make an assessment and thereafter at the rate of twelve per centum per annum until paid except that any tax found due as the result of an appeal to the court of common pleas or any appellate court shall bear interest at the rate of six per centum per annum from the date the tax was originally due and payable until paid

Section 13 Lien of Taxes (a) All taxes imposed under the third section of this act together with all penalties and interest shall be considered a public account after becoming due and payable in the manner prescribed in this act and as such shall be a lien upon the franchises and real property of the resident against whom the same are assessed after the same has been entered and docketed of record by the prothonotary of the county where the resident's franchises or property are situated

(b) The department may at any time transmit to the prothonotaries of the respective counties of the Commonwealth to be by them entered of record certified copies of all liens for taxes imposed by the third section of this act and penalties and interest upon which record it shall be lawful for writs of scire facias to issue and be prosecuted to judgment and execution in the same manner as such writs are ordinarily employed

Section 14 Credit for Overpayment The Board of Finance and Revenue may allow a credit for any taxes imposed by the third section of this act and penalties and interest thereon paid to the Commonwealth to which the Commonwealth is not rightfully or equitably entitled Claims for such credits shall be made in accordance with the provisions of "The Fiscal Code" relative to petitions for refunds of taxes No petition for such credit shall be considered by the board unless filed with the board within two (2) years of the payment alleged to have been erroneously made

Upon the allowance of any such petition the credit so determined may be applied against any amount due or subsequently becoming due by such petitioner on account of taxes imposed by the third section of this act and penalties and interest thereon or may be assigned in whole or in part to any other taxable resident to be applied against any amounut due or subsequently becoming due by such resident on account of taxes imposed by the third section of this act and penalties and interest thereon Upon the allowance of a petition for credit the board shall issue its certificate under its hand and seal and no credit claimed whether assigned or not shall be allowed unless evidenced by such certificate

Section 15 Penalties Costs (a) Every person or officer who shall wilfully and corruptly make a false and fraudulent return of property made taxable by the third section of this act shall be guilty of wilful and corrupt perjury and upon conviction thereof shall be subject to punishment as provided by law

(b) Any wilful failure on the part of recorders of deeds or prothonotaries or clerks to carry out the duties imposed upon them by section nine of this act shall be deemed a misdemeanor and upon conviction thereof the person or persons so failing to comply shall be sentenced to pay a fine not exceeding five hundred dollars ($500.00) or to undergo imprisonment not exceeding one (1) year or both in the discretion of the court

(c) Every register of wills who shall fail to send copies of affidavits filed with him by executors or administrators to the department as required by section nine of this act shall be guilty of a misdemeanor and upon conviction thereof the register so failing shall be sentenced to pay a fine not exceeding five hundred dollars ($500.00) or to undergo imprisonment not exceeding one (1) year or both in the discretion of the court

(d) Every executor or administrator who wilfully fails to file the affidavit with the register of wills as required by section nine of this act shall be subject to a penalty of twenty-five ($25.00) for the first day and ten dollars ($10.00) for each succeeding day during which such affidavit is not filed to be collected by the department through the Department of Justice in the same manner as debts are by law collected

(e) Whenever any person acting for or on behalf of the department shall in good faith institute legal proceedings for any violations of the provisions of this act and for any reason shall fail to recover costs of record such costs shall be a charge upon the proper county as shall such costs in the event defendant is imprisoned for failure to pay fine or costs or both and shall be audited and paid as are costs of like character in said county

Section 16 Enforcement Rules and Regulations Inquisitorial Powers of the Department (a) The department is hereby charged with the enforcement of the provisions of this act and is hereby authorized and empowered to prescribe adopt promulgate and enforce rules and regulations relating to any matter or thing pertaining to the administration and enforcement of the provisions of this act and the collection of taxes penalties and interest imposed by this act

(b) The department or any agent authorized in writing by it is hereby authorized to examine the books papers and records of any resident in order to verify the accuracy of any return made or if no return was made to ascertain and assess the tax imposed by the third section of this act Every such resident is hereby directed and required to give to the department or its duly authorized agent the means facilities and opportunity for such examinations and investigations as are hereby provided and authorized The department is hereby authorized to examine any person under oath concerning any property which was or should have been returned for taxation and to this end may compel the production of books papers and records and the attendance of all persons whether as parties or witnesses whom

it believes have knowledge of such property The procedure for such hearing or examination shall be the same as that provided by 'The Fiscal Code" relating to inquisitorial powers of fiscal officers

Any information gained by the department as a result of any returns investigations hearings or verifications required or authorized by this act and any information taxes or board for the assessment and revision of taxes gained by the county commissioners board of revision of as the result of duplicate returns received from the department shall be confidential except for official purposes and any person or agent divulging such information shall be deemed guilty of a misdemeanor and upon conviction thereof shall be sentenced to pay a fine not in excess of five hundred dollars ($500.00) or to undergo imprisonment for not more than three (3) years or both in the discretion of the court

(c) The powers conferred by this act upon the department relating to the administration or enforcement of this act shall be in addition to but not exclusive of any other powers heretofore or hereafter conferred upon the department by law

Section 17 State Tax on Scrip Bonds Et Cetera Imposition and Rate of Tax All scrip bonds certificates and evidences of indebtedness issued and all scrip bonds certificates and evidences of indebtedness assumed or on which interest shall be paid by any and every private corporation incorporated or created under the laws of this Commonwealth or the laws of any other state or of the United States and doing business in this Commonwealth and having a resident corporate treasurer therein except first class or nonprofit corporations are hereby made taxable for State purposes at the rate of eight mills on each dollar of the nominal value thereof during the calendar years one thousand nine hundred thirty-eight one thousand nine hundred thirty-nine one thousand nine hundred forty [and] one thousand nine hundred forty-one one thousand nine hundred forty-two and one thousand nine hundred forty-three on reports filed for the calendar years [one thousand nine hundred thirty-seven] one thousand nine hundred thirty-eight one thousand nine hundred thirty-nine [and] one thousand nine hundred forty one thousand nine hundred forty-one one thousand nine hundred forty-two and one thousand nine hundred forty-three or for any fiscal year beginning in the calendar years [one thousand nine hundred thirty-seven] one thousand nine hundred thirty-eight one thousand nine hundred thirty-nine [and] one thousand nine hundred forty one thousand nine hundred forty-one one thousand nine hundred forty-two and one thousand nine hudred forty-three and at the rate of four mills on each dollar of the nominal value thereof during the calendar years one thousand nine hundred [forty-one] forty-four and every year thereafter on reports filed for the calendar years one thousand nine hundred [forty-one] forty-four (or for any fiscal year beginning in the calendar year one thousand nine hundred [forty-one] forty-four) and for every year thereafter and all scrip bonds certificates and evidences of indebtedness issued and all scrip bonds certificates and evidences of indebtedness assumed or on which interest shall be paid by any county city borough township school district or incorporated district of this Commonwealth are hereby made taxable for State purposes at the rate of four mills on each dollar of the nominal value thereof during the calendar year one thousand nine hundred thirty-eight and every year thereafter on reports filed for the calendar year one thousand nine hundred thirty-seven or for any fiscal year beginning in the calendar year one thousand nine hundred thirty-seven and for every year thereafter Provided That whenever under the provisions of this section any private corporation shall become liable for such taxes upon evidences of indebtedness by it assumed or on which it shall pay interest it shall be the duty of such corporation not later than ten (10) days thereafter to give notice in writing to any person who may at such time be liable for the payment of any taxes upon such evidences of indebtedness under the provisions of the third section of this act that the corporation has assumed such indebtedness or the payment of the interest thereon and will deduct and pay the taxes imposed thereon by this section Such notice shall also be given before the first day of October of each and every subsequent year during which such corporation is liable for the payment of such interest. Where any private corporation shall assume such evidences of indebtedness or the payment of interest thereon prior to the first day of October in any year and shall give notice as hereinbefore provided such corporation shall be relieved from the duty of deducting and paying the taxes imposed by this section for the balance of such year but shall deduct and pay said taxes for the ensuing year and the person to whom such notice shall be given shall for such ensuing year be relieved from the payment of tax under the provisions of the third section of this act upon such evidences of indebtedness so assumed or on which the corporation shall pay interest Where any private corporation shall assume such evidences of indebtedness or the payment of interest thereon on or subsequent to the first day of October in any year and shall give the notice as hereinbefore provided such corporation shall be relieved from the duty of deducting and paying the tax upon such evidences of indebtedness by it assumed or on which it shall pay interest for the balance of such year and for the ensuing year and the person to whom notice is so given shall pay the tax for the period for which the corporation is relieved upon such evidences of indebtedness so assumed or on which the corporation shall pay interest as provided for in the third section of this act Neglect or failure on the part of any corporation upon assuming any evidences of indebtedness or becoming liable for the payment of interest thereon to give the notice as herein provided and within the time prescribed shall make such corporation liable for the payment of taxes from the time when such evidences of indebtedness are assumed or for the entire period for which interest shall be paid Neglect or failure to give such notice before the first day of October of each and every subsequent year during which such corporation is liable for the payment of such interest shall make the corporation liable for such taxes for the year following without any deductions from interest due as hereinbefore provided Provided That this section shall not apply to bank notes or notes discounted or negotiated by any bank or banking institution savings institution or trust company nor to interest bearing accounts in any bank banking institution savings institution employes thrift or savings association whether operated by employes or the employer or trust company And provided further That the provisions of this act shall not apply to building and loan associations or to savings institutions having no capital stock and if at any time either now or hereafter any persons individuals or bodies corporate have agreed or shall hereafter agree to issue his their or its securities bonds or other evidences of indebtedness clear of and free from the tax or any part thereof provided for in this act or in the act approved the seventeenth day of June one thousand nine hundred thirteen (P. L. 507) or have agreed or shall hereafter agree to pay the same nothing herein contained shall be so construed as to relieve or exempt him it or them from paying the tax imposed herein on any of such securities bonds or other evidences of indebtedness as may be held owned by or owing to the said savings institution having no capital stock And provided further That the provisions of this act shall not apply to fire companies firemen's relief associations life [or] insurance companies casualty or fire insurance corporations having no capital stock secret and beneficial societies labor unions and labor union relief associations and all beneficial organizations paying sick or death benefits or either or both from funds received from voluntary contributions or assessments upon members or such associations societies or unions And provided further That corporations limited partnerships and joint-stock associations liable to tax on capital stock for State purposes shall not be required to pay any further tax under this section on the mortgages bonds and other securities owned by them in their own right but corporations limited partnerships and joint-stock

associations holding such securities as trustees executors administrators guardians or in any other manner except as executor or administrator of the estate of a nonresident decedent and except as trustee for a resident or nonresident relgious charitable or educational organization no part of the net earnings of which inures to the benefit of any private stockholder or individual shall be liable for the tax imposed by this section upon all securities so held by them as in the case of individuals And provided further That none of the classes of property made taxable by this section for state purposes shall be taxed or taxable for county school or other local purposes And provided further That the provisions of this section shall not apply to personal property of the classes hereinabove enumerated received from any person or persons copartnership or unincorporated association or company nonresident in or not located within this Commonwealth or from any joint-stock association limited partnership bank or corporation formed created or incorporated by under or in pursuance of any law of the United States or of any state or government other than this Commonwealth by any person or persons copartnership or unincorporated association resident in this Commonwealth company joint-stock company or association limited partnership bank or corporation created or existing under the laws of this Commonwealth or doing business within this Commonwealth as active trustee agent attorney-in-fact or in any other capacity for the use benefit or advantage of any person or persons copartnership or unincorporated association or company nonresirent in or not located within this Commonwealth or for the use benefit or advantage of any joint-stock company or association limited partnership bank or corporation formed created or incorporated by under or in pursuance of any law of the United States or of any state or government other than this Commonwealth or any such property whatsoever owned held or possessed by any person or persons copartnership or unincorporated association resident in this Commonwealth company joint-stock company or association limited partnership bank or corporation created and existing under the laws of this Commonwealth or doing business within this Commonwealth in the capacity of executor or administrator of a nonresident decedent or as trustee agent or attorney-in-fact for any resident or nonresident religious charitable scientific literary or educational organization no part of the net earnings of which inures to the benefit of any private stockholder or individual

It is the intent of this act that all scrip bonds certificates and evidences of indebtedness made taxable under this section are not taxable under the third section of this act and that only such scrip bonds certificates and evidences of indebtedness which cannot be made taxable under this section are to be taxed under the third section of this act

Section 18 Reports and Payments of the State Tax by Private Corporations and Municipalities (a) It shall be the duty of the resident treasurer of each private corporation incorporated by or under the laws of this Commonwealth or the laws of any other state or of the United States or any foreign country and doing business in this Commonwealth except nonprofit corporations and cooperative agriculture associations not having capital stock and not conducted for profit and it shall be the duty of the treasurer of each county city borough township school district or incorporated district of this Commonwealth upon the payment of any interest on any scrip bond certificate or evidence of indebtedness issued or assumed by such corporation county city borough township school district or incorporated district or upon which it is liable for the payment of the interest to residents of this Commonwealth and held by them to assess the tax imposed for State purposes by the seventeenth section of this act upon the nominal value of each such scrip bonds certificates or evidences of indebtedness and to report under oath or affirmation annually on or before the fifteenth day of March for the calendar year next preceding to the department the amount of such indebtedness owned held or in any manner possessed by residents of this Commonwealth together with such information as the department may require Provided That such scrip bonds certificates and evidences of indebtedness shall be deemed to be owned held or possessed by residents of this Commonwealth unless it is established that they are not so owned held or possessed and it shall be his further duty to deduct the tax imposed by the seventeenth section of this act on the payment of any interest upon such indebtedness and return the same to the State Treasury through the department within the time prescribed by law and his compensation for his services shall be five per centum on the first one thousand dollars ($1,000.00) or fractional part thereof one per centum on all amounts over one thousand dollars ($1,000.00) and not over two thousand dollars ($2,000.00) and one-half of one per centum on all amounts over two thousand dollars ($2,000.00) Upon the payment of said State tax such scrip bonds certificates or evidences of indebtedness shall be exempt from all other taxation in the hands of the holder of the same

The time for filing reports may be extended taxpayers may be permitted to file their reports on a fiscal year basis and the procedure and penalties in case of failure to report and pay the tax shall be as prescribed by law

(b) It is the intent and meaning of this act that the tax for State purposes imposed upon obligations of private and public corporations by section seventeen of this act shall be collected in the same manner as the tax heretofore imposed for State purposes upon such obligations

Section 19 Constitutional Construction If any section sentence clause or part of this act is for any reason held to be unconstitutional the decision of the court shall not affect or impair any of the remaining provisions of this act It is hereby declared as the legislative intent that this act would have been adopted had such unconstitutional sentence section clause or part thereof not been included herein

Section 20 Repealer and Saving Clause (a) All acts or parts of acts inconsistent with the provisions of this act are hereby repealed but the provisions of this act so far as they are the same as those of existing laws shall be construed as a continuation of such laws and not as new enactments

(b) Sections seventeen and eighteen of the act approved the seventeenth day of June one thousand nine hundred thirteen (P. L. 507) entitled "An act to provide revenue for State and county purposes and in cities coextensive with counties for city and county purposes imposing taxes upon certain classes of personal property providing for the assessment and collection of the same providing for the duties and compensation of prothonotaries and recorders in connection therewith and modifying existing legislation which provided for raising revenue for State purposes" and their amendments are hereby repealed but this act shall not be construed to repeal any of the remaining provisions of said act

(c) Nothing herein contained shall be construed as reviving any act repealed by the act which this act repeals and the passage of this act shall not be taken or construed to relieve any person association or corporation from the payment of any taxes penalties and interest imposed by section seventeen of the said act of June seventeenth one thousand nine hundred and thirteen (P. L. 507) [on reports filed for the calendar year one thousand nine hundred thirty-six or for any fiscal year beginning in the calendar year one thousand nine hundred thirty-six and prior years] or from any taxes penalties and interest imposed by the provisions of any act or parts of acts in force at the time this act becomes effective or to affect or terminate any petiions investigations prosecutions legal or otherwise or other proceedings pending under the provisions of any act or parts of acts in force at the time this act becomes effective or repealed by this act or to prevent the commencement further prosecution of any legal proceedings by the proper authorities of the Commonwealth for violations of such acts or for the collection or recovery of taxes penalties and interest due or owing to the Commonwealth under such acts

Section 21 Effective Date This act shall become effective immediately upon its final enactment and be in force for the assessment and collection of taxes under section three of this act for the calendar years one thousand nine hundred thirty-eight one thousand nine hundred thirty-nine one thousand nine hundred forty [and] one thousand nine hundred forty-one oe thousand nine hundred forty-two and one thousand nine hundred forty-three and for the collection of taxes under section seventeen of this act for the calendar year one thousand nine hundred thirty-eight and every year thereafter on reports filed for the calendar year one thousand nine hundred [thirty-seven] thirty-eight (or for any fiscal year beginning in the calendar year one thousand nine hundred [thirty-seven] thirty-eight) and for every year thereafter

Section 2 This reenacting and amending act shall become effective immediately upon its final enactment The exemption extended by this reenacting and amending act to personal property held in the commercial department and owned in its own right by a banking institution savings institution or trust company in liquidation by a receiver trustee or other fiduciary or to personal property formerly held by a banking institution in its own right but assigned by it to one or more trustees for liquidation and payment to the creditors and stockholders of such banking institutions is hereby made retroactive for the years one thousand nine hundred thirty-five one thousand nine hundred thirty-six one thousand nine hundred thirty-seven one thousand nine hundred thirty-eight one thousand nin hundred thirty-nine and one thousand nine hundred forty it being the legislative intent and purpose that no tax under this act shall be assessed or collected with respect to such property for such years or for any year thereafter

On the question,

Will the House adopt the report of the Committee of Conference?

Mr. ACHTERMAN. Mr. Speaker, I just merely wish to say that the report of the Committee on Conference on House Bill 230, and I presume the report of the same committee on House Bill 234, which I think will be read next, is in accordance with the compromise agreement that we had with the Governor, and I ask the Democratic Members of the House to support it.

On the question recurring,

Will the House adopt the report of the Committee of Conference?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows, viz:

YEAS—203

Achterman,	French,	Malloy,	Royer,
Allmond,	Gallagher,	Marks,	Rush,
Auker,	Gerard,	Maxwell,	Sarge,
Baker,	Gillan,	McClanaghan,	Sarraf,
Balthaser,	Gillette,	McClester,	Scanlon,
Bentley,	Goodwin,	McDermott,	Schwab,
Bentzel,	Greenwood,	McDowell,	Serrill,
Boles,	Gross,	McFall,	Shaffer,
Boney,	Gryskewicz,	McIntosh,	Shaw,
Boorse,	Gyger,	McKinney,	Shepard,
Bower,	Habbyshaw,	McLanahan,	Simons,
Bradley,	Haberlen,	McLane,	Skale,
Bretherick,	Haines,	McMillen,	Snyder,
Brown,	Hall,	McSurdy,	Sollenberger,
Brunner, C. H.,	Hamilton,	Melchiorre,	Sorg,
Brunner, P. A.,	Hare,	Mihm,	Stambaugh,
Burns,	Harkins,	Modell,	Stank,
Burris,	Harmuth,	Monks,	Stine,
Cadwalader,	Harris,	Mooney,	Stockham,
Chervenak,	Heatherington,	Moran,	Tarr,
Chudoff,	Helm,	Moul,	Tate,
Cochran,	Hering,	Muir,	Taylor,
Cohen, M. M.,	Herman,	Munley,	Thompson, E. F.,
Cohen R. E.,	Hersch,	Nagel,	Thompson, R. L.,
Cook,	Hewitt,	Nunemacher,	Trout,
Cooper,	Hirsch,	O'Brien,	Turner,
Cordier,	Holland,	O'Connor,	Van Allsburg,
Corrigan,	Huntley,	O'Dare,	Verona,
Croop,	Imbrie,	O'Mullen,	Vincent,
Cullen,	James,	O'Neill,	Vogt,
Dalrymple,	Jefferson,	Owens,	Voldow,
Dennison,	Jones, G. E.,	Petrosky,	Voorhees,
DiGenova,	Jones, P. N.,	Pettit,	Wagner,
Dix,	Keenan,	Polen,	Watkins,
Dolon,	Kenehan,	Polaski,	Weingartner,
D'Ortona,	Kline,	Powers,	Weiss,
Duffy,	Knoble,	Prosen,	Welsh, E. B.,
Early,	Kolankiewicz,	Rank,	Welsh, M. J.,
Eckels,	Komorofski,	Rausch,	Wilkinson,
Elder,	Krise,	Readinger,	Williams,
Elliott,	Lee, E. A.,	Reagan,	Winner,
Ely,	Lee, T. H.,	Reese, D. P.,	Wood, L. H.,
Falkenstein,	Leisey,	Reese, R. E.,	Wood, N.,
Finestone,	Leonard,	Regan,	Woodring,
Finnerty,	Lesko,	Reynolds,	Woodside,
Fisher,	Levy,	Rhea,	Wright,
Fiss,	Leydic,	Riley,	Yeakel,
Fleming,	Lichtenwalter,	Roone,	Yester,
Fletcher,	Longo,	Rose, S.,	Young,
Flynn,	Lovett,	Rose, W. E.,	Kilroy,
Foor,	Lyons,	Rosenfeld,	Speaker

NAYS—1

Gates,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative, and the report of the Committee of Conference was adopted.

Ordered, That the Clerk inform the Senate accordingly.

REPORT OF COMMITTEE OF CONFERENCE ON HOUSE BILL No. 234

Mr. READINGER. Mr. Speaker, I desire to call up the report of the Committee of Conference on House Bill No. 234, Printer's No. 1174.

The report was read by the Clerk as follows:

To the Members of the Senate and House of Representatives:

We, the undersigned, Committee of Conference on the part of the Senate and House of Representatives for the purpose of considering House Bill No. 234, entitled:

"An Act to further amend section one of the act approved the fifteenth day of July one thousand eight hundred ninety-seven (P. L. 292), entitled 'An act to provide revenue by taxation' by increasing the rate of tax for a further limited period of time."

Respectfully submit the following bill as our report:

Weldon B. Heyburn
Franklin S. Edmonds
Harry Shapiro
(Committee on the part of the Senate.)

Leo A. Achterman
Albert S. Readinger
Edwin Winner
Committee on the part of the House of Representatives.)

An Act to further amend section one of the act approved the fifteenth day of July one thousand eight hundred ninety-seven (P. L. 292) entitled "An act to provide revenue by taxation" by increasing the rate of tax for a further limited period of time

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section one of the act approved the fifteenth day of July one thousand eight hundred ninety-seven (P. L. 292) entitled "An act to provide revenue by taxation"

as last amended by the act approved the fourth day of May one thousand nine hundred thirty-nine (P. L. 53) is hereby further amended to read as follows

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That from and after the passage of this act every bank or savings institution having capital stock incorporated by or under any law of this Commonwealth or under any law of the United States and located within this Commonwealth shall on or before the fifteenth day of February in each and every year make to the Department of Revenue a report in writing verified as required by law setting forth the full number of shares of the capital stock subscribed for or issued as of the preceding thirty-first day of December by such bank or savings institution and the actual value thereof as of the preceding thirty-first day of December which actual value shall be ascertained as hereinafter provided It shall be the duty of the Department of Revenue to assess such shares for taxation at the same rate as that imposed upon other monied capital in the hands of individual citizens of the State that is to say for the calendar years ending December thirty-first one thousand nine hundred thirty-six December thirty-first one thousand nine hundred thirty-seven December thirty-first one thousand nine hundred thirty-eight December thirty-first one thousand nine hundred thirty-nine [and] December thirty-first one thousand nine hundred forty December thirty-first one thousand nine hundred forty-one and December thirty-first one thousand nine hundred forty-two at the rate of eight mills upon each dollar of the actual value thereof and thereafter at the rate of four mills upon each dollar of the actual value thereof the actual value of each share of stock to be ascertained and fixed by adding together the amount of capital stock paid in the surplus and undivided profits and dividing this amount by the number of shares It shall be the duty of every bank or savings institution within a period of sixty days after the date of such settlement by the Department of Revenue to collect the amount of said tax from its shareholders and pay the same to the State Treasurer through the Department of Revenue Provided That in case any bank or savings institution having capital stock incorporated under the law of this State or of the United States shall collect annually from the shareholders thereof said tax of eight mills or four mills as the case may be on the dollar upon the actual value of all shares of stock of said bank or savings institution according to the provisions of this act that have been subscribed for or issued and pay the same into the State Treasury through the Department of Revenue the shares and so much of the capital and profits of such bank or savings institution as shall not be invested in real estate shall be exempt from local taxation under the laws of this Commonwealth and such bank or savings institution shall not be required to make any report to the local assessor or county commissioners of its personal property owned by it in its own right for purposes of taxation and shall not be required to pay any tax thereon The procedure in case the Department of Revenue be not satisfied with the report made by any bank or savings institution and the penalties for failing to make such report and pay the tax shall be as provided by law

Section 2 This act shall become effective immediately upon its final enactment

On the question,

Will the House adopt the report of the Committee of Conference?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows, viz:

YEAS—204

Achterman,	French,	Lyons,	Rosenfelc
Allmond,	Gallagher,	Malloy,	Royer,
Auker,	Gates,	Marks,	Rush,
Baker,	Gerard,	Maxwell,	Sarge,
Balthaser,	Gillan,	McClanaghan,	Sarraf,
Bentley,	Gillette,	McClester,	Scanlon,
Bentzel,	Goodwin,	McDermott,	Schwab,
Boles,	Greenwood,	McDowell,	Serrill,
Boney,	Gross,	McFall,	Shaffer,
Boorse,	Gryskewicz,	McIntosh,	Shaw,
Bower,	Gyger,	McKinney,	Shepard,
Bradley,	Habbyshaw,	McLanahan,	Simons,
Bretherick,	Haberlen,	McLane,	Skale,
Brown,	Haines,	McMillen,	Snyder,
Brunner, C. H.,	Hall,	McSurdy,	Sollenberger,
Brunner, P. A.,	Hamilton,	Melchiorre,	Sorg,
Burns,	Hare,	Mihm,	Stambaugh,
Burris,	Harkins,	Modell,	Stank,
Cadwalader,	Harmuth,	Monks,	Stine,
Chervenak,	Harris,	Mooney,	Stockham,
Chudoff,	Heatherington,	Moran,	Tarr,
Cochran,	Helm,	Moul,	Tate,
Cohen, M. M.,	Hering,	Muir,	Taylor,
Cohen, R. E.,	Herman,	Munley,	Thompson, E. F.,
Cook,	Hersch,	Nagel,	Thompson, R. L.,
Cooper,	Hewitt,	Nunemacher,	Trout,
Cordier,	Hirsch,	O'Brien,	Turner,
Corrigan,	Holland,	O'Connor,	Van Allsburg,
Croop,	Huntley,	O'Dare,	Verona,
Cullen,	Imbrie,	O'Mullen,	Vincent,
Dalrymple,	James,	O'Neill,	Vogt,
Dennison,	Jefferson,	Owens,	Voldow,
DiGenova,	Jones, G. E.,	Petrosky,	Voorhees,
Dix,	Jones, P. N.,	Pettit,	Wagner,
Dolon,	Keenan,	Polaski,	Watkins,
D'Ortona,	Kenehan,	Polen,	Weingartner,
Duffy,	Kline,	Powers,	Weiss,
Early,	Knoble,	Prosen,	Welsh, E. B.,
Eckels,	Kolankiewicz,	Rank,	Welsh, M. J.,
Elder,	Komorofski,	Rausch,	Wilkinson,
Elliott,	Krise,	Readinger,	Williams,
Ely,	Lee, E. A.,	Reagan,	Winner,
Falkenstein,	Lee, T. H.,	Reese, D. P.,	Wood, L. H.,
Finestone,	Leisey,	Reese, R. E.,	Wood, N.,
Finnerty,	Leonard,	Regan,	Woodring,
Fisher,	Lesko,	Reynolds,	Woodside,
Fiss,	Levy,	Rhea,	Wright,
Fleming,	Leydic,	Riley,	Yeakel,
Fletcher,	Lichtenwalter,	Rooney,	Yester,
Flynn,	Longo,	Rose, S.,	Young,
Foor,	Lovett,	Rose, W. E.,	Kilroy, Speaker.

NAYS—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative, and the report of the Committee of Conference was adopted.

Ordered, That the Clerk inform the Senate accordingly.

RECESS

The SPEAKER. If there is no objection the Chair is about to declare a recess for thirty minutes. Is there objection? The Chair hears none and a recess is declared.

AFTER RECESS

The SPEAKER. The time of recess having expired the House was called to order.

THE SPEAKER (Elmer Kilroy) IN THE CHAIR

The SPEAKER. The Chair requests the gentleman from Allegheny, Mr. Shaw, to preside.

MR. SHAW IN THE CHAIR

The SPEAKER pro tempore. The Chair requests the Sergeant-at-Arms to escort the minority whip of the House, the gentleman from Delaware, Mr. Turner, to the well of the House, and also requests the gentleman from Allegheny, Mr. Gerard, Chairman of the Allegheny County delegation, to come forward.

PRESENTATION TO MR. TURNER

Mr. GERARD. Mr. Speaker and Members of the House,

we listened with a great deal of interest during the ceremonies last evening, and much has been expressed in resolutions that were presented concerning the various members of the House, but today after some levity and after a most pleasant evening spent in congeniality with the gentleman to my left, we come to a more serious moment, to a time when we want to express our sentiments and our feelings in just a little different way.

A pleasant duty has been assigned to me to make a presentation to our good friend Ellwood Turner. Those of us who have known Ellwood in the past know that he has been a regular and a real fellow. When it was necessary for him to be serious he was serious; in times of fun he just gave fun. We want Ellwood to know that we of the House have the highest and the kindest regard for him in all the work he has done.

I would like to say to you, Ellwood, that when you leave here today the Members want you to know that they have a high regard for you, and through this small gift they want to express that regard. May I say as I give you this gift it is not so much the intrinsic value it represents but the expression of good will of the members. I trust you will accept this gift knowing that the members of this House give you their kindest and the most heartfelt felicitations.

Mr. TURNER. Tony, I want to thank you and the members of the House from the bottom of my heart for this very lovely gift. I presume the gift, not the fact of giving something, but the gift itself was inspired by my neighbors over here on the left, from whom I have constantly borrowed fountain pens during the session, usually losing every pen or pencil that I got in my pocket.

Two years ago I stood in this same position to receive at the hands of the members of the House some lovely gifts which grace and adorn my own home and which we use on all festive occasions. One of them, a punch bowl, is fittingly inscribed, and it is fittingly filled on all festive occasions. I only wish it might be my good luck to find time and to have the opportunity to meet many of you, to fill that bowl and drink to you in order that I might in the things we do, and in the spirit of that of which we partake, express my feeling far better than I can in words. I can truthfully say that I am much surprised that in this session in which I have taken a very minor part, I should be presented with this gift. I have remained quietly in my seat, refraining from taking part in discussions on the floor in order that the younger generation that is coming on in the House might have an opportunity to fit themselves with their spurs and carry on for the good of the people of this Commonwealth. There is something about representation in this House, the holding of an office as a member of this House, no matter what our politics may be, that has always amazed me because as we meet each other from time to time on the street, in the train or some other place, some fellow comes forward with a smile, a warm handclasp and says, "Do you remember me? I served in such and such a session?" That typifies, I think, all of our relationships here. However, after all we do become sort of a club or group.

I made a farewell address two years ago, and I hesitate to make one now, but I feel very certain that I am spending my closing hours of service in the House of Representatives, and I will carry away with me this pen, in the hope that I can keep it and preserve it, and as I take it out from time to time to pen some word or line or to perform some of my tasks or services there will always come to me as I grasp it the feeling that I am grasping the hands of the Members of this House, who by such a gracious gift certainly have shown that they are extending the hand of friendship, which I shall always grasp with the remembrance of the kindnesses and expressions of good will that you have had towards me.

PRESENTATION TO MR. LOVETT

The SPEAKER pro tempore. Will the Sergeant-at-Arms please escort to the well of the House the majority whip of the House, the gentleman from Westmoreland, Mr. Lovett, and will the gentleman from Lancaster, Mr. Trout also come forward.

Mr. TROUT. Mr. Speaker and Members of the House, it has been my pleasure and opportunity to serve as a member of this House since 1933. I can truthfully say that I have not taken up much of the time of the House in making speeches, or discussing matters on the floor. It has been my pleasure however to meet men here, to get to know them well and form associations which I shall not soon forget.

I sat with Mr. Lovett when he was a Member of the minority and when he was a Member of the majority, and a very close relationship, and a very close friendship grew up between us. I had what I consider the distinct honor of serving with Mr. Lovett on a commission on which we felt we did a good work. So far as politics were concerned we did not know that there was any difference between a Democrat and a Republican when we were working for those things which we thought were for the benefit of the people of the Commonwealth of Pennsylvania.

It has always been my pleasure and my privilege to go to Mr. Lovett and discuss matters of legislation, and Jim, there is nothing that I enjoy more than this privilege of presenting to you this token from the membership of the House.

Mr. LOVETT. Mr. Speaker and Members of the House, I want to thank Mr. Trout for the nice things he has said. I want to thank all the Members of the House for the kindness they have shown to me as a Member of the Legislature. I also want to thank especially the men on the Democratic side during this session for their kindness to me as Chairman of their Democratic caucus.

PRESENTATION TO SECRETARY OF HOUSE

The SPEAKER pro tempore. Will the Sergeant-at-Arms escort to the well of the House, the Secretary of the House, Mr. Mulvihill, and will the gentleman from Philadelphia, Mr. Shepard also present himself there.

Mr. SHEPARD. Mr. Chairman and Members of the House, I understand and realize that my remarks are to be very short. I am speaking about a short man. I want to say to Mr. Mulvihill we have appreciated his work as Secretary of the House. We do not know all the duties that have been his, but we know that through his work the machinery of the House has been kept running smoothly and we appreciate his labors. He has had the experience of serving in a similar capacity in the Senate. Now that he has been lifted from that lowly job in the Senate and promoted to the House of Representatives, he

has conducted himself very well, and we appreciate the fidelity that he has shown to his job.

In behalf of the members of the House who recognize your fitness, your ability and your service, we want to make to you this presentation, and we hope you will accept it as coming from the bottom of our hearts.

The SECRETARY OF THE HOUSE (Dennis Mulvihill). Mr. Shepard and Members of the House, I thank you for this beautiful gift. I take with me from you not only this beautiful gift, but I take with me many happy memories which I will cherish through life. I shall always recall that during this session of the Legislature I have worked for 208 of the finest bosses in the world, and I will always remember that in this session which was full of controversy I have seen the session end in peace and compromise. I will remember that I have seen democracy working.

PRESENTATION TO PARLIAMENTARIAN

The SPEAKER pro tempore. Will the Sergeant-at-Arms please escort to the well of the House the Parliamentarian, and will the gentleman from Bucks, Mr. Stockham, also come forward.

Mr. STOCKHAM. Mr. Chairman, Mr. Speaker, and gentlemen of the House, on shipboard the second officer is the navigating officer; it is he who finds the place on the high seas where the ship may be. The responsibility for the lives and property of all aboard that ship are very much in his hands. The second officer is not always in great evidence, but the effect and the value of his knowledge, his judgment and his service brings that ship to a safe haven. I count in this House the Parliamentarian similarly as the second officer of the ship, who guides and directs the captain, the master of that craft.

It has been my privilege to have served in this House a number of sessions; it is always a privilege to serve. There is something to be had in the sense of service when it can be had without a real expectation of remuneration. However, there comes always in the hearts of those who have been served the realization that there is due some acknowldgement and some recognition of that man's work and his efforts even in this House of Representatives.

So it is my privilege and it is a great pleasure to me too to have this part in this program, that of making this presentation to the man whom we all esteem, the man whose place among us of the House is of great value, that place at the left hand of the Speaker, not only to guide him, but to guide each of us in the positions that we take upon the floor of the House. For the services rendered by this fine servant, the second officer of this ship, we made this presentation today to express our deep and sincere appreciation. So, Eddie Moore, permit me, please, to present you with this token of our esteem and of our affection.

Mr. S. EDWARD MOORE. Mr. Speaker, Mr. Stockham and Members of the House, at a time like this it is difficult to find words to adequately express my sincere appreciation for the many nice things the Speaker of the House and you members have said of me and done for me. I can assure you it is more than I deserve. However, what I want most is to have your continued confidence and trust. This beautiful sterling silver pitcher will long be enjoyed in the Moore family in fond remembrance of a great bunch of fellows. From the bottom of my heart I thank you.

PRESENTATION TO CHIEF CLERK

The SPEAKER pro tempore. The Sergeant-at-Arms will please escort to the well of the House the Chief Clerk of the House, and will the gentleman from Delaware, Mr. James, also present himself there.

Mr. JAMES. Mr. Chairman and gentlemen of the House, fearful that I might not have the words for this high occasion, and fearful if I had the words I might not say them well, I have devoted sometime this morning to writing with painstaking care something I would like to say at this time:

High above the lounging newsmen
Well above the Chamber's bar
Sits a man—forever musing
'Midst some minions of his choosing
High above the Chamber's bar

Just forninst the busy Speaker
Well above the Chamber's bar
Sits he there his thoughts revealing
To naked huzzies in the ceiling
High above the Chamber's bar

Comes the hour! The gavel falls
Well above the Chamber's bar
O'er the house the babbling quiets
Nothing changes he who sits
High above the Chamber's bar

Prayer is said—the Parson bows
Well above the Chamber's bar
Slowly turns he in his chair
He who watches from up there
High above the Chamber's bar.

Forward now the business goes
Well above the Chamber's bar
Now he peers into our faces
Noting well the empty places
From above the Chamber's bar

Hey Guide! Exclaims a stranger here
Pointing towards the Chamber's bar
Whose the guy who does no work?
Replies the Guide, "Why he's the Chief Clerk
There above the Chamber's bar."

But see now he stirs—the Members vote
They stare at him above the Chamber's bar
Some gouge their eyes—for "yes" y'see
They thumb their nose who disagree
At him—above the Chamber's bar.

However, Tom Callahan, excellent Chief Clerk of the House of Representatives, behind the fun and levity on an occasion of this kind, which I do not consider improper, there is something more. We listened here last night and today to great things said of great men, our wonderful Speaker, our floor leaders and others of our officers, but I say here and now to you, Tom, that because of your interest in your fellow men, your name like that of Abou Ben Adhem should lead all the rest because you among all others are the only one who has ever authorized the Reading Clerk to tell us when and how and where to get our pay checks.

It becomes my very pleasant duty in the name of and in behalf of all the members of this House to present to you a slight token of our high esteen and affection. I understand if you learn how to use this thing well it will pour out for you for years to come floods of joy and cheer.

The CHIEF CLERK. (Thomas J. Callahan). Mr. Speaker, Mr. James and Members of the House, I want to thank Mr. James very sincerely for the kind words

he has said. Had I known he was going to make his presentation speech in poetry I might have courted the Muse myself and received a little inspiration, so that I might have answered him in the same form of expression. I appreciate this gift very much. I shall cherish it because it will always be to me a symbol of the fine friendships and associations I have had here with two hundred eight of the finest gentlemen in the State of Pennsylvania.

I hope after adjournment I shall have the pleasure of being able to continue to serve you. My office will be at your service at all times and I hope to see you often. I had the experience in the special session of 1938 of seeing the Members leave, and I remember how lonely I was at that time. While the work was very trying and arduous during the session it was compensated for by the genuine friendship and fine association of the Members with whom I came in contact daily. I shall miss your friendly faces. I wish you well, good luck, good health and prosperity. I thank you most sincerely for this beautiful gift.

The SPEAKER pro tempore. The Chair announces with regret that Mrs. Cohen is unable to come to the well of the House to receive the gift which we have prepared for her. It is due probably to the fact that we have given her so much work to do. Nevertheless, we have not forgotten Mrs. Cohen.

PRESENTATION TO MR. WOODSIDE

The SPEAKER pro tempore. The Sergeant-at-Arms will please escort the minority floor leader, the gentleman from Dauphin, Mr. Woodside, to the well of the House, and will the gentleman from Berks, Mr. Readinger please come forward.

The Chair also wishes to announce that the mother and the wife of Mr. Woodside are guests this afternoon. Will the ladies please rise so that the Members may see them?

Mr. READINGER. Mr. Chairman, Members of the House, and guests, so many complimentary, nice and true things have been said about Bob Woodside in the last few days, particularly last night by the gentleman from Bucks, Mr. Stockham, that I am not going to repeat in making this presentation. I simply want to say that men like Bob Woodside make this democracy strong. Bob Woodside is a hard fighter, a clean fighter and a good leader.

We are particularly happy today, Bob, that your charming wife and lovely mother are with us, in order that they may witness this presentation of a small gift indicating our affection for you. This is a great day for Bob. It is not only his tenth wedding anniversary but it also happens to be his mother's birthday. He is to be congratulated upon those things as well as upon the fine work which he has done here this session. Bob, we don't know whether you'll be with us the next session, and speaking for the moment for the Democrats I hope you will not, because we would prefer to see you as a member of the bench of the Dauphin County Courts. Personally I don't know whether the people of Dauphin County know your abilities as well as we know them, but if they do they certainly will send you to the bench, and knowing your ability as we do we are hoping for a less able adversary next session. Whatever course fate may have in store for you I just wish to add that we have had great pleasure in serving with you and that if you come back again we know we will enjoy your being here. I present to you as a small token of the affection we have for you this plate.

Mr. WOODSIDE. Mr. Speaker, Mr. Readinger and fellow members of the House, I am just about as fussed up as I was ten years ago because ten years ago at this very minute I was going down the aisle, or rather met at the end of the aisle the one who I then thought and now know to be the finest girl in the world.

I want to say a word of appreciation to my wife. This is our tenth wedding anniversary. We had planned to go to Atlantic City this week end, but the session has upset that plan, but she has cheerfully made no complaint. A few years ago we were in sesson on her birthday, we were in the closing days and I forgot all about it. One should never do that of course, but I have never heard any complaint about it. While we were talking about the Red bills and amending the Teachers Tenure Act Mrs. Woodside was waiting at home in her evening clothes ready to go out for an evening's entertainment. I called her up about eleven o'clock and told her I couldn't keep the six o'clock apopintment, and there still was no complaint. I wonder whether any of you men can match that.

As has been suggested here, possibly the remaining days of this session will be the last time I shall appear before the House. Some of you seem to give a sigh of relief, probably on both sides of the House. For the reasons suggested I hope these will be my final days in the House, but no matter where I am or what I do hereafter, I do not think there is any thing I will enjoy more than the work I have had in this House of Representatives and the friendships I have made here.

PRESENTATION TO MR. ACHTERMAN

The SPEAKER pro tempore. Will the Sergeant-at-Arms escort to the well of the House the majority floor leader, the gentleman from Monroe, Mr. Achterman, and will the gentleman from Delaware, Mr. Turner, also come forward.

Mr. TURNER. Mr. Speaker, fellow members of the House, my friend and opponent, Leo Achterman, I thought as I saw my name on the list to make this presentation that the committee, while I appreciate the honor and the opportunity, might have passed it on to someone else who might have tired you less with talk during this session than I.

I have been thinking back over my years of service here and the men who have left the different sides of this House. When I first came to the House we didn't have floor leaders as we now know them. Generally the administration picked out someone to handle administration measures, and that is about as far as we went. Then when we had the division in the Republican ranks we began to have leaders on both sides of the partisan group. It was not until about 1935, I think, or perhaps 1933 that this custom of having floor leaders regularly designated and elected by the membership was put into effect. I think it has contributed much to the operation of the House, to its efficiency and effectiveness, and certainly has contributed much to the independence of the House, if I may use that word, as a coordinate branch of the government. Consequently, Leo, you are not one of a long line of Democratic leaders, because when I came to the House we hardly knew what a Democrat looked like, nor did we pay much attention to that designation. About 1933 we began to

get some inkling, and by 1935 we had an avalanche that told us who the Democrats were.

Nevertheless, Leo, having occupied some of those jobs myself I know the burden that is cast upon the leader of either group, whether it be the minority or the majority of this House, and while the minority leader has a great amount of work to do, that work multiplied greatly because you have assumed in this session not only the majority leadersip but you have been the Chairman of the appropriations committee as well, and have been a glutton for work.

I think the newspaper men in their poll said you were the most industrious man in this House. I do not think they went quite far enough, because I suppose they meant you were the most industrious man legislatively. I could mention other men who were more industrious in other pursuits than you, but that is not what I mean at this time.

I know you assumed a tremendous responsibility and a tremendous burden, and it is a tribute to the way you have handled it, because as I have watched your side of the House, have listened to the roll calls, have seen the moves, have been among the members, you have had a uniformly loyal group and the majority in this House has, it seems to me, done less kicking about the floor leader than I have heard many times in the past. That is most convincing evidence of the fact that you are performing your task in not only a satisfactory manner, so far as your group is concerned, but you must have been efficient and hard working.

We have spoken about the time in this session when we like to make these gifts. I am always reminded of the time a fire company wanted to present one of its members with a silver horn. The fellow who was to make the presentation practiced his speech for a long time. The day came when the presentation was to be made and he got nervous and forgot all about his speech.

He said, "Here, Bill, here is the horn."

Bill said, "Hell, is that it?"

I would like to have gotten away with just a short statement like that, but that would not be what these men want me to do. That would not be what I would like to do for you, because after the work you have done, the days and hours you have spent here when the legislature was not in session and the members had gone home, the tremendous amount of study the majority leader must give to legislation, the great amount of research he must do, the great amount of data he must secure and assimilate and get in his head, the great number of times he must get up on the floor, the number of people standing around pestering him, the trials and tribulations of the newspaper men always surrounding him seeking news, entitles the majority leader not only to receive some token from the House, but to have it said to you that they believe your job has been well done. They want you to carry away with you not something that says during this session you have been the majority leader, not merely a certificate, a label or a piece of paper, not something in the directory for this session, but something that is permanent, something that is tangible that you can keep within your home for your family's use, so that when the time comes for you to leave this world you can pass it on to your children that they may know you had achieved this position in your life and that the Members of the legislature had a high regard for you, and wished to show in some way their appreciation for the service you rendered them and the Commonwealth of Pennsylvania. They therefore want to present to you this very lovely coffee service and tray. It always seems to me coffee is one of the best parts of a dinner, one of the best parts of any festive occasion, when as we gather around, sit back in our chairs with our cigars and pipes, perhaps gather around the fire-place, we can place before us the coffee urn and enjoy its delicious aroma as we sip it. We trust if ever the hours become a little dark for you, if ever there comes a time when you feel discouraged, you will get out this coffee set, place it on the table, put on your old slippers and pour forth some of that Java into the cup. If you have a little brandy it will help. You can then lean back with your pipe or your cigar and blow clouds of smoke into the air and as they curl upward, you will see in these clouds the faces of two hundred and eight members of the House that you have served. They have differed with you and they have battled with you, but there is no rancor left. There is only a lot of affection for the work you have done and the services that you have rendered.

Mr. ACHTERMAN. Mr. Speaker, Mr. Turner and my fellow colleagues, Mr. Turner made a remark about the fitness on his part to present a gift of this House to me, having reference to the fact that he has been speaking so much. I know of no more fitting person to make this presentation than Mr. Turner. Only a few of the Members of this House know that Mr. Turner, as a matter of fact, has his second home in my county, so that in addition to representing the County of Delaware he also represents the County of Monroe. I am not going to try to tell you about the conflict that is going on up in the County of Monroe, as to whether they shall follow me or follow Ellwood Turner. I think possibly the decision is about the same as the decision here in the House.

I do wish to express to you, my fellow colleagues, my appreciation for this beautiful gift. May I assure you I have enjoyed the days I have spent here with you, both in work, in combat and in pleasure. As years come and go, may I say to you that I and my family will not only appreciate the usefulness and beauty of the gift, but it will bring back to me memories that I assure you will never be effaced. They are wonderful memories, memories that I know I will cherish throughout my entire life. I again thank you from the bottom of my heart.

The SPEAKER pro tempore. The Chair recognizes the gentleman from Delaware, Mr. Bretherick.

Mr. BRETHERICK. Mr. Speaker and members of the House of Representatives, on behalf of the Republican members of this House, I want to express our deep sense of appreciation to those who were the recipients of gifts this afternoon for the splendid cooperation they have given us throughout this session. We have differed at times with regard to controversies existing in the House, but we have never lost our sense of respect and admiration for those of you who have played the game so fair. I say again on behalf of the Republican members that we desire to express our keen sense of appreciation for the spirit of fair-play which has been evident during this session of the Legislature.

Mr. Speaker, I would like, if you will permit me, to pay a small modicum of tribute to the Speaker of this House. That privilege was denied me last night, but so great is my respect and admiration for that gentleman that I would

like to say a word or two. I am not going to indulge in any flowery oratory because that would not be in keeping with the character of the man you chose as your Speaker.

As a Member of the loyal opposition, even at this late date, I want to take issue with the most reverend gentleman from Philadelphia, Mr. Shepard, in taking credit for having nominated Elmer Kilroy as the Democratic Speaker of this House. Long prior to that time, at a time when there were considered for the office of Speaker the names of several gentlemen from that side of the House, I wrote a letter to Elmer Kilroy and in that letter I said to him that I knew of no man on either side of the House who enjoyed more respect, confidence and friendship than he, and I hoped that the Democratic party would honor him with the Speakership. In that letter I nominated him for the Speakership. Therefore, I think, Mr. Shepard, I went you just one better.

Some twenty-nine years ago I entered the employ of Francis Shunk Brown, who was formerly Attorney General of this Commonwealth. After he left the office of Attorney General, his deputies sent autographed photographs to him. On one of the photographs which he received from Deputy Attorney General Kun, now a member of the Court of Common Pleas of Philadelphia, there appeared these words, "To my friend Francis Shunk Brown, more than a great lawyer, more than a great Attorney General, a man."

I think that might be a fitting tribute to pay to our Speaker, more than a great legislator, more than a great Speaker, a man. I think if Elmer Kilroy's father, that grand old sportsman, Matt Kilroy, could be here today, he would say, "You could have paid no greater tribute to my son than to label him a man."

Mr. Speaker, shortly you are going to be presented with a gift which I hope you will feel is a fitting token of the appreciation we hold for you. It is a gift of metallic substance, but I hope you will always feel as long as you live that that gift contains more than a precious metal, that it contains an expression by the Members of this House of the love, the admiration and respect, and better than all, the friendship they hold for you. Again to you I say that we on this side of the House express our appreciation and we wish you well.

The SPEAKER pro tempore. The Chair now recognizes the gentleman from Allegheny, Mr. Brown.

Mr. BROWN. Mr. Chairman, Mr. Speaker and members of the House, we stand watching the dying embers of this General Assembly. Political differences have disappeared and we are about to adjourn sine die. We come now to the time when there will be a presentation of the love and the affection to the General of this House on behalf of the members. I hope we have not reached an anti-climax but that the expressions so well made on the floor of this House last night will continue beyond even the presentation that will shortly be made. It is an honor I have before the presentation is made to say a word on behalf of our Speaker.

I say to the Members of this House, as a member of a minority, if only those in this country today who love bigotry, who cherish intolerance, could catch some of the spirit that has been engendered here, our land would be indeed and in truth the land of the free and the home of the brave.

I do not find words adequate to express my appreciation to the Speaker but I should like to tell you a little story that I read some time ago that perhaps will symbolize my feelings to our General .

The story is told that when Knighthood was in flower, the leading knight would lead his knights out into the country, they discovered the flowers, they discovered the minerals, they discovered many of the unknown things in nature. One day the leading knight found a beautiful stream, and in that stream he found a precious metal. He did not want that metal for himself; he wanted to share it with the other knights. So one day he called his knights together and said to them, "Mount your horses. I am going to take you to a place and when you return you will be both happy and sorry." The knights were puzzled; they could not understand how in the world a man could take them to a place where they would be both happy and sorry at the same time because the two terms are so far apart. But they had faith in the leading knight and at the appointed hour they mounted their horses and the leading knight gave the command. He said to them, "With your left hand hold the reins, clinch your right fist and when I give you the command all I want you to do is to reach down and with your hand take whatever you can and then follow me." On into the evening and into the night they rode, and finally they came to the stream. Then the leading knight gave the command to halt, he did not ask them to dismount but he asked them to lean over and to reach down and to take a handful out of the stream. They did. Then they rode a few miles and finally the leading knight gave the command to dismount. They dismounted, and he said to them, "Open your hands." In their hands they found silver. They were happy for the precious little bit they had but they were sorry that they had not taken bucketsful, but had only taken a handful.

Mr. Speaker, you gave us the command to follow you when you took the office of Speaker. We took our hands and now as we come to the close of the session, we only have a handful of your love and of your affection and of your friendship. I say to you, Mr. Speaker, if you give us that command again we will not rely upon the little bit we can gather in our hands but we will take our buckets so that they might overflow with that love and with that friendship that is spoken of by Cicero, that thing that can only exist between honest men, men who love justice, who love friendship and who abhor violence, good men, as Cicero said. We will take our buckets and we will fill them so that they may overflow with your love and with your friendship and with your affection.

The SPEAKER pro tempore. The Chair now requests the Speaker to return to the rostrum.

THE SPEAKER (Elmer Kilroy) IN THE CHAIR

Mr. SHAW. Mr. Speaker, you have heard what the men on both sides think of you. I do not think there is anything I can add to what has already been said. As you know, I have served with you four terms, and I heartily enjoyed everything that has been said of you. We in the House, whether we are Republicans or Democrats, know what you are and we are proud of you. I regret that today Mrs. Kilroy is unable to be here so that she might share with you in the knowledge of the love that we all hold for you.

Mr. Speaker, in token of that affection in which we hold you, we are asking you to accept from all of your

friends in the House these silver service plates which we trust will remind you of us more and more as the years go by.

The SPEAKER. Thanks Bill Shaw, and thanks to all the members of the House. This is the second time in as many days that I have been put on the spot, but this magnificent gift has me tonguetied. In fact it leaves me lost for words, but it has filled me with the deepest appreciation of the kind feelings you have for me.

Members of the House in expressing my gratitude I want to say when it is feeding time at the Kilroys, these beautiful plates will be placed upon the table, and I will see before me my pals and associates of this the 134th regular session. I think I conveyed to you last evening my thoughts. To you, Bill Shaw, and to the Commitee and to everyone I humbly say, thanks.

MR. WOODSIDE IN THE CHAIR

BILL ON THIRD READING

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1361, (Senate Bill No. 338), entitled:

An Act to further amend sections four and five of the act approved the sixth day of April one thousand nine hundred thirty-five (P. L. 90) entitled "An act to promote uniformity in the assessment and taxation of properties and persons within the terrirorial limits of cities of the second class A by providing that city and school taxes within such territorial limits shall be assessed levied and collected upon the basis of the assessments for taxation for county purposes and requiring the furnishing of tax duplicates by the county taxing authorities to such cities and to school districts coterminous therewith abolishing the department of assessors in cities of the second class A consolidating tax statements covering city school county and poor taxes therein and making uniform the time for levy and collection of said taxes respectively and regulating the discounts therefrom and penalties thereon" by further regulating discounts for prompt payment of taxes and penalties and interest imposed on said taxes and by changing the date of certain tax payments

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows, viz:

YEAS—204

Achterman,	French,	Malloy,	Royer,
Allmond,	Gallagher,	Marks,	Rush,
Auker,	Gates,	Maxwell,	Sarge,
Baker,	Gerard,	McClanaghan,	Sarraf,
Balthaser,	Gillan,	McClester,	Scanlon,
Bentley,	Gillette,	McDermott,	Schwab,
Bentzel,	Goodwin,	McDowell,	Serrill,
Boles,	Greenwood,	McFall,	Shaffer,
Boney,	Gross,	McIntosh,	Shaw,
Boorse,	Gryskewicz,	McKinney,	Shepard,
Bower,	Gyger,	McLanahan,	Simons,
Bradley,	Habbyshaw,	McLane,	Skale,
Bretherick,	Haberlen,	McMillen,	Snyder,
Brown,	Haines,	McSurdy,	Sollenberger,
Brunner, C. H.,	Hall,	Melchiorre,	Sorg,
Brunner, P. A.,	Hamilton,	Mihm,	Stambaugh,
Burns,	Hare	Modell,	Stank,
Burris,	Harkins,	Monks,	Stine,
Cadwalader,	Harmuth,	Mooney,	Stockham,
Chervenak,	Harris,	Moran,	Tarr,
Chudoff,	Featherington,	Moul,	Tate,
Cochran,	Helm,	Muir,	Taylor,
Cohen, M. M.,	Hering,	Munley,	Thompson, E. F.,
Cohen, R. E.,	Herman,	Nagel,	Thompson, R. L.,
Cook,	Hersch,	Nunemacher,	Trout,
Cooper,	Hewitt,	O'Brien,	Turner,
Cordier,	Hirsch,	O'Connor,	Van Allsburg,
Corrigan,	Holland,	O'Dare,	Verona,
Croop,	Huntley,	O'Mullen,	Vincent,
Cullen,	Imbrie,	O'Neill,	Vogt,
Dalrymple,	James,	Owens,	Voldow,
Dennison,	Jefferson,	Petrosky,	Voorhees,
DiGenova,	Jones, G. E.,	Pettit,	Wagner,
Dix,	Jones, P. N.,	Polaski,	Watkins,
Dolon,	Keenan,	Polen,	Weingartner,
D'Ortona,	Kenehan,	Powers,	Weiss,
Duffy,	Kline,	Prosen,	Welsh, E. B.,
Early,	Knoble,	Rank,	Welsh, M. J.,
Eckels,	Kolankiewicz,	Rausch,	Wilkinson,
Elder,	Komorofski,	Readinger,	Williams,
Elliott,	Krise,	Reagan,	Winner,
Ely,	Lee, E. A.,	Reese, D. P.,	Wood, L. H.,
Falkenstein,	Lee, T. H.,	Reese, R. E.,	Wood, N.,
Finestone,	Leisey,	Regan,	Woodring,
Finnerty,	Leonard,	Reynolds,	Woodside,
Fisher,	Lesko,	Rhea,	Wright,
Fiss,	Levy,	Riley,	Yeakel,
Fleming,	Leydic,	Rooney,	Yester,
Fletcher,	Lichtenwalter,	Rose, S.,	Young,
Flynn,	Longo,	Rose, W. E.,	Kilroy,
Foor,	Lovett,	Rosenfeld,	Speaker.
	Lyons,		

NAYS—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return it to the Senate with information that the House has passed it without amendment.

BILL PASSED OVER

There being no objection House Bill No. 1965, (Senate Bill No. 1300), Printer's No. 547, was passed over at the request of Mr. RAUSCH.

BILL ON THIRD READING

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1934, (Senate Bill No. 1256), entitled:

An Act authorizing the Department of Property and Supplies with the approval of the Governor to sell and convey certain plots of land.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows, viz:

YEAS—204

Achterman,	French,	Malloy,	Royer,
Allmond,	Gallagher,	Marks,	Rush,
Auker,	Gates,	Maxwell,	Sarge,
Baker,	Gerard,	McClanaghan,	Sarraf,
Balthaser,	Gillan,	McClester,	Scanlon,
Bentley,	Gillette,	McDermott,	Schwab,
Bentzel,	Goodwin,	McDowell,	Serrill,
Boles,	Greenwood,	McFall,	Shaffer,
Boney,	Gross,	McIntosh,	Shaw,
Boorse,	Gryskewicz,	McKinney,	Shepard,
Bower,	Gyger,	McLanahan,	Simons,
Bradley,	Habbyshaw,	McLane,	Skale,
Bretherick,	Haberlen,	McMillen,	Snyder,
Brown,	Haines,	McSurdy,	Sollenberger,

Brunner, C. H.,	Hall,	Melchiorre,	Sorg,
Brunner, P. A.,	Hamilton,	Mihm,	Stambaugh,
Burns,	Hare,	Modell,	Stank,
Burris,	Harkins,	Monks,	Stine,
Cadwalader,	Harmuth,	Mooney,	Stockham,
Chervenak,	Harris,	Moran,	Tarr,
Chudoff,	Heatherington,	Moul,	Tate,
Cochran,	Helm,	Muir,	Taylor,
Cohen, M. M.,	Hering,	Munley,	Thompson, E. F.,
Cohen, R. E.,	Herman,	Nagel,	Thompson, R. L.,
Cook,	Hersch,	Nunemacher,	Trout,
Cooper,	Hewitt,	O'Brien,	Turner,
Cordier,	Hirsch,	O'Connor,	Van Allsburg,
Corrigan,	Holland,	O'Dare,	Verona,
Croop,	Huntley,	O'Mullen,	Vincent,
Cullen,	Imbrie,	O'Neill,	Vogt,
Dalrymple,	James,	Owens,	Voldow,
Dennison,	Jefferson,	Petrosky,	Voorhees,
DiGenova,	Jones, G. E.,	Pettit,	Wagner,
Dix,	Jones, P. N.,	Polaski,	Watkins,
Dolon,	Keenan,	Polen,	Weingartner,
D'Ortona,	Kenehan,	Powers,	Weiss,
Duffy,	Kline,	Prosen,	Welsh, E. B.,
Early,	Knoble,	Rank,	Welsh, M. J.,
Eckels,	Kolankiewicz,	Rausch,	Wilkinson,
Elder,	Komorofski,	Readinger,	Williams,
Elliott,	Krise	Reagan,	Winner,
Ely,	Lee, E. A.,	Reese, D. P.,	Wood, L. H.,
Falkenstein,	Lee, T. H.,	Reese, R. E.,	Wood, N.,
Finestone,	Leisey,	Regan,	Woodring,
Finnerty,	Leonard,	Reynolds,	Woodside,
Fisher,	Lesko,	Rhea,	Wright,
Fiss,	Levy,	Riley,	Yeakel,
Fleming,	Leydic,	Rooney,	Yester,
Fletcher,	Lichtenwalter,	Rose, S.,	Young,
Flynn,	Longo,	Rose, W. E.,	Kilroy,
Foor,	Lovett,	Rosenfeld,	Speaker.
	Lyons,		

NAYS—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return it to the Senate with information that the House has passed it without amendment.

BILL PASSED OVER

There being no objection House Bill No. 1868, (Senate Bill No. 1055), Printer's No. 451, was passed over at the request of the SPEAKER.

BILLS ON THIRD READING

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1939, (Senate Bill No. 883), entitled:

An Act to enlarge the powers of the Navigation Commission for the Delaware River and its navigable tributaries with respect to the maintenance, operation and financing of a nautical school for the Commonwealth of Pennsylvania.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows, viz:

YEAS—204

Achterman,	French,	Lyons,	Royer
Allmond,	Gallagher,	Malloy,	Rosenfeld,
Auker,	Gates,	Marks,	Rush,
Baker,	Gerard,	Maxwell,	Sarge,
Balthaser,	Gillan,	McClanaghan,	Sarraf,
Bentley,	Gillette,	McClester,	Scanlon,
Bentzel,	Goodwin,	McDermott,	Schwab,
Boles,	Greenwood,	McDowell,	Serrill,
Boney,	Gross,	McFall,	Shaffer,
Boorse,	Gryskewicz,	McIntosh,	Shaw,
Bower,	Gyger,	McKinney,	Shepard,
Bradley,	Habbyshaw,	McLanahan,	Simons,
Bretherick,	Haberlen,	McLane,	Skale,
Brown,	Haines,	McMillen,	Snyder,
Brunner, C. H.,	Hall,	McSurdy,	Sollenberger,
Brunner, P. A.,	Hamilton,	Melchiorre,	Sorg,
Burns,	Hare,	Mihm,	Stambaugh,
Burris,	Harkins,	Modell,	Stank,
Cadwalader,	Harmuth,	Monks,	Stine,
Chervenak,	Harris,	Mooney,	Stockham,
Chudoff,	Heatherington,	Moran,	Tarr,
Cochran,	Helm,	Moul,	Tate,
Cohen, M. M.,	Hering,	Muir,	Taylor,
Cohen, R. E.,	Herman,	Munley,	Thompson, E. F.,
Cook,	Hersch,	Nagel,	Thompson, R. L.,
Cooper,	Hewitt,	Nunemacher,	Trout,
Cordier,	Hirsch,	O'Brien,	Turner,
Corrigan,	Holland,	O'Connor,	Van Allsburg,
Croop,	Huntley,	O'Dare,	Verona,
Cullen,	Imbrie,	O'Mullen,	Vincent,
Dalrymple,	James,	O'Neill,	Vogt,
Dennison,	Jefferson,	Owens,	Voldow,
DiGenova,	Jones, G. E.,	Petrosky,	Voorhees,
Dix,	Jones, P. N.,	Pettit,	Wagner,
Dolon,	Keenan,	Polaski,	Watkins,
D'Ortona,	Kenehan,	Polen,	Weingartner,
Duffy,	Kline,	Powers,	Weiss,
Early,	Knoble,	Prosen,	Welsh, E. B.,
Eckels,	Kolankiewicz,	Rank,	Welsh, M. J.,
Elder,	Komorofski,	Rausch,	Wilkinson,
Elliott,	Krise,	Readinger,	Williams,
Ely,	Lee, E. A.,	Reagan,	Winner,
Falkenstein,	Lee, T. H.,	Reese, D. P.,	Wood, L. H.,
Finestone,	Leisey,	Reese, R. E.,	Wood, N.,
Finnerty,	Leonard,	Regan,	Woodring,
Fisher,	Lesko,	Reynolds,	Woodside,
Fiss,	Levy,	Rhea,	Wright,
Fleming,	Leydic,	Riley,	Yeakel,
Fletcher,	Lichtenwalter,	Rooney,	Yester,
Flynn,	Longo,	Rose, S.,	Young,
Foor,	Lovett,	Rose, W. E.,	Kilroy, Speaker

NAYS—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return it to the Senate with information that the House has passed it without amendment.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1886, (Senate Bill No. 1114), entitled:

An Act authorizing the Department of Public Instruction with the approval of the Board of Trustees of the Indiana State Teachers' College to contract with the Borough of Indiana for the erection of a sewage disposal plant and the connection therewith and use thereof by the Indiana State Teachers' College and the payment of part of the cost of maintenance thereafter and making an appropriation.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows, viz:

YEAS—204

Achterman,	French,	Lyons,	Rosenfeld,
Allmond,	Gallagher,	Malloy,	Royer,
Auker,	Gates,	Marks,	Rush,
Baker,	Gerard,	Maxwell,	Sarge,

Balthaser,	Gillan,	McClanaghan,	Sarraf,
Bentley,	Gillette,	McClester,	Scanlon,
Bentzel,	Goodwin,	McDermott,	Schwab,
Boies,	Greenwood,	McDowell,	Serrill,
Boney,	Gross,	McFall,	Shaffer,
Boorse,	Gryskewicz,	McIntosh,	Shaw,
Bower,	Gyger,	McKinney,	Shepard,
Bradley,	Habbyshaw,	McLanahan,	Simons,
Bretherick,	Haberlen,	McLane,	Skale,
Brown,	Haines,	McMillen,	Snyder,
Brunner, C. H.,	Hall,	McSurdy,	Sollenberger,
Brunner, P. A.,	Hamilton,	Melchiorre,	Sorg,
Burns,	Hare,	Mihm,	Stambaugh,
Burris,	Harkins,	Modell,	Stank,
Cadwalader,	Harmuth,	Monks,	Stine,
Chervenak,	Harris,	Mooney,	Stockham,
Chudoff,	Heatherington,	Moran,	Tarr,
Cochran,	Helm,	Moul,	Tate,
Cohen, M. M.,	Hering,	Muir,	Taylor,
Cohen, R. E.,	Herman,	Munley,	Thompson, E. F.,
Cook,	Hersch,	Nagel,	Thompson, R. L.,
Cooper,	Hewitt,	Nunemacher,	Trout,
Cordier,	Hirsch,	O'Brien,	Turner,
Corrigan,	Holland,	O'Connor,	Van Allsburg,
Croop,	Huntley,	O'Dare,	Verona,
Cullen,	Imbrie,	O'Mullen,	Vincent,
Dalrymple,	James,	O'Neill,	Vogt,
Dennison,	Jefferson,	Owens,	Voldow,
DiGenova,	Jones, G. E.,	Petrosky,	Voorhees,
Dix,	Jones, P. N.,	Pettit,	Wagner,
Dolon,	Keenan,	Polaski,	Watkins,
D'Ortona,	Kenehan,	Polen,	Weingartner,
Duffy,	Kline,	Powers,	Weiss,
Early,	Knoble,	Prosen,	Welsh, E. B.,
Eckels,	Kolankiewicz,	Rank,	Welsh, M. J.,
Elder,	Komorofski,	Rausch,	Wilkinson,
Elliott,	Krise,	Readinger,	Williams,
Ely,	Lee, E. A.,	Reagan,	Winner,
Falkenstein,	Lee, T. H.,	Reese, D. P.,	Wood, L. H.,
Finestone,	Leisey,	Reese, R. E.,	Wood, N.,
Finnerty,	Leonard,	Regan,	Woodring,
Fisher,	Lesko,	Reynolds,	Woodside,
Fiss,	Levy,	Rhea,	Wright,
Fleming,	Leydic,	Riley,	Yeakel,
Fletcher,	Lichtenwalter,	Rooney,	Yester,
Flynn,	Longo,	Rose, S.,	Young,
Foor,	Lovett,	Rose, W. E.,	Kilroy, Speaker

NAYS—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return it to the Senate with information that the House has passed it without amendment.

BILL PASSED OVER

There being no objection House Bill No. 1892, (Senate Bill No. 1054), Printer's No. 427, was passed over at the request of the SPEAKER.

BILL ON THIRD READING

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1580, (Senate Bill No. 574), entitled:

An Act to amend section twenty of the act approved the thirtieth day of April one thousand nine hundred and twenty-nine (P. L. 885) entitled "An act to provide for the incorporation and regulation of cooperative agricultural associations having capital stock and defining agriculture so as to include persons engaged in agriculture dairying livestock raising poultry raising floriculture mushroom growing beekeeping horticulture and other allied occupations and providing penalties" by limiting exemptions of and further exempting certain classes of associations formed under such act from State county and municipal taxation and from the duty of filing certain tax reports with State county or municipal agencies

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows, viz:

YEAS—204

Achterman,	French,	Lyons,	Rosenfeld,
Allmond,	Gallagher,	Malloy,	Royer,
Auker,	Gates,	Marks,	Rush,
Baker,	Gerard,	Maxwell,	Sarge,
Balthaser,	Gillan,	McClanaghan,	Sarraf,
Bentley,	Gillette,	McClester,	Scanlon,
Bentzel,	Goodwin,	McDermott,	Schwab,
Boies,	Greenwood,	McDowell,	Serrill,
Boney,	Gross,	McFall,	Shaffer,
Boorse,	Gryskewicz,	McIntosh,	Shaw,
Bower,	Gyger,	McKinney,	Shepard,
Bradley,	Habbyshaw,	McLanahan,	Simons,
Bretherick,	Haberlen,	McLane,	Skale,
Brown,	Haines,	McMillen,	Snyder,
Brunner, C. H.,	Hall,	McSurdy,	Sollenberger,
Brunner, P. A.,	Hamilton,	Melchiorre,	Sorg,
Burns,	Hare,	Mihm,	Stambaugh,
Burris,	Harkins,	Modell,	Stank,
Cadwalader,	Harmuth,	Monks,	Stine,
Chervenak,	Harris,	Mooney,	Stockham,
Chudoff,	Heatherington,	Moran,	Tarr,
Cochran,	Helm,	Moul,	Tate,
Cohen, M. M.,	Hering,	Muir,	Taylor,
Cohen, R. E.,	Herman,	Munley,	Thompson, E. F.,
Cook,	Hersch,	Nagel,	Thompson, R. L.,
Cooper,	Hewitt,	Nunemacher,	Trout,
Cordier,	Hirsch,	O'Brien,	Turner,
Corrigan,	Holland,	O'Connor,	Van Allsburg,
Croop,	Huntley,	O'Dare,	Verona,
Cullen,	Imbrie,	O'Mullen,	Vincent,
Dalrymple,	James,	O'Neill,	Vogt,
Dennison,	Jefferson,	Owens,	Voldow,
DiGenova,	Jones, G. E.,	Petrosky,	Voorhees,
Dix,	Jones, P. N.,	Pettit,	Wagner,
Dolon,	Keenan,	Polaski,	Watkins,
D'Ortona,	Kenehan,	Polen,	Weingartner,
Duffy,	Kline,	Powers,	Weiss,
Early,	Knoble,	Prosen,	Welsh, E. B.,
Eckels,	Kolankiewicz,	Rank,	Welsh, M. J.,
Elder,	Komorofski,	Rausch,	Wilkinson,
Elliott,	Krise,	Readinger,	Williams,
Ely,	Lee, E. A.,	Reagan,	Winner,
Falkenstein,	Lee, T. H.,	Reese, D. P.,	Wood, L. H.,
Finestone,	Leisey,	Reese, R. E.,	Wood, N.,
Finnerty,	Leonard,	Regan,	Woodring,
Fisher,	Lesko,	Reynolds,	Woodside,
Fiss,	Levy,	Rhea,	Wright,
Fleming,	Leydic,	Riley,	Yeakel,
Fletcher,	Lichtenwalter,	Rooney,	Yester,
Flynn,	Longo,	Rose, S.,	Young,
Foor,	Lovett,	Rose, W. E.,	Kilroy, Speaker.

NAYS—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return it to the Senate with information that the House has passed it without amendments.

BILL PASSED OVER

There being no objection House Bill No. 570, Printer's No. 1160, was passed over at the request of the SPEAKER.

BILLS ON THIRD READING

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1936, (Senate Bill No. 653), as follows:

An Act regulating and improving the civil service of certain departments and agencies of the Commonwealth vesting in the State Civil Service Commission and a Personnel Director certain powers and duties providing for classification of positions adoption of compensation schedules and certification of payrolls imposing duties upon certain officers and employes of the Commonwealth authorizing service to political sub-divisions of the Commonwealth in matters relating to civil service defining certain crimes and misdemeanors imposing penalties making an appropriation and repealing certain acts and parts thereof

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The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows That a system of personnel administration is hereby established for the regulation and improvement of the civil service of certain departments and agencies of the Commonwealth

Article I

General Provisions

Section 1 Short Title This act shall be known and cited as the "Civil Service Act"

Section 2 Purpose Greater efficiency and economy in the administration of the government of this Commonwealth is the primary purpose of this Act The establishment of conditions of service which will attract to the service of the Commonwealth qualified persons of character and ability and their appointment and promotion on the basis of merit and fitness are means to this end

Section 3 Definition of Terms In this Act unless the context otherwise clearly requires

(a) "Commission" means State Civil Service Commission as created by "The Administrative Code of 1929" and its amendments

(b) "Director" means the Personnel Director

(c) "Service of the Commonwealth" includes all offices and positions now existing or hereafter created in the Department of Public Assistance State Board of Public Assistance and county boards of assistance all offices and positions now existing or hereafter created in the Department of Labor and Industry charged with the administration of the Unemployment Compensation Law all offices and positions now existing or hereafter created under the Pennsylvania Liquor Control Board all offices and positions under the State Civil Service Commission and the Personnel Director all full time offices and positions of any other department or agency of the Commonwealth where more than fifty per centum of the remuneration for such offices and positions is paid by any agency or department of the United States of America which by authority of law requires that such offices and positions be filled by an approved merit system and any other offices and positions of any department or agency to which this Act may hereafter be extended except that service of the Commonwealth shall not include offices and positions in the unclassified service as hereinafter defined

(d) "Unclassified service" means all positions now

existing or hereafter created in the service of the Commonwealth which are held by

(1) Heads of departments of the Commonwealth and the first deputy heads thereof

(2) Members of boards and commissions

(3) One secretary or one confidential clerk to each appointing authority or each member thereof as the case may be except the Commission and the Director

(4) Any person temporarily appointed or designated to render special services or to make or conduct a special inquiry investigation or examination where such appointment or designation is certified by the Commission to be for employment for not more than six months in any twelve month period and which for reasons set forth in the minutes of the Commission should not be performed by persons in the classified service

(5) Any person employed by any other State agency or department which by law performs services directly or indirectly for the departments set forth in subsection (c) hereof

(6) Such attorneys as the Attorney General shall appoint and the Governor shall approve

(e) "Classified service" means all positions now existing or hereafter created in the service of the Commonwealth not specifically included in the unclassified service

(f) "Appointing authority" means the officers board commission person or group of persons having power by law to make appointments in the service of the Commonwealth

(g) "Position" means any office or place of employment in the service of the Commonwealth such that the duties and responsibilities thereof are exercised by one person

(h) "Class" or "class of positions" means a group of positions in the service of the Commonwealth established under this Act sufficiently similar in respect to the duties and responsibilities thereof that the same descriptive title may be used for each of such positions the same requirements as to ability are demanded of incumbents the same tests of fitness may be used to choose qualified appointees and the same schedule of compensation may be made to apply with fairness under like working conditions

(i) "Permanent position" means a position in the service of the Commonwealth which is likely to be needed continuously for a period of six months or more

(j) "Extra position" means a position in the classified service which arises out of temporary pressure of extra work and will continue for a period of less than six months

(k) "Employe" means a person legally occupying a position in the service of the Commonwealth

(l) "Regular employe" means an employe who has been appointed to a position in the classified service in accordance with this Act after completing his probationary period

(m) "Entrance examination" means an examination for positions in a particular class admission to which is not limited to persons employed in the service of the Commonwealth

(n) "Promotion examination" means an examination for positions in a particular class admission to which is limited to employes in the classified service who have held a position in another class

(o) "Employment list" means a list of persons who have been found qualified by an entrance examination for appointment to a position in a particular class

(p) "Promotion list" means a list of persons who have been found qualified by a promotion examination for appointment to a position in a particular class

(q) "Eligible list" means an employment list a promotion list or a reemployment list

(r) "Eligible" means a person whose name is on an eligible list

(s) "Demotion" means a change in status to a position in a class carrying a lower maximum salary

(t) "Furlough" means the termination of employment because of lack of funds or of work

(u) "Probationary period" means a preliminary period of employment prior to permanent appointment of an employe for the purpose to determine his fitness for permanent employment

(v) "Promotion" means a change in status to a position in a class carrying a higher maximum salary

(w) "Removal" means the permanent separation from the classified service of an employe who has been permanently appointed

Article II

Civil Service Commission and Personnel Director and Their Powers

Section 201 Qualifications and Removal of Commissioners Any person appointed as a member of the Commission shall be a citizen and legal resident of the Commonwealth for a period of not less than one year who is in sympathy with modern personnel methods and the application of merit principles to public employment No person who within one year preceding his appointment has been an officer of a political party shall be eligible to serve as a commissioner The Governor may remove any member of the Commission but only for incompetence inefficiency neglect of duty malfeasance or misfeasance in office by giving such member a statement in writing of the charges against him and affording him after notice of not less than ten days an opportunity of making written answer and upon request being publicly heard in person and by counsel A copy of the charges and answers of the Governor's findings and a transcript of the record shall be filed with the Secretary of the Commission

Section 202 Meetings of Commission The Commission shall meet at least once each month except that meetings may be omitted during two summer months The Chairman of the Commission shall cause reasonable notice to be given to each member of the Commission and to the Director of the time and place of each meeting Meetings shall be held at the call of the Chairman the Governor or any member of the Commission Two members of the Commission shall constitute a quorum at any meeting

Section 203 Duties of Commission It shall be the duty of members of the Commission as a body

(1) After public hearing as hereinafter set forth to establish adopt and amend rules either on its own motion or upon recommendation of the Director for making effective the provisions of this Act Such rules shall have the effect of law one week after the adoption thereof

(2) After public hearing as hereinafter set forth to approve modify or reject such classification plans for the classified service of the Commonwealth as the Director may present

(3) To approve modify or reject for report to the Executive Board of the Commonwealth such compensation schedules for the classified service of the Commonwealth as the Director may present

(4) Upon request or on its own motion as herein provided in cases of demotion furlough suspension and removal to conduct investigations hold public hearings render decisions on appeals and record its findings and conclusions

(5) To make investigations on its own motion and in its discretion on petition of a citizen concerning any matter touching the enforcement and effect of the provisions of this Act and to require observance of the provisions of this Act and the rules and regulations thereunder

(6) To make such investigations as may be requested by the Governor or the Legislature and to report thereon

Section 204 Legal Counsel The Attorney-General shall be legal counsel for the Commission Whenever the Attorney-General acts for the appointing authority in a particular proceeding the Commission may appoint special counsel The total compensation paid to all such special counsel for any fiscal year shall not exceed two thousand five hundred dollars

Section 205 Qualifications Appointment Compensation and Removal of Director

(a) The Director shall be in the classified service He shall be a person who has been a citizen and legal resident of the Commonwealth for a period of not less than one year before making application therefor and who by examination shows he is familiar with the principles and methods of personnel administration and one who is in sympathy with the application of merit principles and scientific methods to public employment He shall during the first year receive an annual salary of seven thousand dollars which shall not at anytime thereafter be increased by the Commission with the approval of the Governor to more than nine thousand dollars and shall hold no other public position of profit

(b) Within ninety days after it is appointed and thereafter within ninety days after a vacancy occurs the Commission shall hold a competitive examination in accordance with the provisions of this Act and on the basis of that examination shall establish an employment list of persons found eligible for appointment as Director The Commission shall appoint one of the three highest ranking eligibles as the Director The Commission shall have the same powers and duties with respect to the conduct of the examination establishment of the employment list and making an appointment therefrom that are vested in or imposed upon the Director under the provisions of this Act with respect to other positions in the classified service

(c) The Director shall not be removed except for incompetence inefficiency neglect of duty malfeasance or misfeasance in office The Commission shall furnish to the Director written notice of his intended removal setting forth the reasons for such action and shall file a copy of such written notice with the Governor The Director shall have ten days from the receipt of such written notice to give the Commission such written answer as he may desire and shall file a copy of such written answer if any with the Governor Such notice and answer shall be made a part of the public records of the Commission and of the Governor Within thirty days after receipt of such notice of removal and answer thereto the Governor shall make an investigation for the purpose of fairly determining whether the Director shall continue in his position or should be removed therefrom Within twenty days after the completion of such investigation or sooner if practicable the Governor shall make his findings and conclusions which shall be forthwith certified to and enforced by the Commission The Governor's findings and conclusions shall constitute a part of the public records of the Commission and of the Governor In case of removal the Director may appeal the action of the Commission and the Governor direct to the Superior Court as provided for such appeals by other employes in the classified service

Section 206 Powers and Duties of Director The Director shall be the chief executive officer of the Commission and except as otherwise provided in this Act shall direct and supervise all the administrative work He shall have power and it shall be his duty

(1) To appoint from employment lists established under this Act such examiners investigators clerks and other assistants as may be necessary to carry out this Act and to supervise and direct this work

(2) To attend the meetings of the Commission act as its secretary and record its official actions

(3) To prepare and recommend to the Commission rules and amendments thereto

(4) To establish and maintain a record of all employes in the service of the Commonwealth showing for each such person the date appointed or employed the title of the position held the rate of compensation and every change in his status including increases and decreases in pay changes in title transfers sick and annual leaves with or without pay and such other data as he may consider desirable and pertinent

(5) To administer and make effective the provisions of this Act and of the Rules made thereunder including those relating to the preparation after advice and counsel with appointing authorities and administration of classification and compensation plans the preparation and conduct of examinations the preparation of eligible lists the certification of persons qualified for employment the transfer promotion suspension demotion removal lay-off leave of absence and resignation of employes the rating of employes' services the checking and certification of payrolls before payment the conduct of programs of employe training and working conditions affecting the health and safety of employes

(6) To investigate the effect of the administration of this Act and of the Rules made thereunder and to report his findings and recommendations of the Commission

(7) To appoint with the approval of the Commission one employe to be his deputy The person selected as deputy may be one of the three remaining highest ranking persons on the eligible list for the position of Director or one of the three highest ranking persons on an eligible list established by an examination for the position of Deputy Director which examination and ratings shall be in a like manner and under the same conditions as provided in this Act for other classes of positions The salary of the deputy shall be established by the Commission with the approval of the Governor In case of the absence of the Director or his inability from any cause to discharge the powers and duties of his office such powers and duties shall devolve upon his deputy

(8) To make a biennial report in writing not later than September first of each even numbered year to the Commission concerning the administrative work of the Commission including pertinent information and recommendations

(9) To do any act or acts required by this Act or the Rules made thereunder or which may be necessary to carry into effect their provisions and purpose

Section 207 Cooperation by Officers and Employes of the Commonwealth Upon the written request of the Director all officers and employes in the service of the Commonwealth shall during the usual business hours furnish the Commission such facilities assistance and information as it may require in carrying on its functions

Section 208 Public Hearings Before adopting or amending its Rules or approving modifying or rejecting classification plans the Commission shall hold a public hearing at which any citizen shall have the right to appear and be heard Public notice of such public hearing shall be given at least seven days in advance of the hearing by posting on a bulletin board maintained in or near the Commission's principal office in a place accessible to the public during business hours a statement of the time and place of the hearing and of the matter to be considered also by furnishing at least twenty copies of such notice to the Newspaper Correspondents' Office in the State Capitol and one copy of such notice to the Governor each appointing authority and each member of the General Assembly The Commission may give further public notice of such hearings as it deems advisable

Section 209 Oaths Testimony and Production of Papers Each member of the Commission the Director and any other employe or agent authorized by the Commission shall have the power to administer oaths in matters pertaining to the work of the Commission The Commission shall have the power to secure by subpoena the attendance and testimony of witnesses and the production of books and papers Any judge of a court of record either in term time or in vacation shall upon proper application of the Commission compel the attendance of witnesses the production of books and papers and the giving of testimony before the Commission by attachment for contempt or otherwise in the same manner as the production of evidence may be compelled before such court

Section 210 Records Open to the Public The minutes of the Commission shall be preserved as permanent records The correspondence eligible lists and other papers and records of the Commission shall be preserved for seven years On written request to the Commission and subject to reasonable regulation all records of the Commission shall be open to public inspection during ordinary business hours except as herein specifically otherwise provided

The Director shall prevent the securing in advance by any unauthorized person of questions or other material to be used in any test unless such questions or materials are available to all competitors He shall prevent the identification by any examiner or other persons where identity is concealed of papers or work of any competitor in an examination before the papers or work of all competitors in that examination have been rated Statements of former employers of competitors in examinations shall be considered confidential and not open to inspection

Section 211 Receiving Funds and Allocating or Apportioning Costs The Commission shall have power to receive funds from the United States of America or any agency thereof or from any other source whatsoever for the administration of this Act and to allocate among the departments and agencies thereunder the cost of administering this Act or any part thereof

Section 212 Service to Political Subdivisions Cooperation with other Civil Service Agencies (a) The services and facilities of the Commission and its staff shall be available to political subdivisions of this Commonwealth upon such terms and conditions as may be prescribed by the Rules of the Commission which Rules shall provide for the payment to and reimbursement of the Commonwealth for the reasonable cost of such services and facilities

(b) The Commission shall have power from time to time to enter into agreements with other public personnel agencies in this or any other State and with agencies of the federal government for the purpose of using and exchanging information and services The Commission shall have power to become a member of or subscribe to any association or service having as its purpose the interchange of information relating to the technique of personnel administration

Article III

Classification of Positions in the Classified Service

Section 301 Establishment of Classes The Director shall within sixty days after taking office and after consultation with the Executive Board of the Commonwealth appointing authorities and principal supervising officials classify all of the positions in the classified service according to the duties and responsibilities of each position The plan of classification shall designate appropriate titles for each class of position and shall recommend to the Commission the qualifications to be required of persons assigned or appointed to positions in each class The completed classification plan shall be so arranged that all positions which are substantially similar with respect to authority responsibility and character of work are included within the same class that the same tests of competency may be applied to persons to be appointed to all positions in a class and that the same schedule of compensation can be made to apply with fairness under like working conditions to all positions in a class The statement which shall be known and described as "The Classification Plan" shall show for each class

(a) The title given to the class

(b) The duties and responsibilities exercised by those holding positions allocated to the class illustrated where necessary by descriptions of typical tasks

(c) The minimum qualifications required for the satisfactory performance of such duties and tasks and the exercising of such responsibilities

(d) As far as practicable the lines of promotion to and from the class

The Director shall present such classification plan to the Commission The Commission after adopting such classification plan either as presented or in modified form shall publish the classification plan

Section 302 Allocation of Position to Classes As soon as possible after the adoption of the classification plan the Director shall after affording employes a reasonable opportunity to be heard and after consultation with appointing authorities and their principal assistants allocate each position in the classified service to its proper class Each employe shall assume the classification title of his position

Section 303 Addition and Amendments to Classes The Director shall from time to time after consultation with appointing authorities and with the approval of the Commission establish additional classes and allocate thereto new positions created or positions not included in any previously established class and may divide combine alter or abolish existing classes and reallocate positions If any proposed amendment of the classification plan will affect an existing position the employe holding such position shall have a reasonable opportunity to be heard before final action is taken and if adversely affected thereby he shall have all the rights of appeal granted to demoted or furloughed employes

Section 304 Reporting and Classification of New Positions Appointing authorities shall promptly report to the Director the establishment of new positions in order that they may be classified and allocated No person shall be appointed to any such position until it has been properly classified as herein provided Any change in the duties of an existing position which in the judgment of the Director is material may by action of the Commission be interpreted as serving in effect to abolish the position and to create a new position Any employe adversely affected by any such change shall have all the rights of appeal granted to demoted or furloughed employes Appointing authorities shall report material changes in the duties of positions to the Director

Section 305 Use of Classification Titles Classification titles shall be used in all records and communications of the Commission the appointing authorities the Auditor General the State Treasurer and the Budget Secretary and shall also be used in all estimates submitted to the General Assembly or to the Budget Secretary requesting the appropriation of money to pay for services and in all reports and papers relating to payments for services

Article IV

Compensation of Employes in the Classified Service

Section 401 Compensation Schedules For each class established under this Act the Director shall make a study of the rates paid for similar services elsewhere and of other information pertaining to proper rates of compensation and after consultation with appointing authorities and their principal assistants and approval by the Commission shall report to the Executive Board of the Commonwealth for its approval modification or rejection a schedule of compensation for each class Such schedules shall show for each class a minimum salary rate a maximum salary rate and such intermediate rate or rates as the Director considers necessary and proper Subject to the approval of the Commission the Director may from time to time recommend to the Executive Board of the Commonwealth for its approval modification or rejection changes in the schedule of compensation for any class together with the reasons therefor Pending the adoption of such compensation schedules and the appropriation of funds to make payments for personal services in accordance therewith the compensation of employes in the classified service shall be in accordance with the existing law

Section 402 Rates of Pay Following the adoption of the schedule of compensation for any class the rate of compensation for any employe upon appointment to a position in the class shall be at the minimum rate prescribed for the class except that where the appointee is already in the classified service in a position in the same or another class his compensation upon appointment to the new position shall be the same as that received before such new appointment

Section 403 Changes in Compensation The rate of compensation of any employe who has not reached the maximum rate for his class may be increased upon the attainment and maintenance of the appropriate service rating

as provided elsewhere in this Act In the absence of service ratings advances in compensation within the salary range for any class may be made on the recommendation of the appointing authority supported by such evidence of increased usefulness in the service as may be required by the Rules of the Commission Each such increase shall be to the next higher rate for the class except as provided in this Section and shall become effective on the first day of the month following its approval by the Governor No employe shall have his compensation increased in the class oftener than once in twelve months except that upon the request of the appointing authority approved by the Director and by the Commission and on the basis of facts demonstrating that the action is in the interest of good administration the Governor may at any time authorize an increase to any rate established for the class to which the position is allocated The Commission in its reports shall publish the facts regarding each case or class of cases in which it approves such request made by appointing authorities to increase the rate of compensation of any employe more frequently than once in twelve months or to a rate above the next higher rate for the class In no case however shall the compensation of any employe be increased unless funds are available from which the increase may lawfully be paid nor shall the rate for any employe be increased beyond the maximum for the class

Article V

Selection of Employes for Entrance to or Promotion in the Classified Service

Section 501 Examinations Requisite for Appointment and Promotion (a) Except as otherwise provided in this Act appointments of persons entering the classified service or promoted therein shall be from eligible lists established as the result of examinations given by the Director to determine the relative merit of candidates Such examinations shall be written and competitive and open to all persons who may be lawfully appointed to positions within the classes for which the examinations are held Persons applying for positions or promotions in the offices designated by the appointing authority as central administrative offices (which shall include all those having jurisdiction throughout the State) shall be citizens of the United States and shall have been legal residents of the Commonwealth for a period of not less than one year before making application and persons applying for positions or promotions in district offices (which shall include all those whose jurisdiction is limited to a particular district created under the provisions of this act) shall be citizens of the United States and shall have been legal residents of the Commonwealth for a period of not less than one year and in the district in which such office having jurisdiction thereof is located for a period of not less than six months before making application The Director shall prepare the proper state and district employment and promotion eligible lists Provided that after an examination has been conducted for any class of position if there is no person with such legal residence in any administrative district who has passed the examination the Director may certify and the appointing authority may make the appointment or promotion from the names of persons on an appropriate eligible list for the same class of position of administrative districts which are contiguous to the administrative district in which there is no person on the appropriate eligible list Limitations as to age sex health moral character experience education and other qualifications not inconsistent with any limitations set forth in this act may be specified in the Rules of the Commission and in the announcements of the examinations All applications for positions in the classified service shall be under oath (b) Vacancies in positions in the classified service whether such positions be newly created or vacated for any reason by any former incumbent shall be filled unless no qualified employes are available by promotions from among employes except as otherwise provided in this act In all cases an employe to be promoted shall possess the qualifications specified for the position and shall have served not less than six months (including service during any probationary period but not including service during any provisional employment) in a position in the classified service and except as herein otherwise provided shall have passed a promotion examination for such position as provided for in this act and be on the eligible list therefor Provided That until such promotion lists have been established in accordance with the provisions of this act any person in the classified service as the result of an appointment from an eligible list established by a competitive examination who has been so employed for at least six months may be promoted to a higher rated position in the same class of employment under the jurisdiction of the same appointing authority if his name is on such eligible list for such higher rated position thus establishing he is also qualified to perform the duties of the higher rated position

Section 502 Nature of Examinations The Director shall give examinations to establish employment and promotion lists The tests in such examination shall be written and may also include oral Tests or a demonstration of skill or a combination of these which shall fairly appraise and determine the merit qualifications fitness and ability of competitors Such tests shall be practical in character and shall relate to the duties and responsibilities of the position for which the applicant is being examined and include only questions relating to matters which will fairly test the relative capacity and fitness of persons examined to perform the duties of the class of positions to which they seek to be appointed or promoted but no applicant shall be required to be possessed of any scholastic education or training in order to be permitted to take any competitive examination or to be appointed or promoted to any position No greater credit for experience gained during a provisional emergency or temporary appointment under this act or acts repealed hereby shall be given to any person in any examination than is given in such examination for experience in the same type of work performed in a similar position not under the provisions of this act or acts repealed hereby No question in any examination shall relate to the race religion or political or labor union affiliation of the candidate

Section 503 Holding Examinations and Rating Competitors The Director shall have charge of the preparation and holding of examinations of the rating of the work of competitors and of the preparation of resulting employment and promotion lists He may call on other persons not on the regular staff of the Commission either within or without the service of the Commonwealth for assistance When such persons are in the service of the Commonwealth it shall be deemed a part of their official duty to act as examiners without extra compensation All examination papers shall be rated on a basis of one hundred per centum and less

Section 504 Public Notice of Examinations The Director shall give public notice of all examinations for positions or promotions in the classified service of the Commonwealth at least two weeks in advance of the final date for filing applications for such examinations by posting an appropriate notice on the bulletin board maintained in or near the Commission's principal office by furnishing at least twenty copies of such notice to the Newspaper Correspondents' Office in the State Capitol and at least one copy of such notice to each office throughout the State of all the departments set forth in Section 3 Subsection (c) of this act directing that such notice shall immediately be posted on a public bulletin board maintained in each such office The Director may give such further public notice as he deems advisable Such notice shall give the time place and general scope of every examination the weights to be given to each of the tests in the examination the duties pay experience education and other qualifications requisite for all positions in the class for which the examination is to be held and the manner and place in which application forms and detailed pertinent information may be obtained

Section 505 Ratings of Competitors The final earned rating of a person competing in any examination shall be

determined by the weighted average of earned ratings in all the tests according to weights for each test established by the Director In arriving at a final rating of applicants consideration may be given for such experience and personal qualifications as are related to the classes of positions for which applicants are being examined provided that the same standard shall apply with respect to all applicants in the same class of positions and provided further that in the final rating of all applicants any person who was engaged in military or naval service of the United States during any war in which the United States was engaged and who has an honorable discharge from such service hereinafter referred to as a "soldier" shall if he has successfully passed such test and thus established that he possesses the qualification required by law for appointment or promotion to such position receive in addition to all other ratings an additional ten percentum of perfect and the total percentum mark or grade thus obtained shall determine the order of standing of such soldier on any eligible list Applications of individuals who have been appointed and who have served the probationary period specified in this Act shall not be further reviewed or revaluated by the Commission The Director shall send notice by mail to all competitors informing them whether they have attained a place upon the list and informing those who have attained a place upon the list of their final earned ratings and of their relative standing upon the list

Section 506 Establishment of Employment and Promotion Lists The Director shall establish and maintain such employment and promotion lists for the various classes of positions in the classified service as are necessary or desirable to meet the needs of the service These lists shall contain the names of persons arranged in the order of final earned ratings who have been given at least such minimum rating or ratings as may be fixed in advance for the whole examination or for the whole examination and for any one or more of the tests

Section 507 Duration of Employment and Promotion Lists Employment and promotion lists shall continue in force for at least two years from the date of their establishment and thereafter until exhausted or replaced by more recently prepared lists When any eligible list contains less than three names of persons willing to accept appointment or promotion as the case may be a new examination shall be publicly announced within thirty days and such examination shall be held and the new list of eligibles shall be established within four months but those whose names remained on the eligible list shall be retained on the new list for a period of at least two years from the date the original list was established The Director with the approval of the Commission may at any time correct clerical errors occurring in connection with the preparation of any employment or promotion list and revise the list accordingly but no person who has been appointed as the result of certification from such list shall be displaced by such action Any persons whose rating or position on the list is changed by correcting any clerical errors shall be notified at least ten days before such changes shall become effective The Commission shall have the power at any time after giving notice as required in this Act and after a public hearing to cancel the name of any person on any employment or promotion list after proof of illegality or fraud by such person or in his behalf in connection therewith

Article VI

Appointment and Promotion of Employes in the Classified Service

Section 601 Certification Whenever a vacancy is likely to occur or is to be filled in a permanent position in the classified service the appointing authority shall submit to the Director a statement indicating the position to be filled The Director shall thereupon certify to the appointing authority the names of the three eligibles willing to accept the promotion who are highest on the appropriate promotion list and the names of all other persons on such list whose final mark or grade is not more than one point below the mark or grade of the person ranking highest on such list who are willing to accept the promotion If the list contains less than three eligibles who are willing to accept promotion the additional names may be taken from the appropriate employment list to make a certification of at least three eligibles If there are less than three eligibles on appropriate eligible lists who are willing to accept appointment the Director shall certify all the names on these lists If there are no qualified employes available to fill the vacancy by promotion the Director shall submit to the appointing authority names of persons from the appropriate employment list who are willing to accept apopintment if selected by the appointing authority The Director shall submit to him the names of three such persons ranking highest if one appointment is to be made names of four such persons ranking highest if two appointments are to be made in the same class of position and if more than two appointments are to be made in the same class of position the number of names of persons ranking highest on the appropriate employment list to be submitted to the appointing authority shall be determined in the ratio of five such names for each three appointments to be made If upon inquiry by the Director any person on any promotion or employment list is found to be not available for promotion or appointment his name shall not for the time being be considered among the names from which a promotion or appointment is to be made

Section 602 Selection and Appointment of Eligibles Unless it is found to be in the interest of the service of the Commonwealth not to fill a vacant position the appointing authority within thirty days shall appoint the person whose name is or one of the persons whose names are certified by the Director If the vacant position is to be filled from among the names of employes on the appropriate promotion list which have been submitted to the appointing authority he shall select a person provided he is among the three highest ranking persons on such list or that his final mark or grade is not more than one point below the mark or grade of the person ranking highest on such list In making the second promotion in the same class of position the appointing authority in like manner shall select a person from among the three highest ranking persons remaining on such list or he shall select a person whose final mark or grade is not more than one point below the mark or grade of the highest ranking person remaining on such list The third and any additional promotions in the same class of position shall be made in like manner If the vacant position is to be filled from among the names of persons certified by the Director to the appointing authority he shall select a person from among the three highest ranking persons for the class of position to be filled For the second vacancy in the same class of position the appointing authority shall make selection from among the three highest ranking persons remaining on such list who have not been within his reach for three separate vacancies The third and any additional vacancies shall be filled in like manner After a name has been rejected three times by an appointing authority in favor of others on the same eligible list such name shall not again be certified to that appointing authority except upon written request from the appointing authority Appointing authorities shall promptly report to the Director the selection and appointment of eligibles whose names have been certified If an eligible whose name has been certified shall refuse to accept an appointment offered to him such refusal shall be promptly investigated by the Director and if it be found that the refusal has been made for improper or insufficient reasons the Director shall after giving ten days' notice to such person remove his names from the list The Director or the appointing authority as the case may be to the contrary notwithstanding as provided in this act when submitting names or lists or making appointments or promotions in any class of position shall give preference to a soldier as defined and provided for in this act and any act now or hereafter becoming effective which supersedes the soldier preference provisions of this section notwithhstanding that he does not rank among the three highest on such list or that he is more than one point below the mark or grade of

the person ranking highest on such list if such soldier possesses the qualifications and has passed the required examination and his name appears on such established employment or promotion eligible list and that the appointing authority may give preference to a soldier who possesses the qualifications and has passed the required examination although his name does not appear on such established employment or promotion eligible list

Section 603 Probationary Period (a) No appointment to a position in the classified service shall be deemed complete until after the expiration of a probationary period The probationary period shall be prescribed in the Rules of the Commission and shall in no case be less than three months or more than nine months At such times during the probationary period and in such manner as the Director may require the appointing authority shall report to the Director his observation of the work of the employe and his judgment as to the willingness and ability of the employe to perform his duties satisfactorily and as to his dependability At any time during his probationary period after the first month thereof if in the opinion of the appointing authority the probation indicates that such employe is unable or unwilling to perform his duties satisfactorily or that his dependability does not merit his continuance in the service the appointing authority shall forthwith report to the Director and to the employe in writing with a full statement of reasons and this notice shall terminate his employment in that position provided that within ten days he may appeal his case to the Commission and have reasonable time to produce witnesses and be heard If the Commission sustains the employe the appointing authority shall immediately reinstate him to his position and reimburse him for any salary lost during the time he was unemployed The decision of the Commission shall be final and a copy of their findings and conclusions shall be made a part of their public records The Director with the approval of the Commission shall remove an employe during his probationary period if it is found after the employe has been given notice and an opportunity to be heard that he was appointed as a result of fraud Provided That in such case the employe shall have the same right of appeal from the decision of the Commission as is granted to employes in the classified service who have been suspended furloughed demoted or removed

(b) Ten days prior to the expiration of an employe's probationary period the appointing authority shall notify the Director in writing whether the services of the employe have been satisfactory A copy of such notice shall be given to the employe If the employe's work has been satisfactory he shall at the completion of his probationary period become a classified service employe under the provisions hereof and continue in that position unless separated therefrom as herein provided Failure to notify such employe that his services are not satisfactory before the end of his probationary period shall automatically confirm such individual as a classified service employe and such individual may not be suspended furloughed demoted or removed except for the reasons and under the provisions set forth in this Act for other classified service employes

(c) If any employe is removed from his position during or at the end of his probationary period and the Director determines that he is suitable for appointment to another position his name may be restored to the list from which it was certified

Section 604 Provisional Appointments Whenever there is great and urgent public need for filling a vacancy in any position in the classified service and the Director is unable to certify an eligible for the vacancy he may authorize the filling of the vacancy by provisional appointment If he does authorize such appointment he shall certify not more than three qualified persons with or without examination and the appointing authority shall appoint one of the persons so certified A provisional appointment shall continue only until an appropriate eligible list can be established and certification made therefrom but in no event for more than ninety days nor shall any person serve in the classified service under provisional appointment longer than ninety days in any twelve-month period Successive provisional appointments of the same or different persons shall not be made to the same position The acceptance of a provisional appointment shall not confer upon the appointee any rights of permanent tenure transfer promotion or reinstatement

Section 605 Temporary Appointments To Extra Positions When from pressure of work an extra position in the classified service must be established for a period of less than three months the appointing authority shall request the Director in writing to certify names from the appropriate list of eligibles In such request the appointing authority shall state the cause of the extra work the probable length of employment and unless the position has been classified the duties which the appointee is to perform If no persons on the appropriate eligible list are available then the Director may certify the name of a qualified person not on the eligible list for such temporary appointment No extra position shall be filled temporarily for a period of more than three months in any twelve month period and no person whether or not on the appropriate eligible list shall be temporarily appointed to any extra position for more than three months in any one calendar year Persons on the appropriate eligible list who are temporarily appointed to such extra positions shall b egiven credit for such time on their probationary period under this Act and after being employed by temporary appointments to extra positions as herein provided for a total period of time equal to their probationary period they shall afterward be reinstated to the eligible list from which they were so appointed and shall be given preference in future regular appointments the same as provided in this Act for furloughed employes At no time shall there be persons serving temporary in such extra positions shall be given credit for such time total number of classified service employes in employment under the jurisdiction of any appointing authority under this Act The Director when ascertaining from persons on the eligible list if they will accept a temporary appointment shall give them full details as to the nature of the work and the minimum period of time such temporary appointment will continue

Section 606 Emergency Appointments Any appointing authority or any subordinate authorized by him may to prevent serious impairment of the public business when an emergency arises and time will not permit securing the authorization from the Director for the appointment of a certified eligible appoint any qualified person during the emergency for a period not exceeding ten days The existence of a vacancy of which the appointing authority has had reasonable notice or of employment conditions of which the appointing authority had previous knowledge shall not be considered an emergency Persons thus appointed shall be known as emergency employes Appointing authorities shall forthwith report to the Director all emergency appointments and such appointments shall not be renewed

Section 607 Status of Employes Holding Positions When Act Takes Effect Any employe who holds a position which is in the classified service as herein defined and which was in the competitive class under the law in force immediately preceding the effective date of this Act shall and having been appointed to such position from an eligible list established by a competitive examination or promoted thereto after having been on an eligible list established by a competitive examination for the position to which he was promoted if he has successfully completed his probationary period become a classified service employe under the provisions hereof and continue in that position unless separated therefrom as herein provided Any such employe who has not completed such probationary period at the time this Act takes effect shall retain his status as a probationary employe until the expiration of that probationary period If he successfully completes his probationary period he shall become a classified service employe under the provisions hereof and continue in that position unless separated therefrom as herein provided Any provisional employe holding a position in a bureau board or department having a merit system under the law in force immediately preceding the effective date of this act shall become a

provisional employe under the terms hereof

Article VII

The Regulation Of Employes In The Classified Service

Section 701 Training Programs The Director shall devise and recommend plans for employe training programs to appointing authorities and other supervising officials and shall cooperate with them in the conduct of such programs to the end that the quality of service rendered by persons in the classified service may be continually improved

Section 702 Health Programs The Director may develop in cooperation with appointing authorities and others health safety and recreation programs which will improve the working conditions of employes in the classified service

Section 703 Holidays Hours of Work Attendance and Leaves The Director shall prepare and after approval by the Commission and the Executive Board of the Commonwealth shall administer regulations regarding holidays hours of work attendance and annual sick and special leaves of absence with or without pay for employes in the various classes of positions in the classified service

Section 704 Service Standards and Ratings In cooperation with appointing authorities the Director shall establish and may from time to time amend standards of performance and output for employes in each class of positions in the classified service or for groups of classes and a system of service ratings based upon such standards In such manner and with such weight as may be provided in the Rules service ratings may be considered in determining salary increases and decreases within the limits established by law and by the compensation plan and as a factor in promotion examinations provided that all applicants for promotions in the same class of position are credited on an equal basis according to their individual service rating In such manner and at such time as the Rules may require each appointing authority shall report to the Director the service ratings of employes under his jurisdiction or such information as the Director may request as a basis for determining such service ratings Upon request any employe shall be informed of his service rating and may be informed of the service ratings of other employes in the same class

Section 705 Transfers and Assignments An appointing authority may at any time assign a classified employe under his jurisdiction from one position to another in the same class or a transfer of a classified employe from a position under the jurisdiction of one appointing authority to a position in the same class under the jurisdiction of another appointing authority may be made with the approval of the Director and of both appointing authorities concerned provided that any such transfer of employes from employment in central administrative offices to district offices in another city town or borough in which district the employes have been legal residents for a period of not less than six months or transfer of employes from employment in district offices in one city town or borough to central administrative offices in another city town or borough or transfer of employes from the jurisdiction of one appointing authority to employment under the jurisdiction of another appointing authority in the same city town or borough must have prior signed approval of the employes involved except that transfer of employes from employment in central administrative offices to district offices in the same city town or borough in which district such employes are legal residents as herein defined or vice versa which are under the jurisdiction of the same appointing authority or that temporary transfer of employes from employment in central administrative offices to any one district office in the same or another city town or borough in which district they may or may not be a legal resident as herein defined for not more than sixty days in any one calendar year or vice versa notwithstanding that such temporary transfer may involve employment under the jurisdiction of the same or a different appointing authority can be made without prior approval of the employes involved but in the case of any such temporary transfer from one city town or borough to another the employes involved shall be furnished traveling expenses and adequate subsistence expenses while on such temporary assignment Any transfer of an employe from a position in one class to a position in a class for which a higher maximum rate of compensation is prescribed shall be deemed a promotion and may be accomplished only in the manner herein provided for the making of promotions No person shall ever be transferred from a position in the unclassified service to a position in a classified service unless he is appointed to such latter position after certification of his name from an eligible list in accordance with the provisions of this Act

Section 706 Demotions An appointing authority may demote to a vacant lower rated position in the same class any employe in the classified service who is unable to perform the duties of the position to which he was appointed or promoted and who is able to perform the duties of the lower position In case of such demotion the employe shall have all rights of appeal as provided in this Act No employe shall be demoted because of his race religion or political partisan or labor union affiliation A demotion may also be made by an appointing authority with the approval of the Director upon the written petition of the employe stating the reasons therefor and supported by such evidence as the Director may require to show that the employe is able to perform the duties of the class of position to which he petitions that he be demoted The compensation of an employe demoted shall in no case exceed the maximum rate for the class to which is demoted

Article VIII

Separation of Employes From the Classified Service

Section 801 Temporary and Permanent Separations An employe may be temporarily separated from the classified service through furlough leave of absence or suspension and may be permanently separated through rejection on probation retirement resignation or removal

Section 802 Furlough An appointing authority may by reason of lack of funds curtailment of work or combining altering or abolishing positions due thereto furlough any employes under his jurisdiction provided that such employes shall be reinstated to the appropriate eligible lists and shall except as otherwise provided in this section be given preference by any appointing authority over all other persons on such lists and preference by any appointing authority over all other persons on such lists and preference by any appointing authority over all other persons on any promotion lists for future appointments to the class of position from which they were furloughed or to a lower rated position in the same class in order of seniority provided that in case of a promotion afterward of another employe such preference shall not be effective if it necessitates furloughing such other employe Such eligibility for preference shall remain effective for a period equal in length to the employe's employment in the classified service under this Act and his employment including probationary but not including provisional employment under the merit system in effect prior to the effective date of this Act but in no case shall such preference continue for a period longer than two years after which his name shall be placed in its proper position according to his original rating on the appropriate eligible lists for possible appointment therefrom as provided for original appointments until such lists are replaced by more recently established lists Furloughs shall be made in reverse order of seniority within a rated position of a class but in cases where two or more employes have equal seniority the one with the lowest final rating on the eligible list shall be furloughed Any employe displaced in this manner who has been previously promoted shall be returned to his previous position and salary by displacing the employe with the least length of employment as provided in this section in that rated position but in cases where two or more employes have equal seniority the one with the lowest final rating on the eligible list shall be furloughed This system shall apply to all promoted employes During the first year after the effective date to this section the provisions herein contained pertaining to preference by any appointing authority to furloughed employes shall be interpreted to mean preference by the appointing authority under whose jurisdiction employes were on furlough on the effective date of this section or preference

by appointing authority under whose jurisdiction employes may be furloughed during the first year after the effective date of this section

Section 803 Suspension An appointing authority may for good cause suspend without pay for disciplinary purposes an employe holding a position in the classified service Such suspension shall not exceed in the aggregate thirty working days in one calendar year No person shall be suspended because of his race religion or political partisan or labor union affiliation What shall constitute good cause for suspension may be stated in the Rules An appointing authority shall forthwith report to the Director in writing every suspension together with the reason or reasons therefor and shall send a copy of such report to the suspended employe Such report shall be made a part of the Commission's public records

Section 804 Retirement The Director with the approval of the Commission may recommend to the Governor the retirement of any employe in the classified service who in his judgment has become unfitted for the efficient performance of the duties of his position owing to advanced age or to physical or mental disability Any such employe so retired shall have all rights of appeal as provided in this Act for other employes removed

Section 805 Resignation The Rules of the Commission shall state what shall constitute resignation from the classified service Absence from duty for five consecutive working days without notice to the appointing authority may be regarded as an abandonment of a position and in effect a resignation No person who has voluntarily resigned from the service shall be restored to his position within six months from the effective date of his resignation No resignation of any person in the classified service shall be effective unless accepted by the appointing authority within fifteen days after the actual date of the making thereof No person about to be appointed to any position in the service of the Commonwealth shall in advance of or at the time of such appointment sign or execute a resignation dated or undated No resignation shall be made or shall be valid unless it bears the signature of the person resigning and the date of the resignation in his handwriting Any person who resigns from the classified service may ask the Commission in writing within fifteen days after such resignation for a public hearing stating his reasons If on investigation there appears to be good evidence that the employe has been forced to resign against his will and without just cause or that his separation from the service has been involuntary and without just cause the Commission shall grant him within thirty days a public hearing as hereinafter provided in the case of removal or demotion and shall treat the separation as though it were a removal

Section 806 Removal (a) No person in the classified service shall be removed except for just cause which shall not be his race religion or political partisan or labor union affiliation To all persons in the classified service except provisional temporary and emergency employes or probationary employes who have not served longer than one month written notice of intended removal setting forth the reasons for such action must be furnished They shall have ten days from the receipt of such written notice to give the appointing authority such written answer as the person about to be removed may desire In every case of such intended removal a copy of the statement of reasons therefor with the full written answer thereto if any shall be furnished to the Commission by the appointing authority within ten days from the receipt of the written answer and shall be made a part of the public records of the Commission Within ten days after receipt of such notice of removal from an appointing authority the Commission upon the request of the appointing authority or of the removed employe or upon its own behalf shall initiate an investigation If the Commission on the basis of the statement of reasons for intended removal or answer thereto and its own investigation renders a decision which is not satisfactory to the appointing authority and to the employe involved either if not satisfied may file a request for appeal which shall include a complete and full hearing as provided for in this Act The investigation shall be for the purpose of fairly determining whether the employe involved merits continuance in his position or should be removed therefrom or otherwise disciplined for the good of the service The Commission or those acting for the Commission shall not be required to follow technical rules of evidence or court procedure but shall diligently seek all of the evidence and information bearing on the merits of the case

(b) Charges against any employe in the classified service asking for his removal for a violation of law or for any cause enumerated in the Rules may be filed by any citizen or taxpayer with the appropriate appointing authority and with the Director Charges so filed shall at the discretion of the Commission be recorded in its minutes be investigated and determined in the manner provided in this section

(c) An appointing authority may when in his judgment the public interest or the efficiency of the service requires summarily remove any employe under his jurisdiction who has been finally convicted of an offense in connection with his duties under this Act or of any felony or any crime involving moral turpitude

Article IX

Prohibitions Penalties Enforcement And Appeal

Section 901 Commissions Certificate Of Legality Of Employment and Liability Of Appointing and Disbursing Officers It shall be unlawful for the Auditor General or any other officer or employe to draw sign issue or authorize the drawing signing or issuing of any requisition voucher payroll check or warrant on the State Treasurer or other disbursing officer for the payment of or for the State Treasurer or other disbursing officer to pay the compensation of any person holding a position in the service of the Commonwealth unless an estimate account requisition or payroll for such salary or compensation containing the name title period for which such payment is to be made and rate of pay for each person to be paid shall bear the certificate of the Director that the persons named in such estimate account requisition or payroll have been appointed and employed in accordance with the provisions of this Act and the Rules made thereunder If the Director shall find that any person has been employed in violation of any provision of this Act or of the Rules made thereunder he shall so notify the Auditor General or other officer of the Commonwealth and thereafter such officer shall not draw sign or issue or authorize the drawing signing or issuing of any requisition or warrant on the State Treasurer or other disbursing officer for the payment of salary or compensation to any such person except upon order of a court of competent jurisdiction Any sum paid contrary to the provisions of this Act and the Rules made thereunder may be recovered from any officer or employe making such payment and if paid contrary to the provisions of this Section may be recovered from any officer signing or countersigning or authorizing the signing or countersigning of any requisition voucher payroll check or warrant for such payment or from the sureties on his official bond Such recovery may be made in the manner now provided by law for the collection of dclaims of the Commonwealth or in an action in the Court of Common Pleas of Dauphin County maintained by any elector of the Commonwealth All moneys recovered in any action brought under the provisions of this Section shall when collected be paid into the treasury of the Commonwealth except that where the plaintiff in any such action is an elector he shall be entitled to receive for his own use the taxable costs of such action

Section 902 False Statements Made Under Oath Constitute Perjury Any false statement made under oath either orally or in writing in any application or other paper filed with the Commission or in any proceeding before the Commission or in any investigation conducted by or under the direction of the Commission or by the Director or in any proceedings arising under this Act shall be perjury and punishable as such Any person failing to disclose a material fact or in any manner conceals any information

in order to obtain employment or promotion under this Act shall in addition to any other penalty herein provided be removed from all eligible lists and if appointed or promoted he shall be summarily dismissed A material fact or item of information shall be limited to one which the Director or Commission exercising due diligence is able to prove false within the probationary period The Director or Commission shall have no authority to so act on a material fact or item of information under this section following the expiration of the probationary period for the employe involved

Section 903 Certain Acts Made Misdemeanor Any person who wilfully by himself or in collusion with one or more other persons defeats deceives or obstructs any person in respect to his right of examination appointment or employment according to this Act or according to any Rules made thereunder or who corruptly or falsely marks rates grades estimates or reports upon the tests or proper standing of any person tested or certified pursuant to the provisions of this Act or aids in so doing or who wilfully makes any false representations concerning the same or concerning the persons tested or who wilfully furnishes to any person any special or secret information for the purpose of improving or injuring the prospects or chances of any person so examined or certified or to be examined or certified or who impersonates any person or permits or aids in any manner any other person to impersonate him in connection with any examination or request to be examined certified or appointed or who furnishes any false information about himself or about any other person in connection with any request to be examined certified or appointed or who makes an appointment to office or selects any person for employment contrary to this Act or to any Rules made thereunder or who refuses to comply therewith or who wilfully or through culpable negligence violates any of the provisions of this Act or of any Rules made thereunder shall for each offense be deemed guilty of a misdemeanor and upon conviction thereof shall be sentenced to pay a fine of not less than one hundred dollars ($100.00) and not exceeding three thousand dollars ($3,000.00) or to serve imprisonment for a period not exceeding 3 years or both in the discretion of the court

Section 904 Prohibition Of Political Activity No person in the classified service shall be a member of or delegate or alternate to any political convention nor shall he participate at any such convention except in the performance of his official duty or as a visitor nor shall he serve as a member of or attend the meetings of any committee of any political party or take an active part in political management or in political campaigns or use his office or position to influence political movements or to influence the political action of any officer or employe in the service of the Commonwealth nor shall he circulate or seek signatures to any nominations or other petition required by any primary or election law nor shall he seek or accept election nomination or appointment as an officer of a political club or organization or serve as a member of a committee of any such club or organization nor shall he in any manner participate in or interfere with the conduct of any election or the preparation therefor at the polling place or with the election officers while counting the votes or returning the election material to the place provided by law for that purpose save only for the purpose of making and depositing his own ballot as speedily as it reasonably can be done nor shall he be within the polling place or within fifty feet thereof except for the purpose of carrying out official duties and of ordinary travel or residence during the period of time beginning with one hour preceding the opening of the polls for holding such election and ending with the time when the election officers shall have finished counting the votes and have left the polling place for the purpose of depositing the election material in the place provided by law for that purpose excepting only police officers who may temporarily approach or enter the polling place in order to make any arrest permitted by law or for the purpose of preserving order and in each case remain only long enough to accomplish the duties aforesaid after which the said officers shall at once withdraw

Section 905 Prohibition Of Assessments No person shall orally or by written or printed communication directly or indirectly demand solicit collect or receive or be in any manner concerned in demanding soliciting collecting or receiving any money or valuable thing or any assessment subscription or contribution whether voluntary or involuntary from any officer or employe in the classified service for any political purpose whatever No person in the classified service shall orally or by written or printed communication directly or indirectly demand solicit collect or receive or be in any manner concerned in demanding soliciting collecting or receiving any money or valuable thing for any political purpose whatever No person in the service of the Commonwealth shall remove dismiss suspend furlough demote or promote or in any manner change the official status or compensation of any other person in the classified service or promise or threaten to do so for withholding or neglecting to make any contribution of money or service or other valuable thing for any political purpose No person shall take part in preparing any political assessment subscription or contribution with the intent that the same shall be sent or presented to or collected from any person in the classified service and no person shall knowingly send or present directly or indirectly in person or by letter any political assessment subscription or contribution to or request its payment by any person in the classified service

Section 906 Removal And Disqualification Of Officers And Employes Any person holding a position in the service of the Commonwealth who violates any of the provisions of this Act or of the Rules made thereunder shall be immediately separated from the service It shall be the duty of the appointing authority of the department in which the offending person is employed to remove him at once in accordance with the provisions of this Act Any taxpayer who has first complied with Section 807 of this Act may bring an action in the Court of Common Pleas of Dauphin County against the Auditor General or the State Treasurer or both to restrain the payment of compensation or the issuing of warrants for the payment of compensation to any such employe who has been appointed or employed in violation of this Act or who has violated any of the provisions thereof Said taxpayer may as an additional remedy obtain a writ of mandamus to compel such removal Any person removed under this Section shall for a period of two years be ineligible for reappointment to any position in the service of the Commonwealth

Section 907 Appeals (a) Any employe in the classified service under this Act who has been given notice of demotion furlough suspension or removal shall be entitled to a hearing before the Commission by an appeal made within ten days after such notice of demotion furlough suspension or removal becomes effective and shall be furnished with copies of any charges preferred against him or reasons for demotion furlough suspension or removal before such demotion furlough suspension or removal becomes effective and shall be allowed a reasonable time for personally answering the same in writing and submitting affidavits or witnesses in support thereof Any employe summarily removed or removed for delinquency or misconduct under a decision of the Commission upon the expiration of the date for an appeal if no appeal has been taken shall be removed from all eligible lists under this Act Any employe after having been demoted furloughed suspended or removed or having received notice of demotion furlough suspension or removal and who has made an appeal to the Commission shall be restored by the appointing authority upon being sustained on such appeal by the decision of the Commission to the same position in which he had been employed and shall be fully reimbursed for any loss of salary caused by such demotion furlough suspension or removal The Commission shall also have the power at any time on its own motion to initiate such a hearing

(b) The Commission shall hear such appeals and render a final decision in all cases under this section in not more than thirty days after the date of such appeals and shall keep records of such appeals and all evidence pertaining thereto The Commission shall have power to affirm modify or reverse the action of the appointing authority on the basis of information and evidence previously submitted

and such additional evidence which may be submitted when hearing such appeal In hearing such appeal the Commission shall afford all interested parties a reasonable opportunity for a fair hearing The parties shall be duly notified of the final decision of the Commission and the reasons therefor and such decision shall become final ten days after the date thereof A complete record shall be kept of each case heard before the Commission All testimony at any hearing before the Commission shall be taken by a reporter but need not be transcribed unless the decision of the Commission is further appealed The manner in which such appeals are taken before the Commission the reports thereon required from the appointing authority or the employe involved and the conduct of the hearings and appeals shall be in accordance with rules of procedure prescribed by the Commission whether or not such rules conform to common law or statutory rules of evidence and other technical rules of procedure

(c) An appeal may be taken from a decision of the Commission to the Superior Court by any party claiming to be aggrieved but only after he has exhausted remedies before the Commission In any such appeal the Commission shall be made the party defendant Every appeal to the Superior Court must be taken within thirty days after the decision of the Commission becomes final The appeal shall be by petition and shall state the grounds upon which a judicial review is sought A copy of such appeal petition shall be served upon a member or agent of the Commission and sufficient additional copies shall be left with the Commission to enable the Commission to furnish a copy to every party in interest in the proceedings who has not joined in the appeal The Commission shall file an answer in the Superior Court within thirty days after the petition has been served on it and shall at the same time file with the Court certified copies of all documents and papers a record of all testimony taken and all finding of facts and decisions thereon The Commission may also in its discretion certify to such court questions of law involved in any decision by it In any appeal to the Superior Court the findings of the Commission as to the facts if supported by the evidence and in the absence of fraud shall be conclusive and in such cases the jurisdiction of the Court shall be confined to questions of law and such cases shall be given precedence over all other civil cases except cases arising under the Workmen's Compensation Act of 1915 and its amendments and supplements and the Unemployment Compensation Law of 1936 and its amendments and supplements

(d) In order to take an appeal to the Superior Court it shall not be necessary to enter exceptions to the rules of the Commission and no bond shall be required for entering an appeal No appeal to the Superior Court shall act as a supersedeas Upon final determination of any appeal the Commission shall enter an order in accordance with the decree of the Court

Article X
Schedule

Section 1001 Transfer Of Records All lists of eligibles previously established or certified which have not been replaced by later lists of eligibles on the effective date of this Act and all books papers records documents supplies materials and equipment relating to or used in connection with any merit system in the service of the Commonwealth in effect on the effective date of this Act are hereby transferred from the department board or agency heretofore charged with the administration of such merit system to the Commission on the effective date of this Act

Such lists of eligibles shall be used for appointments by the Commission in the same manner as hereinbefore provided until examinations shall have been held by the Commission and new lists of eligibles prepared pursuant thereto All persons whose names remain on any existing list of eligibles shall be retained thereon for at least one year from the date when the list was established and thereafter until the list is replaced by a more recently prepared list If any applications have been filed for an examination or any examinations have been held but no lists of eligibles established in connection with any merit system in the service of the Commonwealth in effect on the effective date of this Act such applications and examinations transferred to the Commission shall have the same force and effect as if the applications had been filed with or the examinations held by the Commission

Section 1002 Employment Board Abolished The Employment Board in the Department of Public Assistance is hereby abolished and the terms of all of its members in office are hereby terminated on the effective date of this Act

Section 1003 Appropriation The sum of two hundred thousand dollars ($200,000) or so much thereof as may be found necessary is hereby specifically appropriated to the Executive Department for the use of the State Civil Service Commission for the biennial period ending the thirty-first day of May one thousand nine hundred forty-three for the payment of salaries wages and other compensation of the Commission the Director and experts statisticians clerks stenographers and other assistants and employes for the payment of traveling expenses for advertising postage stationery equipment printing supplies and for any other expenses necessary for the proper conduct of the work of the Commission and of the Director

Section 1004 Effective Date Of This Act This Act shall become effective immediately upon its final enactment except that any department commission board agency or person charged with administering the merit systems in the service of the Commonwealth in effect on the effective date of this act shall individually continue until thirty days after the Director of the Civil Service Commission is appointed as herein provided to administer for their respective appointing authorities such merit systems in accordance with the provisions of this Act and during this time wherein in this Act certain powers and duties pertaining to examinations eligible lists appointments promotions demotions furloughs suspensions removals and appeals are imposed on the Director and the Commission such powers and duties shall be imposed individually upon such department commission board agency or person herein referred to

Section 1005 Repealer The following laws or parts of laws are hereby repealed

Section two of the Act approved the twentieth day of December one thousand nine hundred thirty-three (P. L. 89 1933-34) entitled "An Act appropriating the moneys in the State Stores Fund" as added by the Act approved the eighteenth day of July one thousand nine hundred thirty-five (P. L. 1316)

Section two hundred eight of the Act approved the fifth day of December one thousand nine hundred thirty-six (P. L. 2897), entitled "An Act establishing a system of unemployment compensation to be administered by the Department of Labor and Industry and its existing and newly created agencies with personnel (with certain exceptions) selected on a civil service basis requiring employers to keep records and make reports and certain employers to pay contributions based on payrolls to provide moneys for the payment of compensation to certain unemployed persons providing procedure and administrative details for the determination payment and collection of such contributions and the payment of such compensation providing for cooperation with the Federal Government and its agencies creating certain special funds in the custody of the State Treasurer and prescribing penalties" and the amendments thereto

Section three hundred two of the Act approved the twenty-ninth day of November one thousand nine hundred and thirty-three (P. L. 15 1933-34) entitled as amended "An Act to regulate and restrain the sale manufacture possession transportation importation traffic in and use of alcohol and alcoholic and malt or brewed beverages conferring powers and imposing duties upon the Pennsylvania Liquor Control Board and its agents the Department of Public Instruction other officers of the State government courts and district attorneys authorizing the establishment and operation of State stores for the sale of such beverages not for consumption on the premises and the granting of licenses subject to local option to sell such beverages for

consumption on and off the premises forbidding importation or bringing of such beverages into the State except as herein provided prohibiting certain sales or practices in connection with and transactions in such beverages by licensees and others providing for the forefeiture of certain property making disposition of the receipts from State stores and of fees and imposing penalties" and the amendments thereto

Section 2504-A and 2505-A of the Act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 177), entitled "An Act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments boards commissions and officers thereof including the boards of trustees of State Normal Schools or Teachers Colleges abolishing creating reorganizing or authorizing the reorganization of certain administrative departments boards and commissions defining the powers and duties of the Governor and other executive and administrative officers and of the several administrative departments boards commissions and officers fixing the salaries of the Governor Lieutenant Governor and certain other executives and administrative officers providing for the appointment of certain administrative officers and of all deputies and other assistants and employes in certain departments boards and commissions and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments boards and commissions shall be determined" as added by the Act approved the twenty-fourth day of June one thousand nine hundred and thirty-seven (P. L. 2003)

Section four clause k and section seven clause b of the act approved the twenty-fourth day of June one thousand nine hundred and thirty-seven (P. L. 2051), entitled "An Act relating to public assistance providing for and regulating assistance to certain classes of persons designated and defined as dependent children aged persons blind persons and other persons requiring relief providing for the administration of this Act by the Department of Public Assistance and county boards of assistance hereby created for this purpose authorizing the Department of Public Assistance to cooperate with and to accept and disburse moneys received from the United States Government for assistance to such persons providing for the liquidation of the State Emergency Relief Board Boards of Trustees of the Mothers' Assistance Fund and Board of Trustees of the Pension Fund for the Blind and repealing laws relating to mothers' assistance pensions for the blind old age assistance and the State Emergency Relief Board" as amended by the act approved the twenty-sixth day of June one thousand nine hundred and thirty-nine (P. L. 1091)

Section seven clause a of the act approved the twenty-fourth day of June one thousand nine hundred and thirty-seven (P. L. 2051) entitled "An Act relating to public assistance providing for and regulating assistance to certain classes of persons designed and defined as dependents children aged persons blind persons and other persons requiring relief providing for the administration of this Act by the Department of Public Assistance and county boards of assistance hereby created for this purpose authorizing the Department of Public Assistance to cooperate with and to accept and disburse moneys received from the United States Government for assistance to such persons providing for the liquidation of the State Emergency Relief Board Boards of Trustees of the Mothers' Assistance Fund and Boards of Trustees of Pension Fund for the Blind and repealing laws relating to mothers' assistance pensions for the blind old age assistance and the State Emergency Relief Board" as amended by the Act approved the twenty-sixth day of June one thousand nine hundred and thirty-nine (P. L. 1091) to the extent that it is inconsistent with this Act

All other acts and parts of acts inconsistent with this Act are hereby repealed

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows, viz:

YEAS—204

Achterman,	French,	Malloy,	Royer,
Allmond,	Gallagher,	Marks,	Rush,
Auker,	Gates,	Maxwell,	Sarge,
Baker,	Gerard,	McClanaghan,	Sarraf,
Balthaser,	Gillan,	McClester,	Scanlon,
Bentley,	Gillette,	McDermott,	Schwab,
Bentzel,	Goodwin,	McDowell,	Serrill,
Boles,	Greenwood,	McFall,	Shaffer,
Boney,	Gross,	McIntosh,	Shaw,
Boorse,	Gryskewicz,	McKinney,	Shepard,
Bower,	Gyger,	McLanahan,	Simons,
Bradley,	Habbyshaw,	McLane,	Skale,
Bretherick,	Haberlen,	McMillen,	Snyder,
Brown,	Haines,	McSurdy,	Sollenberger
Brunner, C. H.,	Hall,	Melchiorre,	Sorg,
Brunner, P. A.,	Hamilton,	Mihm,	Stambaugh,
Burns,	Hare,	Modell,	Stank,
Burris,	Harkins,	Monks,	Stine,
Cadwalader,	Harmuth,	Mooney,	Stockham,
Chervenak,	Harris,	Moran,	Tarr,
Chudoff,	Heatherington,	Moul,	Tate,
Cochran,	Helm,	Muir,	Taylor,
Cohen, M. M.,	Hering,	Munley,	Thompson, E. F.,
Cohen, R. E.,	Herman,	Nagel,	Thompson, R. L.,
Cook,	Hersch,	Nunemacher,	Trout,
Cooper,	Hewitt,	O'Brien,	Turner,
Cordier,	Hirsch,	O'Connor,	Van Allsburg,
Corrigan,	Holland,	O'Dare,	Verona,
Croop,	Huntley,	O'Mullen,	Vincent,
Cullen,	Imbrie,	O'Neill,	Vogt,
Dalrymple,	James,	Owens,	Voldow,
Dennison,	Jefferson,	Petrosky,	Voorhees,
DiGenova,	Jones, G. E.,	Pettit,	Wagner,
Dix,	Jones, P. N.,	Polaski,	Watkins,
Dolon,	Keenan,	Polen,	Weingartner,
D'Ortona,	Kenehan,	Powers,	Weiss,
Duffy,	Kline,	Prosen,	Welsh, E. B.,
Early,	Knoble,	Rank,	Welsh, M. J.,
Eckels,	Kolankiewicz,	Rausch,	Wilkinson,
Elder,	Komorofski,	Readinger,	Williams,
Elliott,	Krise,	Reagan,	Winner,
Ely,	Lee, E. A.,	Reese, D. P.,	Wood, L. H.,
Falkenstein,	Lee, T. H.,	Reese, R. E.,	Wood, N.,
Finestone,	Leisey,	Regan,	Woodring,
Finnerty,	Leonard,	Reynolds,	Woodside,
Fisher,	Lesko,	Rhea,	Wright,
Fiss,	Levy,	Riley,	Yeakel,
Fleming,	Leydic,	Rooney,	Yester,
Fletcher,	Lichtenwalter,	Rose, S.,	Young,
Flynn,	Longo,	Rose, W. E.,	Kilroy,
Foor,	Lovett,	Rosenfeld,	Speaker.
	Lyons,		

NAYS—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return it to the Senate with information that the House has passed it with amendments in which the concurrence of the Senate is requested.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1937, (Senate Bill No. 654), as follows:

An Act to amend sections two hundred two and four hundred fifty-two of the act approved the ninth day of April one thousand nine hundred and twenty-nine (P. L. 177) entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments boards commissions and officers thereof including the

boards of trustees of State Normal Schools or Teachers Colleges abolishing creating reorganizing authorizing the reorganization of certain administrative departments boards and commissions defining the powers and duties of the Governor and other executive and administrative officers and of the several administrative departments boards commissions and officers fixing the salaries of the Governor Lieutenant Governor and certain other executive administrative officers providing for the appointment of certain administrative officers and of all deputies and other assistants and employes in certain departments boards and commissions and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments boards and commissions shall be determined" as amended in order to establish the State Civil Service Commission as a departmental administrative commission in the Executive Department

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Sections two hundred and two and four hundred and fifty-two of the act approved the ninth day of April one thousand nine hundred and twenty-nine (P. L. 177), entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments boards commissions and officers thereof including the boards of trustees of State Normal Schools or Teacher Colleges abolishing creating reorganizing or authorizing the reorganization of certain administrative departments boards and commissions defining the powers and duties of the Governor and other executive and administrative officers and of the several administrative departments boards commissions and officers fixing the salaries of the Governor Lieutenant Governor and certain other executive and administrative officers providing for the appointment of certain administrative officers and of all deputies and other assistants and employes in certain departments boards and commissions and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments boards and commissions shall be determined" as last amended by section one of the act approved the sixth day of June one thousand nine hundred and thirty-nine (P. L. 250) is hereby further amended to read as follows

Section 202 Departmental Administrative Boards Commissions and Offices The following boards commissions and offices are hereby placed and made departmental administrative boards commissions or offices as the case may be in the respective administrative departments mentioned in the preceding section and in the Executive Department as follows

In the Executive Department
State Civil Service Commission
In the Department of State
State Employes' Retirement Board
In the Department of Justice
Board of Pardons
Board of Commissioners on Uniform State Laws
In the Treasury Department
Board of Finance and Revenue
In the Department of Internal Affairs
Board of Property
In the Department of Public Instruction
State Council of Education
Pennsylvania State Board of Censors
Public School Employes' Retirement Board
Pennsylvania Historical Commission
Board of Trustees of Thaddeus Stevens Industrial School
Board of Trustees of Pennsylvania State Oral School for the Deaf
Board of Trustees of Pennsylvania Soldiers' Orphan School
Board of Trustees of West Chester State Teachers' College
Board of Trustees of Millersville State Teachers' College
Board of Trustees of Kutztown State Teachers' College
Board of Trustees of East Stroudsburg State Teachers' College
Board of Trustees of Mansfield State Teachers' College
Board of Trustees of Bloomsburg State Teachers' College
Board of Trustees of Shippensburg State Teachers' College
Board of Trustees of Lock Haven State Teachers' College
Board of Trustees of Indiana State Teachers' College
Board of Trustees of Calfornia State Teachers' College
Board of Trustees of Slippery Rock State Teachers' College
Board of Trustees of Edinboro State Teachers' College
Board of Trustees of Clarion State Teachers' College
Board of Trustees of Cheyney Training School for Teachers
State Board of Medical Education and Licensure
State Board of Pharmacy
State Dental Council and Examining Board
State Board of Optometrical Examiners
State Board of Osteopathic Examiners
Osteopathic Surgeons' Examining Board
State Board of Examiners for the Registration of Nurses
State Board of Veterinary Medical Examiners
State Board for the Examination of Public Accountants
State Board of Examiners of Architects
Anthracite Mine Inspectors' Examining Board
Mine Inspectors' Examining Board for the Bituminous Coal Mines of Pennsylvania
State Registration Board for Professional Engineers
[State Civil Service Commissions]
In the Department of Military Affairs
Armory Board of the State of Pennsylvania
Board of Trustees of Pennsylvania Soldiers' and Sailors' Home
In the Department of Banking
Board to License Private Bankers
Pennsylvania Securities Commission
In the Department of Agriculture
State Farm Products Show Commission
In the Department of Forests and Waters
Water and Power Resources Board
Geographic Board
Lake Erie and Ohio River Canal Board
Pennsylvania State Park and Harbor Commission of Erie
Washington Crossing Park Commission
Valley Forge Park Commission
Fort Washington Park Commission
In the Department of Mines
Anthracite Mine Inspectors
Bituminous Mine Inspectors
In the Department of Highways
State Bridge Commission
In the Department of Health

Sanitary Water Board
State Board of Undertakers

In the Department of Labor and Industry
Workmen's Compensation Board
Workmen's Compensation Referees
State Workmen's Insurance Board
The Industrial Board

In the Department of Welfare
State Council for the Blind
Board of Trustees of Eastern State Penitentiary
Board of Trustees of Western State Penitentiary
Board of Trustees of Pennsylvania Industrial School which upon the completion of the present Pennsylvania Industrial School at Huntingdon for the reception care maintenance detention employment and training of defective delinquents shall thereafter be known as the Board of Trustees of Pennsylvania Institution for Defective Delinquents
Board of Trustees of State Industrial Home for Women
Board of Trustees of Pennsylvania Training School
Board of Trustees of Allentown State Hospital
Board of Trustees of Danville State Hospital
Board of Trustees of Farview State Hospital
Board of Trustees of Harrisburg State Hospital
Board of Trustees of Norristown State Hospital
Board of Trustees of Warren State Hospital
Board of Trustees of Wernersville State Hospital
Board of Trustees of Torrance State Hospital
Board of Trustees of Ashland State Hospital
Board of Trustees of Blossburg State Hospital
Board of Trustees of Coaldale State Hospital
Board of Trustees of Connellsville State Hospital
Board of Trustees of Hazleton State Hospital
Board of Trustees of Locust Mountain State Hospital
Board of Trustees of Nanticoke State Hospital
Board of Trustees of Philipsburg State Hospital
Board of Trustees of Scranton State Hospital
Board of Trustees of Shamokin State Hospital
Board of Trustees of Laurelton State Village
Board of Trustees of Pennhurst State School
Board of Trustees of Polk State School
Board of Trustees of Selinsgrove State Colony for Epileptics

In addition to the foregoing there are hereby created as departmental administrative boards in the Department of Welfare boards of trustees for the respective institutions which are acquired by the Commonwealth from counties cities or institution districts for actual use as State mental hospitals under the provisions of act number twenty-one approved the twenty-ninth day of September one thousand nine hundred thirty-eight

Each respective board of trustees shall be known as the Board of Trustees of the .....
(descriptive name of political
..... State Hospital
subdivision in which institution is located)

In the Department of Property and Supplies
Board of Commissioners of Public Grounds and Buildings
State Art Commission

In the Department of Revenue
State Athletic Commission

In the Department of Public Assistance
State Board of Public Assistance

In the Department of Commerce
State Planning Board

All of the foregoing departmental administrative boards and commissions shall be organized or reorganized as provided in this act

Section 2 Section four hundred fifty-two of said act which was added to said act by section eight of the act approved the sixth day of June one thousand nine hundred thirty-nine (P. L. 250) is hereby amended to read as follows

Section 452 State Civil Service Commission The State Civil Service Commission is hereby created and shall consist of three members not more than two of whom shall be of the same political affiliation Of the original members all of whom shall be appointed within thirty days after the effective date of this act one shall be appointed for a term of two years one for a term of four years and one for a term of six years from the date of his appointment and until his successor shall have been appointed and qualified Thereafter each appointment shall be for a term of six years or until a successor is appointed and qualified The members of the commission shall hold no other public position to which a salary is attached shall have qualifications for appointment and shall be removable from office as provided by law The Governor shall designate one of the members as chairman

Each member of the commission shall be paid [at the rate of twenty-five dollars per day for the time actually devoted to the business of the commission but no member shall be paid more than one thousand five hundred dollars in any one year except during the first year after the effective date of this act when such payments shall not exceed two thousand dollars] five thousand dollars per annum during his term of office

Section 3 This act shall become effective immediately upon its final enactment

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows, viz:

YEAS—204

Achterman,	French,	Malloy,	Royer,
Allmond,	Gallagher,	Marks,	Rush,
Auker,	Gates,	Maxwell,	Sarge,
Baker,	Gerard,	McClanaghan,	Sarraf,
Balthaser,	Gillan,	McClester,	Scanlon,
Bentley,	Gillette,	McDermott,	Schwab,
Bentzel,	Goodwin,	McDowell,	Serrill,
Boles,	Greenwood,	McFall,	Shaffer,
Boney,	Gryskewicz,	McIntosh,	Shaw,
Boorse,	Gross,	McKinney,	Shepard,
Bower,	Gyger,	McLanahan,	Simons,
Bradley,	Habbyshaw,	McLane,	Skale,
Bretherick,	Haberlen,	McMillen,	Snyder,
Brown,	Haines,	McSurdy,	Sollenberger,
Brunner, C. H.,	Hall,	Melchiorre,	Sorg,
Brunner, P. A.,	Hamilton,	Mihm,	Stambaugh,
Burns,	Hare,	Modell,	Stank,
Burris,	Harkins,	Monks,	Stine,
Cadwalader,	Harmuth,	Mooney,	Stockham,
Chervenak,	Harris,	Moran,	Tarr,
Chudoff,	Heatherington,	Moul,	Tate,
Cochran	Helm,	Muir,	Taylor,
Cohen, M. M.,	Hering,	Munley,	Thompson, E. F.,
Cohen, R. E.,	Herman,	Nagel,	Thompson, R. L.,
Cook,	Hersch,	Nunemacher,	Trout,
Cooper,	Hewitt,	O'Brien,	Turner,
Cordier,	Hirsch,	O'Connor,	Van Allsburg,
Corrigan,	Holland,	O'Dare,	Verona,
Croop,	Huntley,	O'Mullen,	Vincent,
Cullen,	Imbrie,	O'Neill,	Vogt,
Dalrymple,	James,	Owens,	Voldow,
Dennison,	Jefferson,	Petrosky,	Voorhees,
DiGenova,	Jones, G. E.,	Pettit,	Wagner,
Dix,	Jones, P. N.,	Polaski,	Watkins,
Dolon,	Keenan,	Polen,	Weingartner,
D'Ortona,	Kenehan,	Powers,	Weiss,
Duffy,	Kline,	Prosen,	Welsh, E. B.,
Early,	Knoble,	Rank,	Welsh, M. J.,
Eckels,	Kolankiewicz,	Rausch,	Wilkinson,
Elder,	Komorofski,	Readinger,	Williams,
Elliott,	Krise,	Reagan,	Winner,
Ely,	Lee, E. A.,	Reese, D. P.,	Wood, L. H.,
Falkenstein,	Lee, T. H.,	Reese, R. E.,	Wood, N.,
Finestone,	Leisey,	Regan,	Woodring,
Finnerty,	Leonard,	Reynolds,	Woodside,
Fisher,	Lesko,	Rhea,	Wright,
Fiss,	Levy,	Riley,	Yeakel,
Fleming,	Leydic,	Rooney,	Yester,
	Lichtenwalter,	Rose, S.,	Young,

Fletcher,	Longo,	Rose, W. E.,	Kilroy.
Flynn,	Lovett,	Rosenfeld,	Speaker.
Foor,	Lyons,		

NAYS—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return it to the Senate with information that the House has passed it with amendments in which the concurrence of the Senate is requested.

BILLS PASSED OVER

There being no objection House Bill No. 1817, (Senate Bill No. 1044), Printer's No. 590, and House Bill No. 1844, (Senate Bill No. 594), Printer's No. 587, were passed over at the request of the SPEAKER.

BILLS ON THIRD READING

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1891, (Senate Bill No. 1019), entitled:

An Act authorizing the Department of Property and Supplies with the approval of the Governor and the Board of Trustees of Pennsylvania Soldiers' Orphan School to acquire a certain tract of land for the use of said school and making an appropriation therefor

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows, viz:

YEAS—204

Achterman,	French,	Lyons,	Rosenfeld,
Allmond,	Gallagher,	Malloy,	Royer,
Auker,	Gates,	Marks,	Rush,
Baker,	Gerard,	Maxwell,	Sarge,
Balthaser,	Gillan,	McClanaghan,	Sarraf,
Bentley,	Gillette,	McClester,	Scanlon,
Bentzel,	Goodwin,	McDermott,	Schwab,
Boles,	Greenwood,	McDowell,	Serrill,
Boney,	Gross	McFall,	Shaw,
Boorse,	Gryskewicz,	McIntosh,	Shaffer,
Bower,	Gyger,	McKinney,	Shepard,
Bradley,	Habbyshaw,	McLanahan,	Simons,
Bretherick,	Haberlen,	McLane,	Skale,
Brown,	Haines,	McMillen,	Snyder,
Brunner, C. H.,	Hall,	McSurdy,	Sollenberger,
Brunner, P. A.,	Hamilton,	Melchiorre,	Sorg,
Burns,	Hare,	Mihm,	Stambaugh,
Burris,	Harkins,	Modell,	Stank,
Cadwalader,	Harmuth,	Monks,	Stine,
Chervenak,	Harris,	Mooney,	Stockham,
Chudoff,	Heatherington,	Moran,	Tarr,
Cochran,	Helm,	Moul,	Tate,
Cohen, M. M.,	Hering,	Muir,	Taylor,
Cohen, R. E.,	Herman,	Munley,	Thompson, E. F.,
Cook,	Hersch,	Nagel,	Thompson, R. L.,
Cooper,	Hewitt,	Nunemacher,	Trout,
Cordier,	Hirsch,	O'Brien,	Turner,
Corrigan,	Holland,	O'Connor,	VanAllsburg,
Croop,	Huntley,	O'Dare,	Verona,
Cullen,	Imbrie,	O'Mullen,	Vincent,
Dalrymple,	James,	O'Neill,	Vogt,
Dennison,	Jefferson,	Owens,	Voldow,
DiGenova,	Jones, G. E.,	Petrosky,	Voorhees,
Dix,	Jones, P. N.,	Pettit,	Wagner,
Dolan,	Keenan,	Polaski,	Watkins,
D'Ortona,	Kenehan,	Polen,	Weingartner,
Duffy,	Kline,	Powers,	Weiss,
Early,	Knoble,	Prosen,	Welsh, E. B.,
Eckels,	Kolankiewicz,	Rank,	Welsh, M. J.,
Elder,	Komorofski,	Rausch,	Wilkinson,
Elliott,	Krise,	Readinger,	Williams,
Ely	Lee, E. A.,	Reagan,	Winner,
Falkenstein,	Lee, T. H.,	Reese, D. P.,	Wood, L. H.,
Finestone,	Leisey,	Reese, R. E.,	Wood, N.,
Finnerty,	Leonard,	Regan,	Woodring,
Fisher,	Lesko,	Reynolds,	Woodside,
Fitts,	Levy,	Rhea,	Wright,
Fleming,	Lichtenwalter,	Riley,	Yeakel,
Fletcher,	Longo,	Rooney,	Yester,
Flynn,	Lovett,	Rose, S.,	Young,
Foor,		Rose, W. E.,	Kilroy, Speaker.

NAYS—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return it to the Senate with information that the House has passed it without amendment.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1841, (Senate Bill No. 1095), entitled:

An Act to further amend paragraph nineteen of section one thousand two hundred and ten of the act, approved the eighteenth day of May, one thousand nine hundred and eleven (P. L. 309), entitled "An act to establish a public school system in the Commonwealth of Pennsylvania, together with the provisions by which it shall be administered, and prescribing penalties for the violation thereof; providing revenue to establish and maintain the same, and the method of collecting such revenue; and repealing all laws, general, special or local, or any parts thereof, that are or may be inconsistent therewith," providing for minimum salary and increments of part-time teachers of children of exceptional physical or mental condition unable to attend regular public school, and for payments by the Commonwealth on account thereof.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows, viz:

YEAS—204

Achterman,	French,	Malloy,	Royer,
Allmond,	Gallagher,	Marks,	Rush,
Auker,	Gates,	Maxwell,	Sarge,
Baker,	Gerard,	McClanaghan,	Sarraf,
Balthaser,	Gillan,	McClester,	Scanlon,
Bentley,	Gillette,	McDermott,	Schwab,
Bentzel,	Goodwin,	McDowell,	Serrill,
Boles,	Greenwood,	McFall,	Shaffer,
Boney,	Gross,	McIntosh,	Shaw,
Boorse,	Gryskewicz,	McKinney,	Shepard,
Bower,	Gyger,	McLanahan,	Simons,
Bradley,	Habbyshaw,	McLane,	Skale,
Bretherick,	Haberlen,	McMillen,	Snyder,
Brown,	Haines,	McSurdy,	Sollenberger,
Brunner, C. H.,	Hall,	Melchiorre,	Sorg,
Brunner, P. A.,	Hamilton,	Mihm,	Stambaugh,
Burns,	Hare,	Modell,	Stank,
Burris,	Harkins,	Monks,	Stine,
Cadwalader,	Harmuth,	Mooney,	Stockham,
Chervenak,	Harris,	Moran,	Tarr,
Chudoff,	Heatherington,	Moul,	Tate,
Cochran,	Helm,	Muir,	Taylor,
Cohen, M. M.,	Hering,	Munley,	Thompson, E. F.,
Cohen, R. E.,	Herman,	Nagel,	Thompson, R. L.,
Cook,	Hersch,	Nunemacher,	Trout,
Cooper,	Hewitt,	O'Brien,	Turner,
	Hirsch,	O'Connor,	Van Allsburg,

Cordier,	Holland,	O'Dare,	Verona,
Corrigan,	Huntley,	O'Mullen,	Vincent,
Croop,	Imbrie,	O'Neill,	Vogt,
Cullen,	James,	Owens,	Voldow,
Dalrymple,	Jefferson,	Petrosky,	Voorhees,
Dennison,	Jones, G. E.,	Pettit,	Wagner,
DiGenova,	Jones, P. N.,	Polaski,	Watkins,
Dix,	Keenan,	Polen,	Weingartner,
Dolon,	Kenehan,	Powers,	Weiss,
D'Ortona,	Kline,	Prosen,	Welsh, E. B.,
Duffy,	Knoble,	Rank,	Welsh, M. J.,
Early,	Kolankiewicz,	Rausch,	Wilkinson,
Eckels,	Komorofski,	Readinger,	Williams,
Elder,	Krise,	Reagan,	Winner,
Elliott,	Lee, E. A.,	Reese, D. P.,	Wood, L. H.,
Ely,	Lee, T. H.,	Reese, R. E.,	Wood, N.,
Falkenstein,	Leisey,	Regan,	Woodring,
Finestone,	Leonard,	Reynolds,	Woodside,
Finnerty,	Lesko,	Rhea,	Wright,
Fisher,	Levy,	Riley,	Yeakel,
Fiss,	Leydic,	Rooney,	Yester,
Fleming,	Lichtenwalter,	Rose, S.,	Young,
Fletcher,	Longo,	Rose, W. E.,	Kilroy,
Flynn,	Lovett,	Rosenfeld,	Speaker.
Foor,	Lyons,		

NAYS—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return it to the Senate with information that the House has passed it without amendment.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1823, (Senate Bill No. 367), entitled:

An Act authorizing the Department of Public Instruction, with the approval of the Board of Trustees of the Millersville State Teachers' College, to contract with the Borough of Millersville for the erection of a sewage disposal plant and the connection therewith and use thereof by the Millersville State Teachers' College, and the payment of part of the cost of maintenance thereafter; and making an appropriation.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreably to the provisions of the Constitution the yeas and nays were taken and were as follows, viz:

YEAS—204

Achterman,	French,	Malloy,	Royer,
Allmond,	Gallagher,	Marks,	Rush,
Auker,	Gates,	Maxwell,	Sarge,
Baker,	Gerard,	McClanaghan,	Sarraf,
Balthaser,	Gillan,	McClester,	Scanlon,
Bentley,	Gillette,	McDermott,	Schwab,
Bentzel,	Goodwin,	McDowell,	Serrill,
Boies,	Greenwood,	McFall,	Shaffer,
Boney,	Gross,	McIntosh,	Shaw,
Boorse,	Gryskewicz,	McKinney,	Shepard,
Bower	Gyger,	McLanahan,	Simons,
Bradley,	Habbyshaw,	McLane,	Skale,
Bretherick,	Haberlen,	McMillen,	Snyder,
Brown,	Haines,	McSurdy,	Sollenberger,
Brunner, C. H.,	Hall,	Melchiorre,	Sorg,
Brunner, P. A	Hamilton,	Mihm,	Stambaugh,
Burns,	Hare,	Modell,	Stank,
Burris,	Harkins,	Monks,	Stine,
Cadwalader,	Harmuth,	Mooney,	Stockham,
Chervenak,	Harris,	Moran,	Tarr,
Chudoff,	Heatherington,	Moul,	Tate,
Cochran,	Helm,	Muir,	Taylor,
Cohen, M. M	Hering,	Munley,	Thompson, E. F.,
Cohen, R. E.,	Herman,	Nagel,	Thompson, R. L.,
Cook,	Hersch,	Nunemacher,	Trout,
Cooper,	Hewitt,	O'Brien,	Turner,
Cordier,	Hirsch,	O'Connor,	Van Alisburg,
Corrigan,	Holland,	O'Dare,	Verona,
Croop,	Huntley,	O'Mullen,	Vincent,
Cullen,	Imbrie,	O'Neill,	Vogt,
Dalrymple,	James,	Owens,	Voldow,
Dennison,	Jefferson,	Petrosky,	Voorhees,
DiGenova,	Jones, G. E.,	Pettit,	Wagner,
Dix,	Jones, P. N.,	Polaski,	Watkins,
Dolon,	Keenan,	Polen,	Weingartner,
D'Ortona,	Kenehan,	Powers,	Weiss,
Duffy,	Kline,	Prosen,	Welsh, E. B.,
Early,	Knoble,	Rank,	Welsh, M. J.,
Eckels,	Kolankiewicz,	Rausch,	Wilkinson,
Elder,	Komorofski,	Readinger,	Williams,
Elliott,	Krise,	Reagan,	Winner,
Ely,	Lee, E. A.,	Reese, David P.,	Wood, L. H.,
Falkenstein,	Lee, T. H.,	Reese, R. E.,	Wood, N.,
Finestone,	Leisey,	Regan,	Woodring,
Finnerty,	Leonard,	Reynolds,	Woodside,
Fisher,	Lesko,	Rhea,	Wright,
Fiss,	Levy,	Riley,	Yeakel,
Fleming,	Leydic,	Rooney,	Yester,
Fletcher,	Lichtenwalter,	Rose, S.,	Young,
Flynn,	Longo,	Rose, W. E.,	Kilroy, Speaker
Foor,	Lovett,	Rosenfeld,	
	Lyons,		

NAYS—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return it to the Senate with information that the House has passed it without amendment.

BILL PASSED OVER

There being no objection House Bill No. 1752, (Senate Bill No. 1016), Printer's No. 344, was passed over at the request of Mr. READINGER.

BILLS ON THIRD READING !

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1983, (Senate Bill No. 1308), entitled as follows:

An Act to amend the act approved the twenty-second day of May one thousand nine hundred thirty-three (P. L. 912) entitled "An act to protect the public health defining and providing for the licensing of bakeries and regulating the inspection maintenance and operation of bakeries and premises stores and shops connected therewith defining and regulating the manufacture sale and offering for sale of bakery products conferring powers on the Department of Agriculture and providing penalties" by redefining "bakery" removing the exception from registration and licensing requirements requiring registered bakery products to show the fact of such registration making it unlawful for any person to sell offer for sale or have in possession with intent to sell unregistered bakery products or to import bakery products from bakeries not licensed hereunder and making possession prima facie evidence of intention to sell and imposing additional duties and powers on the Department of Agriculture to establish reasonable trade practices in the operation of bakeries and in the sale of bakery products by bread dealers and licensing bread dealers

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section 1 of the act approved the twenty-second day of May one thousand nine hundred thirty-three (P. L. 912), entitled "An act to protect the public health defining and providing for the licensing of bakeries

and regulating the inspection maintenance and operation of bakeries and premises stores and shops connected therewith defining and regulating the manufacture sale and offering for sale of bakery products conferring powers on the Department of Agriculture and providing penalties" is hereby amended to read as follows

Section 1 Be it enacted et cetera That Definitions The following words and terms as used in this act shall be construed as follows

"Bakery" means and includes all buildings and parts of buildings cellars and basements used for the manufacture and handling of bakery products intended for sale and for the mixing and other preparation of ingredients and materials entering into the manufacture of bakery products where more than fifty pounds of flour flour substitute flour mixture or potatoes are used each week in the preparation of such products

"Bakery products" means and includes bread rolls cakes cookies crackers icecream cones crullers doughnuts biscuits pies macaroni spaghetti noodles alimentary pastes pretzels potato chips and all other products whatever manufactured in a bakery and intended for human consumption as well as the ingredients and materials entering into their manufacture

"Person" means an individual copartnership association and corporation

"Department" means the Department of Agriculture of the Commonwealth of Pennsylvania

"Bread dealer" means any person excepting any store as hereinafter defined who purchases or handles bread within the Commonwealth for sale storage or shipment within or without the Commonwealth providing it is not sold at the premise

"Licensee" means a licensed bread dealer and/or manufacturer

"Manufacturer" means a person baking bread within the Commonwealth of Pennsylvania

"Store" includes a grocery store hotel restaurant soda fountain bakery store or any similar mercantile establishment which sell bread

Section 2 Section three of said act as amended by section one of the act approved the first day of July one thousand nine hundred thirty-seven (P. L. 2676) is hereby further amended to read as follows

Section 3 Annual License and License Fee It shall be the duty of every person whether a resident or nonresident of this Commonwealth operating a bakery to apply to the Department of Agriculture for a license to do so and to register with the department all bakery products baked prepared manufactured or compounded in such bakeries before the first day of January one thousand nine hundred thirty-four and annually thereafter before the first day of January of each succeeding year and pay to the Department of Agriculture at the time said application for registration and license is filed an annual fee as follows For bakeries using less than one hundred barrels of flour per week five dollars ($5.00) for bakeries using one hundred barrels and less than two hundred barrels of flour per week ten dollars ($10.00) and bakeries using two hundred barrels or more per week twenty dollars ($20.00) [Provided however That any person operating a bakery in Pennsylvania who does not use more than fifty pounds of flour flour substitute flour mixture or potatoes a week in the preparation of bakery products shall not be required to register such bakery products pay a license fee or obtain a license]

The application for a license and registration shall be made on a form to be supplied by the department and shall show trade names of all products and principal address of bakery The application shall have attached thereto the affidavit of the person applying for the license that the facts set forth therein are true and correct

From and after the first day of January one thousand nine hundred and thirty-four it shall be unlawful for any person to operate a bakery for the manufacture of bakery products unless said bakery is duly licensed in accordance with the provisions of this act

Upon approval of application for registration and license and payment of required license fee and also upon approval of sanitary conditions in a bakery and every store or shop connected therewith the Department of Agriculture shall issue to each applicant a license or certificate of registration which shall expire at the end of each calendar year and which will authorize the operation of said bakery and the baking compounding manufacturing and sale of said bakery products for the calendar year or portion thereof for which a license or certificate of registration shall be issued

All wrappers caddies boxes packages or containers of any kind whatsoever in which bakery products shall be wrapped packaged boxed or contained shall be printed or marked in a clear and legible manner with the trade name or kind of bakery product which it purports to be and with the name of the bakery manufacturing such bakery products or with the name and address of the distributor or wholesale dealer distributing such bakery product preceded by the words "distributed by" or followed by the word "distributor" as the case may be and in all cases the words "Registered with Pennsylvania Department of Agriculture" or any abbreviation thereof approved by the department Provided That when transparent wrappers are employed such printed or legible statement may be inserted in a conspicuous position between such transparent wrapper and the top of the loaf or other bakery product or by printed band or wrapper around the top of the loaf or other bakery product

Section 3 Section 6 of said act as added by section two of the act approved the first day of July one thousand nine hundred thirty-seven (P. L. 2676) is hereby reenacted as follows

Section 6 Sale and Importation of Bakery Products It shall be unlawful for any person

(a) To sell offer for sale or have in his possession with intent to sell a bakery product which is not registered with the department as provided in this act Possession of any bakery product shall be deemed prima facie evidence of an intent to sell such bakery product

(b) To import into this Commonwealth for sale within this Commonwealth any bakery products manufactured in a bakery in another state that is not licensed according to the laws of this Commonwealth

Section 4 Said act is hereby amended by adding thereto after section ten the following new sections to read as follows

Section 11 (a) The department is hereby declared to be the instrumentality of the Commonwealth for the purpose of administering the provisions of this act and to execute the legislative intent herein expressed and it is hereby vested with power

(1) To supervise and regulate the entire bread industry of this Commonwealth including the manufacture transportation processing storage distribution delivery and sale of bread in this Commonwealth within the provisions of this act Provided however That nothing contained in this act shall be construed to alter amend or repeal the Public Utility Law or any law of this Commonwealth relating to the public health or to the prevention of fraud or deception

(2) To investigate and regulate all matters pertaining to the manufacture transportation processing storage distribution delivery and sale of bread in this Commonwealth for the purpose of establishing reasonable trade practices in connection therewith

(b) The department either itself or through its duly authorized agents may hold such hearings either at the capital or elsewhere as it deems necessary to carry out the provisions of this act

Section 12 (a) In order to enable the department to carry out the provisions of this act it shall have the power to issue subpoenas requiring the attendance of or the production of pertinent books and papers by bread dealers

of their employes manufacturers or their employes persons having dealings with bread dealers or manufacturers or other persons whom the department believes to have information important to it in carrying out the purposes of this act The department may likewise issue commissions letters rogatory or other appropriate processes outside the Commonwealth The department shall have power to question such witnesses under oath or affirmation and to examine such books and papers The department may delegate to any member thereof or any employe designated by it the powers granted to it under this section

(b) Any witness who refuses to obey a subpoena issued hereunder or to be sworn or affirmed or to testify or who is guilty of any contempt after a summons to appear may be punished as for contempt of court For this purpose an application may be made by the department to the court of common pleas within the territorial jurisdiction of which the offense was committed

(c) Each witness required to attend before the department or any member thereof shall be entitled to the fees and milage customarily paid to witnesses in the courts of common pleas

Section 13 Pursuant to carrying out the purposes of this act any member of the department or any employe designated for the purposes shall have access to and may enter at all reasonable hours all places where bread is being manufactured processed stored sold or otherwise handled The department or any designated employe thereof shall have power at all reasonable hours to inspect all books papers records or documents in any place within the Commonwealth for the purpose of ascertaining facts pertinent to the administration of this act The information so obtained shall be for the confidential use of the department and the various departments of the state government and shall not be disclosed by any person except as may be required in the enforcement of law or by order of court The department however may use such information for the publication of statistics of the industry in this Commonwealth

Section 14 Except as herein otherwise provided a bread dealer shall not buy bread from manufacturers or others within this Commonwealth or sell or distribute bread within this Commonwealth unless such dealer be duly licensed as herein provided An application for a license to operate as a bread dealer shall be made within thirty days after this act takes effect and annually thereafter on or before April fifteenth to the department upon blanks prepared under authority and direction of the department and shall be accompanied by a fee the amount of which shall be determined by the department The license year shall commence May first and shall end April thirtieth following The applicant shall state the following

(1) The nature of the business to be conducted

(2) The full name of the person applying for the license

(3) The address at which the business is to be conducted

Section 15 Except as herein or otherwise provided no person shall engage as a bread manufacturer within this Commonwealth unless such manufacturer be duly licensed as herein provided An application for a license to operate as a bread manufacturer shall be made within thirty days after this act takes effect and annually thereafter on or before April fifteenth to the department upon blanks prepared under authority and direction of the department and shall be accompanied by the prescribed fee The license year shall commence May first and shall end April thirtieth following The applicant shall state the following

(1) The nature of the business to be conducted

(2) The full name of the person applying for the license

(3) The address at which the business is to be conducted

(4) Facts showing that the applicant has adequate technical personnel and technical and physical facilities properly to conduct the business of manufacturing bread that he has complied with all rules regulations and orders of the department filed or served as required in this act and such other facts with respect to the license as may be required by the department

Section 16 The department shall grant a bread dealer's or manufacturer's license to an applicant complying with the provisions of this act and of any rules and regulations issued by the department The department may decline to grant a license to an applicant or suspend or revoke a license already granted to a bread dealer or manufacturer for violations of this act or any regulation adopted under the authority hereof The licenses required by this act shall be in addition to any other licenses which are new or may hereafter be required by law

Section 17 Any person aggrieved by an order of department fixing the terms upon which bread may be bought or sold or the conditions under which bread may be manufactured or by any other general rule regulation or order of the department may file an appeal therefrom in the Superior Court within twenty days after the issuance of such order or such other general rule or regulation but such appeal shall not be permitted to act as a supersedeas

Section 5 The provisions of this act shall become effective immediately upon final enactment

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows, viz:

YEAS—204

Achterman,	French,	Malloy,	Royer,
Allmond,	Gallagher,	Marks,	Rush,
Auker,	Gates,	Maxwell,	Sarge,
Baker,	Gerard,	McClanaghan,	Sarraf,
Balthaser,	Gillan,	McClester,	Scanlon,
Bentley,	Gillette,	McDermott,	Schwab,
Bentzel,	Goodwin,	McDowell,	Serrill,
Boles,	Greenwood,	McFall,	Shaffer,
Boney,	Gryskewicz,	McIntosh,	Shaw,
Boorse,	Gross,	McKinney,	Shepard,
Bower,	Gyger,	McLanahan,	Simons,
Bradley,	Habbyshaw,	McLane,	Skale,
Bretherick,	Haberlen,	McMillen,	Snyder,
Brown,	Haines,	McSurdy,	Sollenberger,
Brunner, C. H.,	Hall,	Melchiorre,	Sorg,
Brunner, P. A.,	Hamilton,	Mihm,	Stambaugh,
Burns,	Hare,	Modell,	Stank,
Burris,	Harkins,	Monks,	Stine,
Cadwalader,	Harmuth,	Mooney,	Stockham,
Chervenak,	Harris,	Moran,	Tarr,
Chudoff,	Heatherington,	Moul,	Tate,
Cochran,	Helm,	Muir,	Taylor,
Cohen, M. M.,	Hering,	Munley,	Thompson, E. F.,
Cohen, R. E.,	Herman,	Nagel,	Thompson, R. L.,
Cook,	Hersch,	Nunemacher,	Trout,
Cooper,	Hewitt,	O'Brien,	Turner,
Cordier,	Hirsch,	O'Connor,	Van Allsburg,
Corrigan,	Holland,	O'Dare,	Verona,
Croop,	Huntley,	O'Mullen,	Vincent,
Cullen,	Imbrie,	O'Neill,	Vogt,
Dalrymple,	James,	Owens,	Voldow,
Dennison,	Jefferson,	Petrosky,	Voorhees,
DiGenova,	Jones, G. E.,	Pettit,	Wagner,
Dix,	Jones, P. N.,	Polaski,	Watkins,
Dolon,	Keenan,	Polen,	Weingartner,
D'Ortona,	Kenehan,	Powers,	Weiss,
Duffy,	Kline,	Prosen,	Welsh, E. B.,
Early,	Knoble,	Rank,	Welsh, M. J.,
Eckels,	Kolankiewicz,	Rausch,	Wilkinson,
Elder,	Komorofski,	Readinger,	Williams,
Elliott,	Krise,	Reagan,	Winner,
Ely,	Lee, E. A.,	Reese, D. P.,	Wood, L. H.,
Falkenstein,	Lee, T. H.,	Reese, R. E.,	Wood, N.,
Finestone,	Leisey,	Regan,	Woodring,
Finnerty,	Leonard,	Reynolds,	Woodside,
Fisher,	Lesko,	Rhea,	Wright,
Fox,	Levy,	Riley,	Yeakel,
Fleming,	Leydic,	Rooney,	Yester,
Fletcher,	Lichtenwalter,	Rose, S.,	Young,
Flynn,	Longo,	Rose, W. E.,	Kilroy,
Foor,	Lovett,	Rosenfeld,	
	Lyons,		Speaker.

NAYS—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return it to the Senate with information that the House has passed it with amendments in which the concurrence of the Senate is requested.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1955, as follows:

An Act to amend section two hundred and fifty-four of the act approved the second day of May one thousand nine hundred and twenty-five (P. L. 448) entitled "An act relating to fish and amending consolidating and changing the law relating to fish in the inland waters and the boundary lakes and boundary rivers of the Commonwealth" limiting the right of certain lessees or holders of certain rights in property for fishing purposes to exclude the general public from fishing from such property

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section two hundred and fifty-four of the act approved the second day of May one thousand nine hundred and twenty-five (P. L. 448) entitled "An act relating to fish and amending revising consolidating and changing the law relating to fish in the inland waters and the boundary lakes and boundary rivers of the Commonwealth" as last amended by Section 1 of the act approved the tenth day of June one thousand nine hundred and thirty-five (P. L. 290) is hereby amended to read as follows

Section 254 Streams and Lakes To Be Free for Fishing Exception Any natural stream or lake in this Commonwealth which has been or may be stocked with fish furnished by the Commonwealth or the board shall be open to the public for the purpose of lawful fishing provided however that any person corporation association partnership or club who or which has leased or secured or hereafter leases or secures lands or rights in lands adjacent to or within which are such waters shall be permitted to fish or angle from such lands only if duly licensed members of the general public are given such access to the lands as is necessary for all lawful fishing therefrom but nothing in this section shall be so construed as to free any person trespassing on the lands of any person in this Commonwealth from liability for any damage he may do to said lands or to the improvement thereon or to any crops or livestock or poultry thereon

Notwithstanding the provisions of this section whenever any stream is stocked with trout during the open season for trout the Board of Fish Commissioners may close such stream or any part thereof to fishing for a period of five days after the same has been stocked Whenever any stream or part of a stream is closed to fishing under the provisions of this section the portion thereof that has been closed shall be posted with signs giving notice of such closing together with the date of stocking and the date when such stream or part thereof will again be open to fishing A statement of the stocking of such stream giving the number of cans of trout planted the fact that the stream or part thereof has been closed and the dates of the stocking and reopening of the stream shall be given to at least one newspaper published in the vicinity of such stream with the request that the same be published as a news item nothing in this act contained shall authorize the Board of Fish Commissioners to close any stream or part thereof which is owned or held by any individual association or corporation and which has not been stocked with fish furnished by the Commonwealth or the board

Any person fishing in any stream or part of a stream during the period the same has been closed to fishing under the provisions of this section shall on conviction as provided in chapter fourteen of this act be subject to a penalty of twenty-five dollars

Section 2 This act shall become effective immediately upon final enactment

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows, viz:

YEAS—204

Achterman,	French,	Malloy,	Royer,
Allmond,	Gallagher,	Marks,	Rush,
Auker,	Gates,	Maxwell,	Sarge,
Baker,	Gerard,	McClanaghan,	Sarraf,
Balthaser,	Gillan,	McClester,	Scanlon,
Bentley,	Gillette,	McDermott,	Schwab,
Bentzel,	Goodwin,	McDowell,	Serrill,
Boles,	Greenwood,	McFall,	Shaffer,
Boney,	Gross,	McIntosh,	Shaw,
Boorse,	Gryskewicz,	McKinney,	Shepard,
Bower,	Gyger,	McLanahan,	Simons,
Bradley,	Habbyshaw	McLane,	Skale,
Bretherick,	Haberlen,	McMillen,	Snyder,
Brown,	Haines,	McSurdy,	Sollenberger,
Brunner, C H.,	Hall,	Melchiorre,	Sorg,
Brunner, P A.,	Hamilton,	Mihm,	Stambaugh,
Burns,	Hare,	Modell,	Stank,
Burris,	Harkins,	Monks,	Stine,
Cadwalader,	Harmuth,	Mooney,	Stockham,
Chervenak,	Harris,	Moran,	Tarr,
Chudoff,	Heatherington,	Moul,	Tate,
Cochran,	Helm,	Muir,	Taylor,
Cohen, M M.,	Hering,	Munley,	Thompson, E. F.,
Cohen, R E.,	Herman,	Nagel,	Thompson, R. L.,
Cook,	Hersch,	Nunemacher,	Trout,
Cooper,	Hewitt,	O'Brien,	Turner,
Cordier,	Hirsch,	O'Connor,	Van Allsburg,
Corrigan,	Holland,	O'Dare,	Verona,
Croop,	Huntley,	O'Mullen,	Vincent,
Cullen,	Imbrie,	O'Neill,	Vogt,
Dalrymple,	James,	Owens,	Voldow,
Dennison,	Jefferson,	Petrosky,	Voorhees,
DiGenova,	Jones, G E.,	Pettit,	Wagner,
Dix,	Jones, P N.,	Polaski,	Watkins,
Dolon,	Keenan	Polen,	Weingartner,
D'Ortona	Kenehan,	Powers,	Weiss,
Duffy,	Kline,	Prosen,	Welsh, E B.,
Early,	Knoble,	Rank	Welsh, M J.,
Eckels,	Kolankiewicz,	Rausch,	Wilkinson,
Elder,	Komorofski,	Readinger,	Williams,
Elliott,	Krise,	Reagan,	Winner
Ely	Lee, E A.,	Reese D P.,	Wood L H.,
Falkenstein,	Lee, T H.	Reese, R E.,	Wood, N.,
Finestone,	Leisey,	Regan,	Woodring,
Finnerty,	Leonard,	Reynolds,	Woodside,
Fisher	Lesko,	Rhea	Wright,
Fiss,	Levy,	Riley,	Yeakel,
Fleming,	Leydic,	Rooney,	Yester,
Fletcher,	Lichtenwalter,	Ros S.,	Young,
Flynn	Longo,	Rose, W E.,	Kilroy,
Foor,	Lovett,	Rosenfeld,	Speaker.
	Lyons,		

NAYS—0

The majority required by the Constitution having voted in the affirmative, the question was determined by the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

BILL PASSED OVER

There being no objection House Bill No. 1539, Printer's No. 1171, was passed over at the request of the SPEAKER.

BILLS ON THIRD READING

Agreeably to order,

The bill having been called up from the postponed calendar by Mr. READINGER.

The House resumed the consideration on third reading of House Bill No. 1782, (Senate Bill No. 785), entitled:

An Act to further amend section nine of the act, approved the first day of May, one thousand nine hundred and thirteen (P. L. 138), entitled "An act defining vocational education; providing for the establishment and regulation of vocational schools; and providing for State aid in the maintenance thereof; and for the payment of tuition by certain school districts, and reimbursement thereof by the State," further regulating State reimbursements to school districts for vocational education; and making provision for additional types of vocational education for which funds may be provided by Congress.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows, viz:

YEAS—204

Achterman,	French,	Malloy,	Royer,
Allmond,	Gallagher,	Marks,	Rush,
Auker,	Gates,	Maxwell,	Sarge,
Baker,	Gerard,	McClanaghan,	Sarraf,
Balthaser,	Gillan,	McClester,	Scanlon,
Bentley,	Gillette,	McDermott,	Schwab,
Bentzel,	Goodwin,	McDowell,	Serrill,
Boles,	Greenwood,	McFall,	Shaffer,
Boney,	Gross,	McIntosh,	Shaw,
Boorse,	Gryskewicz,	McKinney,	Shepard,
Bower,	Gyger,	McLanahan,	Simons,
Bradley,	Habbyshaw,	McLane,	Skale,
Bretherick,	Haberlen,	McMillen,	Snyder,
Brown,	Haines,	McSurdy,	Sollenberger,
Brunner, C. H.,	Hall,	Melchiorre,	Sorg,
Brunner, P. A.,	Hamilton,	Mihm,	Stambaugh,
Burns,	Hare,	Modell,	Stank,
Burris,	Harkins,	Monks,	Stine,
Cadwalader,	Harmuth,	Mooney,	Stockham,
Chervenak,	Harris,	Moran,	Tarr,
Chudoff,	Heatherington,	Moul,	Tate,
Cochran,	Helm,	Muir,	Taylor,
Cohen, M. M.,	Hering,	Munley,	Thompson, E. F.,
Cohen, R. E.,	Herman,	Nagel,	Thompson, R. L.,
Cook,	Hersch,	Nunemacher,	Trout,
Cooper,	Hewitt,	O'Brien,	Turner,
Cordier,	Hirsch,	O'Connor,	Van Allsburg,
Corrigan,	Holland,	O'Dare,	Verona,
Croop,	Huntley,	O'Mullen,	Vincent,
Cullen,	Imbrie,	O'Neill,	Vogt,
Dalrymple,	James,	Owens,	Voldow,
Dennison,	Jefferson,	Petrosky,	Voorhees,
DiGenova,	Jones, G. E.,	Pettit,	Wagner,
Dix,	Jones, P. N.,	Polaski,	Watkins,
Dolon,	Keenan,	Polen,	Weingartner,
D'Ortona,	Kenehan,	Powers,	Weiss,
Duffy,	Kline,	Prosen,	Welsh, E. B.,
Early,	Knoble,	Rank,	Welsh, M. J.,
Eckels,	Kolankiewicz,	Rausch,	Wilkinson,
Elder,	Komorofski,	Readinger,	Williams,
Elliott,	Krise,	Reagan,	Winner,
Ely,	Lee, E. A.,	Reese, D. P.,	Wood, L. H.,
Falkenstein,	Lee, T. H.,	Reese, R. E.,	Wood, N.,
Finestone,	Leisey,	Regan,	Woodring,
Finnerty,	Leonard,	Reynolds,	Woodside,
Fisher,	Lesko,	Rhea,	Wright,
Fiss,	Levy,	Riley,	Yeakel,
Fleming,	Leydic,	Rooney,	Yester,
Fletcher,	Lichtenwalter,	Rose, S.,	Young,
Flynn,	Longo,	Rose, W. E.,	Kilroy,
Foor,	Lovett,	Rosenfeld,	Speaker.
	Lyons,		

NAYS—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return it to the Senate with information that the House has passed it without amendment.

Agreeably to order,

The bill having been called up from the postponed calendar by Mr. READINGER.

The House resumed the consideration on third reading of House Bill No. 1549, (Senate Bill No. 241), entitled:

An Act to further amend section two thousand six hundred and four of an act, approved the eighteenth day of May, one thousand nine hundred and eleven (P. L. 309), entitled "An act to establish a public school system in the Commonwealth of Pennsylvania, together with the provisions by which it shall be administered, and prescribing penalties for the violation thereof; providing revenue to establish and maintain the same, and the method of collecting such revenue; and repealing all laws, general, special, or local, or any parts thereof, that are or may be inconsistent therewith," by providing for the audit of accounts of fourth class school districts by the borough or township controller or auditors.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows, viz:

YEAS—204

Achterman,	French,	Malloy,	Royer,
Allmond,	Gallagher,	Marks,	Rush,
Auker,	Gates,	Maxwell,	Sarge,
Baker,	Gerard,	McClanaghan,	Sarraf,
Balthaser,	Gillan,	McClester,	Scanlon,
Bentley,	Gillette,	McDermott,	Schwab,
Bentzel,	Goodwin,	McDowell,	Serrill,
Boles,	Greenwood,	McFall,	Shaffer,
Boney,	Gross,	McIntosh,	Shaw,
Boorse,	Gryskewicz,	McKinney,	Shepard,
Bower,	Gyger,	McLanahan,	Simons,
Bradley,	Habbyshaw,	McLane,	Skale,
Bretherick,	Haberlen,	McMillen,	Snyder,
Brown,	Haines,	McSurdy,	Sollenberger,
Brunner, C. H.,	Hall,	Melchiorre,	Sorg,
Brunner, P. A.,	Hamilton,	Mihm,	Stambaugh,
Burns,	Hare,	Modell,	Stank,
Burris,	Harkins,	Monks,	Stine,
Cadwalader,	Harmuth,	Mooney,	Stockham,
Chervenak,	Harris,	Moran,	Tarr,
Chudoff,	Heatherington,	Moul,	Tate,
Cochran,	Helm,	Muir,	Taylor,
Cohen, M. M.,	Hering,	Munley,	Thompson, E. F.,
Cohen, R. E.,	Herman,	Nagel,	Thompson, R. L.,
Cook,	Hersch,	Nunemacher,	Trout,
Cooper,	Hewitt,	O'Brien,	Turner,
Cordier,	Hirsch,	O'Connor,	Van Allsburg,
Corrigan,	Holland,	O'Dare,	Verona,
Croop,	Huntley,	O'Mullen,	Vincent,
Cullen,	Imbrie,	O'Neill,	Vogt,
Dalrymple,	James,	Owens,	Voldow,
Dennison,	Jefferson,	Petrosky,	Voorhees,
DiGenova,	Jones, G. E.,	Pettit,	Wagner,
Dix,	Jones, P. N.,	Polaski,	Watkins,
Dolon,	Keenan,	Polen,	Weingartner,
D'Ortona,	Kenehan,	Powers,	Weiss,
Duffy,	Kline,	Prosen,	Welsh, E. B.,
Early,	Knoble,	Rank,	Welsh, M. J.,
Eckels,	Kolankiewicz,	Rausch,	Wilkinson,
Elder,	Komorofski,	Readinger,	Williams,
Elliott,	Krise,	Reagan,	Winner,
Ely,	Lee, E. A.,	Reese, D. P.,	Wood, L. H.,
Falkenstein,	Lee, T. H.,	Reese, R. E.,	Wood, N.,
Finestone,	Leisey,	Regan,	Woodring,
Finnerty,	Lesko,	Reynolds,	Woodside,
Fisher,	Leonard,	Rhea,	Wright,
Fiss,	Levy,	Riley,	Yeakel,
Fleming,	Leydic,	Rooney,	Yester,
	Lichtenwalter,	Rose, S.,	Young,

Fletcher,	Longo,	Rose, W. E.,	Kilroy,
Flynn,	Lovett,	Rosenfeld,	Speaker.
Foor,	Lyons,		

NAYS—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return it to the Senate with information that the House has passed it without amendment.

Agreeably to order,

The bill having been called up from the postponed calendar by Mr. READINGER.

The House resumed the consideration on third reading of House Bill No. 1866, (Senate Bill No. 905), entitled:

An Act to further amend clause (a) of section two of the act approved the seventh day of June one thousand nine hundred and seventeen (P. L. 388) entitled "An act relating to the jurisdiction powers and procedure of the orphans' court and the court of common pleas as to sales mortgages conveyances on ground-rents leases extinguishment of ground-rents partition exchange squaring and adjusting of lines between adjoining owners consolidation and combination of mining lands and the leasing thereof the joining by owners of undivided interests in making and taking conveyances in order to change the route or location of any right of way or passage over adjoining or other lands and the subdivision of premises so as to command the highest price or greatest rents and for such purpose the laying out or dedication of roads streets and alleys or the vacation of such as have not been accepted by the public authorities where the court shall be of opinion that such decree will be to the interest and advantage of all those interested and where the legal title is held by minors lunatics habitual drunkards or weak-minded persons a married person whose spouse is a lunatic or has abandoned him or her for one year or has been absent and unheard of for seven years by corporations having no capacity to convey or by any unincorporated association by any religious beneficial or charitable society or association incorporated or unincorporated and the title is subject to forfeiture if real estate is held in excess of the amount prescribed by its charter or by law by a corporation or individual or individuals and is subject to a trust of any description whatever by any person as to whom a presumption of death may have arisen or any interest wherein is held by any person under legal disability to dispose thereof where the legal title is an estate tail or is subject to the lien of debts of a decedent not of record contingent remainders executory devises or remainders to a class some or all of whom may not be in being or ascertained where estates shall have been devised or granted for special or limited purposes where there is a power of sale but the time may not have arrived for its exercise any preliminary act may not have been done to bring it into exercise the time limited for its exercise may have expired or any one or more persons required to consent or join in its exercise may be non compos mentis have removed out of the State have died refuse to act unreasonably withhold consent or be absent and unheard of where there has been or shall be a defective appointment in any deed or will and the necessary power is not given to the executor devisee or appointee to make sale and conveyance where a trust has been created and no power conferred on the trustees to do any of the acts which the court is hereby empowered to authorize or confirm and to the effects of such decrees" extending the provisions of said act to cases where real estate is held by entireties and the one spouse has been declared weak-minded or mentally incompetent.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows, viz:

YEAS—204

Achterman,	French,	Malloy,	Royer,
Allmond,	Gallagher,	Marks,	Rush,
Auker,	Gates,	Maxwell,	Sarge,
Baker,	Gerard,	McClanaghan,	Sarraf,
Balthaser,	Gillan,	McClester,	Scanlon,
Bentley,	Gillette,	McDermott,	Schwab,
Bentzel,	Goodwin,	McDowell,	Serrill,
Boles,	Greenwood,	McFall,	Shaffer,
Boney,	Gross,	McIntosh,	Shaw,
Boorse,	Gryskewicz,	McKinney,	Shepard,
Bower,	Gyger,	McLanahan,	Simons,
Bradley,	Habbyshaw,	McLane,	Skale,
Bretherick,	Haberlen,	McMillen,	Snyder,
Brown,	Haines,	McSurdy,	Sollenberger,
Brunner, C. H.,	Hall,	Melchiorre,	Sorg,
Brunner, P. A.,	Hamilton,	Mihm,	Stambaugh,
Burns,	Hare,	Modell,	Stank,
Burris,	Harkins,	Monks,	Stine,
Cadwalader,	Harmuth,	Mooney,	Stockham,
Chervenak,	Harris,	Moran,	Tarr,
Chudoff,	Heatherington,	Moul,	Tate,
Cochran,	Helm,	Muir,	Taylor,
Cohen, M. M.,	Hering,	Munley,	Thompson, E. F.,
Cohen, R. E.,	Herman,	Nagel,	Thompson, R. L.,
Cook,	Hersch,	Nunemacher,	Trout,
Cooper,	Hewitt,	O'Brien,	Turner,
Cordier,	Hirsch,	O'Connor,	Van Allsburg,
Corrigan,	Holland,	O'Dare,	Verona,
Croop,	Huntley,	O'Mullen,	Vincent,
Cullen,	Imbrie,	O'Neill,	Vogt,
Dalrymple,	James,	Owens,	Voldow,
Dennison,	Jefferson,	Petrosky,	Voorhees,
DiGenova,	Jones, G. E.,	Pettit,	Wagner,
Dix,	Jones, P. N.,	Polaski,	Watkins,
Dolon,	Keenan,	Polen,	Weingartner,
D'Ortona,	Kenehan,	Powers,	Weiss,
Duffy,	Kline,	Prosen,	Welsh, E. B.,
Early,	Knoble,	Rank,	Welsh, M. J.,
Eckels,	Kolankiewicz,	Rausch,	Wilkinson,
Elder,	Komorofski,	Readinger,	Williams,
Elliott,	Krise,	Reagan,	Winner,
Ely,	Lee, E. A.,	Reese, D. P.,	Wood, L. H.,
Falkenstein,	Lee, T. H.,	Reese, R. E.,	Wood, N.,
Finestone,	Leisey,	Regan,	Woodring,
Finnerty,	Leonard,	Reynolds,	Woodside,
Fisher,	Lesko,	Rhea,	Wright,
Fiss,	Levy,	Riley,	Yeakel,
Fleming,	Leydic,	Rooney,	Yester,
Fletcher,	Lichtenwalter,	Rose, S.,	Young,
Flynn,	Longo,	Rose, W. E.,	Kilroy,
Foor,	Lovett,	Rosenfeld,	Speaker.
	Lyons,		

NAYS—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return it to the Senate with information that the House has passed it without amendment.

Agreeably to order,

The bill having been called up from the postponed calendar by Mr. READINGER.

The House resumed the consideration on third reading of House Bill No. 1888, (Senate Bill No. 1186), entitled:

An Act authorizing the Department of Military Affairs of the Commonwealth of Pennsylvania to arrange for the design and permanent display in the County of Philadelphia of a plaque or monument in memory of the Honorable Theodore Rosen and making an appropriation.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows, viz:

YEAS—204

Achterman,	French,	Lyons,	Rosenfeld,
Allmond,	Gallagher,	Malloy,	Royer,
Auker,	Gates,	Marks,	Rush,
Baker,	Gerard,	Maxwell,	Sarge,
Balthaser,	Gillan,	McClanaghan,	Sarraf,
Bentley,	Gillette,	McClester,	Scanlon,
Bentzel,	Goodwin,	McDermott,	Schwab,
Boies,	Greenwood,	McDowell,	Serrill,
Boney,	Gross,	McFall,	Shaffer,
Boorse,	Gryskewicz,	McIntosh,	Shaw,
Bower,	Gyger,	McKinney,	Shepard,
Bradley,	Habbyshaw,	McLanahan	Simons,
Bretherick,	Haberlen,	McLane,	Skale,
Brown,	Haines,	McMillen,	Snyder,
Brunner, C. H.,	Hall,	McSurdy,	Sollenberger,
Brunner, P. A.,	Hamilton,	Melchiorre,	Sorg,
Burns,	Hare,	Mihm,	Stambaugh,
Burris,	Harkins,	Modell,	Stank,
Cadwalader,	Harmuth,	Monks,	Stine,
Chervenak,	Harris,	Mooney,	Stockham,
Chudoff,	Heatherington,	Moran,	Tarr,
Cochran,	Helm,	Moul,	Tate,
Cohen, M. M.,	Hering,	Muir,	Taylor,
Cohen, R. E.,	Herman,	Munley,	Thompson, E. F.,
Cook,	Hersch,	Nagel,	Thompson, R. L.,
Cooper,	Hewitt,	Nunemacher,	Trout,
Cordier,	Hirsch,	O'Brien,	Turner,
Corrigan,	Holland,	O'Connor,	VanAllsburg,
Croop,	Huntley,	O'Dare,	Verona,
Cullen,	Imbrie,	O'Mullen,	Vincent,
Dalrymple,	James,	O'Neill,	Vogt,
Dennison,	Jefferson,	Owens,	Voldow,
DiGenova,	Jones, G. E.,	Petrosky,	Voorhees,
Dix,	Jones, P. N.,	Pettit,	Wagner,
Dolon,	Keenan,	Polaski,	Watkins,
D'Ortona,	Kenehan,	Polen,	Weingartner,
Duffy,	Kline,	Powers,	Weiss,
Early,	Knoble,	Prosen,	Welsh, E. B.,
Eckels,	Kolankiewicz,	Rank,	Welsh, M. J.,
Elder,	Komorofski,	Rausch,	Wilkinson,
Elliott,	Krise,	Readinger,	Williams,
Ely,	Lee, E. A.,	Reagan,	Winner,
Falkenstein,	Lee, T. H.,	Reese, D. P.,	Wood, L. H.,
Finestone,	Leisey,	Reese, R. E.,	Wood, N.,
Finnerty,	Leonard,	Regan,	Woodring,
Fisher,	Lesko,	Reynolds,	Woodside,
Fiss,	Levy,	Rhea,	Wright,
Fleming,	Leydic,	Riley,	Yeakel,
Fletcher,	Lichtenwalter,	Rooney,	Yester,
Flynn,	Longo,	Rose, S.,	Young,
Foor,	Lovett,	Rose, W. E.,	Kilroy, Speaker.

NAYS—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return it to the Senate with information that the House has passed it without amendment.

Agreeably to order,

The bill having been called up from the postponed calendar by Mr. READINGER.

The House resumed the consideration on third reading of House Bill No. 1792, (Senate Bill No. 994), entitled:

An Act making an appropriation to the Thomas Jefferson Bicentennial Commission of Pennsylvania

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows, viz:

YEAS—204

Achterman,	French,	Malloy,	Royer,
Allmond,	Gallagher,	Marks,	Rush,
Auker,	Gates,	Maxwell,	Sarge,
Baker,	Gerard,	McClanaghan,	Sarraf,
Balthaser,	Gillan,	McClester,	Scanlon,
Bentley,	Gillette,	McDermott,	Schwab,
Bentzel,	Goodwin,	McDowell,	Serrill,
Boies,	Greenwood,	McFall,	Shaffer,
Boney,	Gross,	McIntosh,	Shaw,
Boorse,	Gryskewicz,	McKinney,	Shepard,
Bower,	Gyger,	McLanahan,	Simons,
Bradley,	Habbyshaw,	McLane,	Skale,
Bretherick,	Haberlen,	McMillen,	Snyder,
Brown,	Haines,	McSurdy,	Sollenberger,
Brunner, C. H.,	Hall,	Melchiorre,	Sorg,
Brunner, P. A.,	Hamilton,	Mihm,	Stambaugh,
Burns,	Hare,	Modell,	Stank,
Burris,	Harkins,	Monks,	Stine,
Cadwalader,	Harmuth,	Mooney,	Stockham,
Chervenak,	Harris,	Moran,	Tarr,
Chudoff,	Heatherington,	Moul,	Tate,
Cochran,	Helm,	Muir,	Taylor,
Cohen, M. M.,	Hering,	Munley,	Thompson, E. F.,
Cohen, R. E.,	Herman,	Nagel,	Thompson, R. L.,
Cook,	Hersch,	Nunemacher,	Trout,
Cooper,	Hewitt,	O'Brien,	Turner,
Cordier,	Hirsch,	O'Connor,	Van Allsburg,
Corrigan,	Holland,	O'Dare,	Verona,
Croop,	Huntley,	O'Mullen,	Vincent,
Cullen,	Imbrie,	O'Neill,	Vogt,
Dalrymple,	James,	Owens,	Voldow,
Dennison,	Jefferson,	Petrosky,	Voorhees,
DiGenova,	Jones, G. E.,	Pettit,	Wagner,
Dix,	Jones, P. N.,	Polaski,	Watkins,
Dolon,	Keenan,	Polen,	Weingartner,
D'Ortona,	Kenehan,	Powers,	Weiss,
Duffy,	Kline,	Prosen,	Welsh, E. B.,
Early,	Knoble,	Rank,	Welsh, M. J.,
Eckels,	Kolankiewicz,	Rausch,	Wilkinson,
Elder,	Komorofski,	Readinger,	Williams,
Elliott,	Krise,	Reagan,	Winner,
Ely,	Lee, E. A.,	Reese, D. P.,	Wood, L. H.,
Falkenstein,	Lee, T. H.,	Reese, R. E.,	Wood, N.,
Finestone,	Leisey,	Regan,	Woodring,
Finnerty,	Leonard,	Reynolds,	Woodside,
Fisher,	Lesko,	Rhea,	Wright,
Fiss,	Levy,	Riley,	Yeakel,
Fleming,	Leydic,	Rooney,	Yester,
Fletcher,	Lichtenwalter,	Rose, S.,	Young,
Flynn,	Longo,	Rose, W. E.,	Kilroy,
Foor,	Lovett,	Rosenfeld,	Speaker.
	Lyons,		

NAYS—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return it to the Senate with information that the House has passed it without amendment.

Agreeably to order,

The bill having been called up from the postponed calendar by Mr. READINGER.

The House resumed the consideration on third reading of House Bill No. 1807, (Senate Bill No. 1006), entitled:

An Act to amend Route 18033 established by amendment to the act, approved the twenty-second day of June, one thousand nine hundred and thirty-one (P. L. 594), entitled "An act establishing certain township roads as State highways; authorizing their construction, maintenance and improvement under certain conditions and restrictions; limiting the obligation of the Commonwealth in the construction of certain structures located on such highways; conferring certain powers upon the Department of Highways and local authorities, persons, associa-

tions and corporations for sharing the cost of the maintenance and construction of such highways; and making an appropriation to carry out the provisions of said act."

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows, viz:

YEAS—204

Achterman,	French,	Malloy,	Royer,
Allmond,	Gallagher,	Marks,	Rush,
Auker,	Gates,	Maxwell,	Sarge,
Baker,	Gerard,	McClanaghan,	Sarraf,
Balthaser,	Gillan,	McClester,	Scanlon,
Bentley,	Gillette,	McDermott,	Schwab,
Bentzel,	Goodwin,	McDowell,	Serrill,
Boles,	Greenwood,	McFall,	Shaffer,
Boney,	Gross,	McIntosh,	Shaw,
Boorse,	Gryskewicz,	McKinney,	Shepard,
Bower,	Gyger,	McLanahan,	Simons,
Bradley,	Habbyshaw,	McLane,	Skale,
Bretherick,	Haberlen,	McMillen,	Snyder,
Brown,	Haines,	McSurdy,	Sollenberger,
Brunner, C. H.,	Hall,	Melchiorre,	Sorg,
Brunner, P. A.,	Hamilton,	Mihm,	Stambaugh,
Burns,	Hare,	Modell,	Stank,
Burris,	Harkins,	Monks,	Stine,
Cadwalader,	Harmuth,	Mooney,	Stockham,
Chervenak,	Harris,	Moran,	Tarr,
Chudoff,	Heatherington,	Moul,	Tate,
Cochran,	Helm,	Muir,	Taylor,
Cohen, M. M.,	Hering,	Munley,	Thompson, E. F.,
Cohen, R. E.,	Herman,	Nagel,	Thompson, R. L.,
Cook,	Hersch,	Nunemacher,	Trout,
Cooper,	Hewitt,	O'Brien,	Turner,
Cordier,	Hirsch,	O'Connor,	Van Allsburg,
Corrigan,	Holland,	O'Dare,	Verona,
Croop,	Huntley,	O'Mullen,	Vincent,
Cullen,	Imbrie,	O'Neill,	Vogt,
Dalrymple,	James,	Owens,	Voldow,
Dennison,	Jefferson,	Petrosky,	Voorhees,
DiGenova,	Jones, G. E.,	Pettit,	Wagner,
Dix,	Jones, P. N.,	Polaski,	Watkins,
Dolon,	Keenan,	Polen,	Weingartner,
D'Ortona,	Kenehan,	Powers,	Weiss,
Duffy,	Kline,	Prosen,	Welsh, E. B.,
Early,	Knoble,	Rank,	Welsh, M. J.,
Eckels,	Kolankiewicz,	Rausch,	Wilkinson,
Elder,	Komorofski,	Readinger,	Williams,
Elliott,	Krise,	Reagan,	Winner,
Ely,	Lee, E. A.,	Reese, D. P.,	Wood, L. H.,
Falkenstein,	Lee, T. H.,	Reese, R. E.,	Wood, N.,
Finestone,	Leisey,	Regan,	Woodring,
Finnerty,	Leonard,	Reynolds,	Woodside,
Fisher,	Lesko,	Rhea,	Wright,
Fiss	Levy,	Riley,	Yeakel,
Fleming,	Leydic,	Rooney,	Yester,
Fletcher,	Lichtenwalter,	Rose, S.,	Young,
Flynn,	Longo,	Rose, W. E.,	Kilroy,
Foor	Lovett,	Rosenfeld,	Speaker.
	Lyons,		

NAYS—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return it to the Senate with information that the House has passed it without amendment.

Agreeably to order,

The bill having been called up from the postponed calendar by Mr. READINGER.

The House resumed the consideration on third reading of House Bill No. 1819, (Senate Bill No. 784), as follows:

An Act to amended section four hundred three of the act approved the fifteenth day of May one thousand nine hundred and thirty-three (P. L. 565) entitled "An act relating to the powers and duties of the Department of Banking and the Secretary of Banking in exercising supervision over and taking possession of and conducting or liquidating the business and property of corporations associations and persons receiving deposits or otherwise transacting a banking business corporations acting as fiduciaries and building and loan associations providing for the payment of the expenses of the Department of Banking by supervised corporations associations or persons and appropriating the Banking Department Fund authorizing the Department of Banking under certain circumstances to examine corporations associations or persons affiliated or having business transactions with supervised corporations associations or persons authorizing appeals to the Supreme Court and prescribing and limiting the powers and duties of certain other courts and their prothonotaries registers of wills recorders of deeds and certain State departments commissions and officers authorizing certain local public officers and State departments to collect fees for services rendered under this act providing penalties and repealing certain acts and parts of acts" further regulating the publication of advertisements and notices required under the provisions of said act

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows:

Section 1 Section four hundred three of the act approved the fifteenth day of May one thousand nine hundred and thirty-three (P. L. 565) entitled "An Act relating to the powers and duties of the Department of Banking and the Secretary of Banking in exercising supervision over and taking possession of and conducting or liquidating the business and property of corporations associations and persons receiving deposits or otherwise transacting a banking business corporations acting as fiduciaries and building and loan associations providing for the payment of the expenses of the Department of Banking by supervised corporations associations or person and appropriating the Banking Department Fund authorizing the Department of Banking under certain circumstances to examine corporations associations or persons affiliated or having business transactions with supervised corporations associations or persons authorizing appeals to the Supreme Court and prescribing and limiting the powers and duties of certain other courts and their prothonotaries registers of wills recorders of deeds and certain State departments commissions and officers authorizing certain local public officers and State departments to collect fees for services rendered under this act providing penalties and repealing certain acts and parts of acts" is hereby amended to read as follows:

Section 403 Reports to Department Publication Penalties A Every institution except building and loan associations shall send to the department at least twice each year and more frequently if the department shall so order a complete report of its condition exhibiting in detail under appropriate headings the resources and liabilities of the institution Every building and loan association shall send such a report to the department once each year unless the department orders more frequent reports

The department may also require special reports on the condition of or any particular facts concerning any institution at any time the department deems it necessary or advisable for the protection of the depositors other creditors or shareholders thereof

B The form of all reports the information to be contained in them and the date on which they shall be due shall be prescribed by the department The reports shall be verified by the oath or affirmation of the president cashier secretary treasurer or other managing officer of a corporation or by one of the firm in the case of a partnership or other unincorporated association or by the banker if an individual In the case of a corporation the report shall also be attested as correct by the signatures of at least three of its directors or trustees

C Every institution except building and loan associations shall publish during each year in a newspaper or newspapers in the manner provided by this act abstract summaries of any two of its reports designated for this purpose by the department and shall send proof of such publication to the department Such publication shall be required only once in a newspaper of general circulation and in first class counties once in a legal newspaper If there is no newspaper of general circulation published at the city borough or township in which the principal place of business of such institution is located such publication may be inserted in a newspaper of general circulation published nearest to such city borough or township and within the same county Building and loan association shall not be required to publish any abstract summaries of reports

D The Department shall furnish to anyone requesting it upon payment of a reasonable fee to be fixed by the department an abstract summary of any report then in its possession of any building and loan association subject to its supervision showing the assets liabilities receipts and disbursements of such building and loan association

E Any institution which fails to make or publish any report or to furnish any proof of publication in accordance with the provisions of this section shall pay to the department a penalty of one hundred dollars for each day after the time fixed by the department for filing such report making such publication or furnishing such proof of publication but the department may in its discretion relieve any institution from the payment of such penalty in whole or in part if good cause be shown to it for the failure of such institution to file or publish the report or to furnish proof of publication thereof If an institution fails to pay a penalty from which it has not been relieved the department may through the Department of Justice maintain an action at law to recover it

Section 2 The provisions of this act shall become effective immediately upon final enactment

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows, viz:

YEAS—204

Achterman,	French,	Malloy,	Royer,
Allmond,	Gallagher,	Marks,	Rush,
Auker,	Gates,	Maxwell,	Sarge,
Baker,	Gerard,	McClanaghan,	Sarraf,
Balthaser,	Gillan,	McClester,	Scanlon,
Bentley,	Gillette,	McDermott,	Schwab,
Bentzel,	Goodwin,	McDowell,	Serrill,
Boles,	Greenwood,	McFall,	Shaffer,
Boney,	Gross,	McIntosh,	Shaw,
Boorse,	Gryskewicz,	McKinney,	Shepard,
Bower,	Gyger,	McLanahan,	Simons,
Bradley,	Habbyshaw,	McLane,	Skale,
Bretherick,	Haberlen,	McMillen,	Snyder,
Brown,	Haines,	McSurdy,	Sollenberger,
Brunner, C. H.,	Hall,	Melchiorre,	Sorg,
Brunner, P. A.,	Hamilton,	Mihm,	Stambaugh,
Burns,	Hare,	Modell,	Stank,
Burris,	Harkins,	Monks,	Stine,
Cadwalader,	Harmuth,	Mooney,	Stockham,
Chervenak,	Harris,	Moran,	Tarr,
Chudoff,	Heatherington,	Moul,	Tate,
Cochran,	Helm,	Muir,	Taylor,
Cohen, M. M.,	Hering,	Munley,	Thompson, E. F.,
Cohen, R. E.,	Herman,	Nagel,	Thompson, R. L.,
Cook,	Hersch,	Nunemacher,	Trout,
Cooper,	Hewitt,	O'Brien,	Turner,
Cordier,	Hirsch,	O'Connor,	Van Allsburg,
Corrigan,	Holland,	O'Dare,	Verona,
Croop,	Huntley,	O'Mullen,	Vincent,
Cullen,	Imbrie,	O'Neill,	Vogt,
Dalrymple,	James,	Owens,	Voldow,
Dennison,	Jefferson,	Petrosky,	Voorhees,
DiGenova,	Jones, G. E.,	Pettit,	Wagner,
Dix,	Jones, P. N.,	Polaski,	Watkins,
Dolon,	Keenan,	Polen,	Weingartner,
D'Ortona,	Kenehan,	Powers,	Weiss,
Duffy,	Kline,	Prosen,	Welsh, E. B.,
Early,	Knoble,	Rank,	Welsh, M. J.,
Eckels,	Kolankiewicz,	Rausch,	Wilkinson,
Elder,	Komorofski,	Readinger,	Williams,
Elliott,	Krise,	Reagan,	Winner,
Ely,	Lee, E. A.,	Reese, D. P.,	Wood, L. H.,
Falkenstein,	Lee, T. H.,	Reese, R. E.,	Wood, N.,
Finestone,	Leisey,	Regan,	Woodring,
Finnerty,	Leonard,	Reynolds,	Woodside,
Fisher,	Lesko,	Rhea,	Wright,
Fiss,	Levy,	Riley,	Yeakel,
Fleming,	Leydic,	Rooney,	Yester,
Fletcher,	Lichtenwalter,	Rose, S.,	Young,
Flynn,	Longo,	Rose, W. E.,	Kilroy,
Foor	Levett,	Rosenfeld,	Speaker.
	Lyons,		

NAYS—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return it to the Senate with information that the House has passed it with amendments in which the concurrence of the Senate is requested.

Agreeably to order,

The bill having been called up from the postponed calendar by Mr. READINGER.

The House resumed the consideration on third reading of House Bill No. 1209, (Senate Bill No. 1), as follows:

An Act providing that when inmates of an orphans' home or other children's institution or private home are maintained at the cost of any county other than a county of the second class or at the cost of a county institution district other than in a county of the second class and attend public school and are not legal residents of such school district the county shall pay their tuition charges and collect the same from the school district liable therefor

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 In any County other than a county of the second class whenever any child is an inmate of a orphan asylum or home or a children's home or a home for the friendless or a private home or other institution for the care or training of orphan's or other children and the maintenance of such children is provided at the cost of the county or the county institution district wherein it is located and such child attends the public schools of the school district wherein such home or institution is located although not a legal resident of such district the county shall in all such cases pay to such school district the cost of tuition text books and school supplies for such child which shall be fixed as provided by law for tuition costs in other cases Such costs shall be paid annually by the county and shall thereafter be collected by the county from the school district in which such child is a legal resident

Section 2 All acts and parts of acts inconsistent with the provisions of this act are hereby repealed

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows, viz:

YEAS—203

Achterman,	French,	Lyons,	Rosenfeld,
Allmond,	Gallagher,	Malloy,	Rush,

Auker,	Gates,	Marks,	Sarge,
Baker,	Gerard,	Maxwell,	Sarraf,
Balthaser,	Gillan,	McClanaghan	Scanlon,
Bentley,	Gillette,	McClester	Schwab,
Bentzel,	Goodwin,	McDermott	Serrill,
Boies,	Greenwood,	McDowell	Shaffer,
Boney,	Gross,	McFall	Shaw,
Boorse,	Gryskewicz,	McIntosh	Shepard,
Bower,	Gyger,	McKinney	Simons,
Bradley,	Habbyshaw,	McLanahan	Skale,
Bretherick,	Haberlen,	McLane,	Snyder,
Brown,	Haines,	McMillen,	Sollenberger,
Brunner, C. H.,	Hall,	McSurdy,	Sorg,
Brunner, P. A.,	Hamilton,	Melchiorre,	Stambaugh,
Burns,	Hare,	Mihm,	Stank,
Burris,	Harkins,	Modell,	Stine,
Cadwalader,	Harmuth,	Monks,	Stockham,
Chervenak,	Harris,	Mooney,	Tarr,
Chudoff,	Heatherington,	Moran,	Tate,
Cochran,	Helm,	Moul,	Taylor,
Cohen, M. M.,	Hering,	Muir,	Thompson, E. F.,
Cohen, R. E.,	Herman,	Munley,	Thompson, R. L.,
Cook,	Hersch,	Nagel,	Trout,
Cooper,	Hewitt,	Nunemacher,	Turner,
Cordier,	Hirsch,	O'Brien,	VanAllsburg,
Corrigan,	Holland,	O'Connor,	Verona,
Croop,	Huntley,	O'Dare,	Vincent,
Cullen,	Imbrie,	O'Mullen,	Vogt,
Dalrymple,	James,	O'Neill,	Voldow,
Dennison,	Jefferson,	Owens,	Voorhees,
DiGenova,	Jones, G. E.,	Pettit,	Wagner,
Dix,	Jones, P. N.,	Polaski,	Watkins,
Dolon,	Keenan,	Polen,	Weingartner,
D'Ortona,	Kenehan,	Powers,	Weiss,
Duffy,	Kline,	Prosen,	Welsh, E. B.,
Early,	Knoble,	Rank,	Welsh, M. J.,
Eckels,	Kolankiewicz,	Rausch,	Wilkinson,
Elder,	Komorofski,	Readinger,	Williams,
Elliott,	Krise,	Reagan,	Winner,
Ely,	Lee, E. A.,	Reese, D. P.,	Wood, L. H.,
Falkenstein,	Lee, T. H.,	Reese, R. E.,	Wood, N.,
Finestone,	Lelsey,	Regan,	Woodring,
Finnerty,	Leonard,	Reynolds,	Woodside,
Fisher,	Lesko,	Rhea,	Wright,
Fiss,	Levy,	Riley,	Yeakel,
Fleming,	Leydic,	Rooney,	Yester,
Fletcher,	Lichtenwalter,	Rose, S.,	Young,
Flynn,	Longo,	Rose, W. E.,	Kilroy,
Foor,	Lovett,	Royer,	Speaker.

NAYS—1

Petrosky,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return it to the Senate with information that the House has passed it with amendments in which the concurrence of the Senate is requested.

Agreeably to order,

The bill having been called up from the postponed calendar by Mr. READINGER.

The House resumed the consideration on third reading of House Bill No. 491, (Senate Bill No. 145), as follows:

An Act to amend further section fourteen of an act approved the seventh day of August one thousand nine hundred thirty-six (P. L. 106) entitled "An act relating to flood control prescribing the powers and duties of the Water and Power Resources Board of the Department of Forests and Waters in relation to the creation of flood control districts adoption of plans for flood control works and improvements carrying into effect of such plans assistance aid and cooperation with public and private agencies and the Federal Government in Federal flood control works and improvements and entering into compacts and agreements with other states for flood control works and improvements conferring the power of eminent domain providing for the setting off of benefits imposing certain charges upon the Commonwealth providing for appeals and conferring certain powers on municipalities counties and townships and the Department of Highways" as reenacted and amended by conferring additional powers on the Department of Highways

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section fourteen of the act approved the seventh day of August one thousand nine hundred thirty-six (P. L. 106) entitled "An act relating to flood control prescribing the powers and duties of the Water and Power Resources Board of the Department of Forests and Waters in relation to the creation of flood control districts adoption of plans for flood control works and improvements carrying into effect of such plans assistance aid and cooperation with public and private agencies and the Federal Government in Federal flood control works and improvements and entering into compacts and agreements with other states for flood control works and improvements conferring the power of eminent domain providing for the setting off of benefits imposing certain charges upon the Commonwealth providing for appeals and conferring certain powers on municipalities counties and townships and the Department of Highways" as reenacted and amended by the act approved the tenth day of March one thousand nine hundred thirty-seven (P. L. 43) and by the act approved the seventeenth day of May one thousand nine hundred thirty-nine (P. L. 175) is hereby further amended to read as follows

Section 14 Relocation abandonment and vacation of Roads Streets and Bridges The Department of Highways and municipalities may enter into agreements with the board or Federal agencies with the approval of the board to relocate roads streets bridges and viaducts necessitated by the construction of any State or Federal flood control works and improvements and may agree therein to construct new roads streets bridges and viaducts and pay the costs of the same or any part thereof from the Motor License Fund or municipal moneys without any charge or only part of the cost charged against the moneys in the fund The board may consent in any such agreement to pay the whole or any part of the cost of constructing such relocated roads streets bridges and viaducts from the moneys in the fund Such relocated roads streets bridges and viaducts may be constructed by the Department of Highways or by contract let by said department or the municipality or by the board or by a Federal agency as may be agreed upon Relocation of State highways shall be made by plans properly approved as is required by law for the relocation of State highway routes and may be made without regard to terminal or intermediate points mentioned in the law establishing such routes The portions of State highway routes supplied by such relocations may be abandoned by the Secretary of Highways in the manner provided by law whereupon said abandoned portions of State highway routes shall revert to the authorities responsible for the maintenance of the public road or highway prior to its having been established as a State highway Where any State highway route or part thereof shall become inundated by the waters of any flood control reservoir or shall become unnecessary for public use and travel or burdensome or dangerous due to the construction of any flood control reservoir the Secretary of Highways with the approval of the Governor may abandon as a State highway such State highway route or part thereof The Secretary of Highways may also at any time by and with the consent of the local authorities by written order declare the portion or portions of road or roads so abandoned to be vacated and closed to public use and travel and no longer a public road Without limitation because of the length of the road to be vacated

Section 2 This act shall become effective immediately upon final enactment

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows, viz:

YEAS—204

Achterman,	French,	Lyons,	Rosenfeld,
Allmond,	Gallagher,	Malloy,	Royer,
Auker,	Gates,	Marks,	Rush,
Baker,	Gerard,	Maxwell,	Sarge,
Balthaser,	Gillan,	McClanaghan	Sarraf,
Bentley,	Gillette,	McClester	Scanlon,
Bentzel,	Goodwin,	McDermott	Schwab,
Boles,	Greenwood,	McDowell	Serrill,
Boney,	Gross,	McFall	Shaffer,
Boorse,	Gryskewicz,	McIntosh	Shaw,
Bower,	Gyger,	McKinney	Shepard,
Bradley,	Habbyshaw,	McLanahan	Simons,
Bretherick,	Haberlen,	McLane,	Skale,
Brown,	Haines,	McMillen,	Snyder,
Brunner, C. H.,	Hall,	McSurdy,	Sollenberger,
Brunner, P. A.,	Hamilton,	Melchiorre,	Sorg,
Burns,	Hare,	Mihm,	Stambaugh,
Burris,	Harkins,	Modell,	Stank,
Cadwalader,	Harmuth,	Monks,	Stine,
Chervenak,	Harris,	Mooney,	Stockham,
Chudoff,	Heatherington,	Moran,	Tarr,
Cochran,	Helm,	Moul,	Tate,
Cohen, M. M.,	Hering,	Muir,	Taylor,
Cohen, R. E.,	Herman,	Munley,	Thompson, E. F.,
Cook,	Hersch,	Nagel,	Thompson, R. L.,
Cooper,	Hewitt,	Nunemacher,	Trout,
Cordier,	Hirsch,	O'Brien,	Turner,
Corrigan,	Holland,	O'Connor,	Van Allsburg,
Croop,	Huntley,	O'Dare,	Verona,
Cullen,	Imbrie,	O'Mullen,	Vincent,
Dalrymple,	James,	O'Neill,	Vogt,
Dennison,	Jefferson,	Owens,	Voldow,
DiGenova,	Jones, G. E.,	Petrosky,	Voorhees,
Dix,	Jones, P. N.,	Pettit,	Wagner,
Dolon,	Keenan,	Polaski,	Watkins,
D'Ortona,	Kenehan,	Polen,	Weingartner,
Duffy,	Kline,	Powers,	Weiss,
Early,	Knoble,	Prosen,	Welsh, E. B.,
Eckels,	Kolankiewicz,	Rank,	Welsh, M. J.,
Elder,	Komorofski,	Rausch,	Wilkinson,
Elliott,	Krise,	Readinger,	Williams,
Ely,	Lee, E. A.,	Reagan,	Winner,
Falkenstein,	Lee, T. H.,	Reese, David P.,	Wood, L. H.,
Finestone,	Leisey,	Reese, R. E.,	Wood, N.,
Finnerty,	Leonard,	Regan,	Woodring,
Fisher,	Lesko,	Reynolds,	Woodside,
Fiss,	Levy,	Rhea,	Wright,
Fleming,	Leydic,	Riley,	Yeakel,
Fletcher,	Lichtenwalter,	Rooney,	Yester,
Flynn,	Longo,	Rose, S.,	Young,
Foor,	Lovett,	Rose, W. E.,	Kilroy, Speaker.

NAYS—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return it to the Senate with information that the House has passed it with amendments in which the concurrence of the Senate is requested.

Agreeably to order,

The bill having been called up from the postponed calendar by Mr. READINGER.

The House resumed the consideration on third reading of House Bill No. 1859, (Senate Bill No. 344), as follows:

An Act to amend further section five of the act approved the thirteenth day of June one thousand eight hundred and thirty-six (P. L. 551) entitled "An act relating to roads highways and bridges" as amended by permitting the maximum width of a public road to be two hundred feet when the right of way is acquired by the Federal Government and providing for the cost of relocating public service facilities

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section five of the act approved the thirteenth day of June one thousand eight hundred and thirty-six (P. L. 551) entitled "An act relating to roads highways and bridges" as last amended by the act approved the twelfth day of July one thousand nine hundred thirty-five (P. L 745) is hereby further amended to read as follows

Section 5 The breadth of a private road shall not in any case exceed twenty-five feet and the width of a public road shall not be less than thirty-three feet nor more than one hundred and twenty feet except that whenever the right of way for a public highway has been acquired solely by the Federal Government the maximum width thereof may be two hundred feet Provided That the limits of width shall not be construed to include the width required for necessary slopes in cuts or fills when the limits of the road and the extra width required for such slopes exceed the limits of width herein specified but no appropriation of property as width required only for slopes shall be construed to prevent the owner from making any use of his property which is not inconsistent with the necessary support or protection of the highway all viewers shall hereafter be required to take into consideration the qualified nature of the easement in proceedings to assess damages for the taking of land for highway purposes And provided further That when the public road desired to be opened is in a built up section of any township of the second class of the type commonly known as an alley and is not an integral part of a through route the minimum width shall be fifteen feet And Provided further that where the breadth of a public road shall hereafter be fixed at more than one hundred and twenty feet and the right of way for such public highway has been acquired solely by the Federal Government and it shall become necessary to move or relocate any public service facilities the cost and expenses incident to such removal or relocation shall be paid by the Federal Government

Section 2 This act shall become effective immediately upon final enactment

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows, viz:

YEAS—204

Achterman,	French,	Lyons,	Rosenfeld,
Allmond,	Gallagher,	Malloy,	Royer,
Auker,	Gates,	Marks,	Rush,
Baker,	Gerard,	Maxwell,	Sarge,
Balthaser,	Gillan,	McClanaghan,	Sarraf,
Bentley,	Gillette,	McClester	Scanlon,
Bentzel,	Goodwin,	McDermott	Schwab,
Boles,	Greenwood,	McDowell	Serrill,
Boney,	Gross,	McFall	Shaffer,
Boorse,	Gryskewicz,	McIntosh	Shaw,
Bower,	Gyger,	McKinney	Shepard,
Bradley,	Habbyshaw,	McLanahan	Simons,
Bretherick,	Haberlen,	McLane,	Skale,
Brown,	Haines,	McMillen,	Snyder,
Brunner, C. H.,	Hall,	McSurdy,	Sollenberger,
Brunner, P. A.,	Hamilton,	Melchiorre,	Sorg,
Burns,	Hare,	Mihm,	Stambaugh,
Burris,	Harkins,	Modell,	Stank,
Cadwalader,	Harmuth,	Monks,	Stine,
Chervenak,	Harris,	Mooney,	Stockham,
Chudoff,	Heatherington,	Moran,	Tarr,
Cochran,	Helm,	Moul,	Tate,
Cohen, M. M.,	Hering,	Muir,	Taylor,
Cohen, R. E.,	Herman,	Munley,	Thompson, E. F.,
Cook,	Hersch,	Nagel,	Thompson, R. L.,
Cooper,	Hewitt,	Nunemacher,	Trout,
Cordier,	Hirsch,	O'Brien,	Turner,
Corrigan,	Holland,	O'Connor,	Van Allsburg,
Croop,	Huntley,	O'Dare,	Verona,
Cullen,	Imbrie,	O'Mullen,	Vincent,
Dalrymple,	James,	O'Neill,	Vogt,
Dennison,	Jefferson,	Owens,	Voldow,
DiGenova,	Jones, G. E.,	Petrosky,	Voorhees,

Dix,	Jones, P. N.,	Pettit,	Wagner,
Dolon,	Keenan,	Polaski,	Watkins,
D'Ortona,	Kenehan,	Polen,	Weingartner,
Duffy,	Kline,	Powers,	Weiss,
Early,	Knoble,	Prosen,	Welsh, E. B.,
Eckels,	Kolankiewicz,	Rank,	Welsh, M. J.,
Elder,	Komorofski,	Rausch,	Wilkinson,
Elliott,	Krise,	Readinger,	Williams,
Ely,	Lee, E. A.,	Reagan,	Winner,
Falkenstein,	Lee, T. H.,	Reese, D. P.,	Wood, L. H.,
Finestone,	Leisey,	Reese, R. E.,	Wood, N.,
Finnerty,	Leonard,	Regan,	Woodring,
Fisher,	Lesko,	Reynolds,	Woodside,
Fiss,	Levy,	Rhea,	Wright,
Fleming,	Leydic,	Riley,	Yeakel,
Fletcher,	Lichtenwalter,	Rooney,	Yester,
Flynn,	Longo,	Rose, S.,	Young,
Foor,	Lovett,	Rose, W. E.,	Kilroy, Speaker

NAYS—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return it to the Senate with information that the House has passed it with amendments in which the concurrence of the Senate is requested.

BILL ON SECOND READING

Mr. SARRAF asked and obtained unanimous consent to call up out of order House Bill No. 1860, (Senate Bill No. 575), Printer's No. 450, on page 5 of today's calendar, bills on second reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 1860, (Senate Bill No. 575), entitled:

An Act to further amend sections 1, 2 and 7 of the act approved the third day of June, one thousand nine hundred and eleven (P. L. 639), entitled as amended, "An act relating to the right to practice medicine and surgery in the Commonwealth of Pennsylvania; and providing a Bureau of Medical Education and Licensure as a bureau of the Department of Public Instruction, and means and methods whereby the right to practice medicine and surgery and any of its branches may be obtained, and exemptions therefrom; and providing for an appropriation to carry out the provisions of said act, and providing for revocation and suspension of licenses by said bureau; and providing penalties for violations thereof, and repealing all acts or parts of acts inconsistent therewith," by defining certain terms; imposing certain additional duties upon the State Board of Medical Education and Licensure; making provision for graduate students from other states territories and Canada, and providing for automatic suspension of registration in case of mental incompetency.

The first section was read.

On the question,

Will the House agree to the section?

Messrs. BOIES and KOLANKIEWICZ. Mr. Speaker, we desire to offer the following amendments.

The amendments were read by the Clerk as follows:

Amend Sec. 1, page 2, line 1, by striking out the word "and"

Amend Sec. 1, page 2, line 1, by inserting after the figure "7" the following: "and 13"

Amend Sec. 1, page 12, by inserting between lines 13 and 14, the following: "Section 13. The provisions of this act shall not apply either directly or indirectly, by intent or purpose, to affect the practice of pharmacy as authorized by the act approved May twenty-fourth, one thousand eight hundred and eighty-seven, entitled "An act to regulate the practice of pharmacy and sale of poisons, and prevent adulterations in drugs and medicinal preparations in the State of Pennsylvania," or the several amendments thereto; nor to affect the practice of dentistry as authorized by the act approved July ninth, one thousand eight hundred and ninety-seven, entitled "An act to establish a Dental Council and a State Board of Dental Examiners; to define the powers and duties of said Dental Council and said State Board of Dental Examiners; to provide for the examination and licensing of practitioners of dentistry, and to further regulate the practice of dentistry," or the several amendments thereto; nor to affect the practice of osteopathy as authorized by the act approved March nineteenth, one thousand nine hundred and nine, entitled "An act to regulate the practice of osteopathy in the State of Pennsylvania; to provide for the establishment of a State Board of Osteopathic Examiners; to define the powers and duties of said Board of Osteopathic Examiners; to provide for the examining and licensing of osteopaths in this State, and to provide penalties for the violation of this act," nor to affect the practice of optometry as authorized by the act approved March thirtieth, one thousand nine hundred seventeen (P. L. 21), entitled "An act defining optometry relating to the right to practice optometry in the Commonwealth of Pennsylvania, and making certain exceptions; and providing a Board of Optometrical Education, Examination, and Licensure, and means and methods whereby the right to practice optometry may be obtained; and providing for the means to carry out the provisions of this act; and providing for revocation or suspension of licenses given by said board, and providing penalties for violations thereof; and repealing all acts or parts of acts inconsistent therewith," or the several amendments thereto; nor shall this act be so construed as to give to the Bureau of Medical Education and Licensure any jurisdiction over any of the schools or colleges of the methods herein exempted.

The amendments were agreed to.

On the question,

Will the House agree to the section as amended?

Mr. NAGEL. Mr. Speaker, I desire to offer the following amendments.

The amendments were read by the Clerk as follows:

Amend sec. 1, (sec. 1) page 4, lines 17 and 18, by striking out the words "including all practice of the healing art with or without drugs"

Amend sec. 1, (sec. 1 page 4, lines 21 and 22, by striking out the words "in any manner whatsoever"

Amend sec. 1, (sec. 1) page 4, line 22, by striking out the word "any"

On the question,

Will the House agree to the amendments?

Mr. SARRAF. Mr. Speaker, I rise to oppose the amendments and I ask the membership of the House to vote against them. They are not necessary in this bill. The act is very well drawn up as it is.

Mr. NAGEL. Mr. Speaker, I ask the Members of this House to support these amendments. They will in no way injure this bill and they will provide ample grounds upon which the bill can operate. These amendments if adopted will read as follows:

(c) "The term 'medicine and surgery' as used in this act shall mean the art and science having for their object the cure of diseases of and the preservation of the health of man including all practice of the healing art with or without drugs except healing by spiritual means or prayer.

(d) "The term 'healing art' as used in this act shall mean the science of diagnosis and treatment in any manner whatsoever of disease or any ailment of the human body".

Mr. Speaker, what more can anyone ask for or anything more liberal than that amendment? I ask the House to vote for the amendment.

Mr. SARRAF. Mr. Speaker, the definition in this particular act is a copy of the definition as it appears in Act No. 282 of the 1937 session. It is identical. If these amendments are included it will spoil the entire act and practically ruin the Medical Practice Act in the state of Pennsylvania. So I ask the membership of the House to vote down these amendments.

Mr. NAGEL. Mr. Speaker, I contend that this amendment will not destroy this act and make inoperative the medical law of the state of Pennsylvania. You will recall that in 1937 these amendments or the wording of this bill which I am attempting to amend was inserted. These acts are intended as an atonement for a sin of omission and negligence in 1937. I well know the aim and purpose of having this law drawn up at this time in this manner. There is a reason for it and that reason developed here on the floor of this House a few days ago when House Bill 1048 was sent back to committee. I ask the Members of the House to support these amendments.

On the question recurring,

Will the House agree to the amendments?

They were not agreed to.

On the question recurring,

Will the House agree to the section as amended?

It was agreed to.

The second section was read and agreed to.

The title was read.

On the question,

Will the House agree to the section?

Messrs. BOIES and KOLANKIEWICZ. Mr. Speaker, we desire to offer the following amendments.

The amendments were read by the Clerk as follows:

Amend title, page 1, line 1 of title, by striking out the word "and"

Amend title, page 1, line 1 of title, by inserting after the figure "7" the following: "and 13".

Amend title, page 2, line 4 of title, by striking out the word "and" where it appears the second time in said line.

Amend title, page 2, last line of title, by inserting after the word "incompetency" the following: "and exempting optometrists from the provisions of said act".

The amendments were agreed to.

Mr. NAGEL. Mr. Speaker, I desire to withdraw my amendments to the title?

The title was agreed to as amended.

And said bill having been read at length the second time and agreed to as amended.

Ordered, To be transcribed for a third reading.

BILLS ON SECOND READING

Mr. ACHTERMAN asked and obtained unanimous consent to call up out of order House Bill No. 1981, (Senate Bill No. 399), Printer's No. 536, on page 3 of today's calendar, bills on second reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 1981, (Senate Bill No. 399), entitled:

An Act making an appropriation to the Treasury Department for the use of the Board of Finance and Revenue in granting refunds of "store and theatre" tax

The first section was read.

On the question,

Will the House agree to the section?

Mr. ACHTERMAN. Mr. Speaker, I desire to offer the following amendment.

The amendment was read by the Clerk as follws:

Amend Sec. 1, page 1, line 4, by striking out the following "General Fund" and inserting in lieu thereof: "State School Fund".

The amendment was agreed to.

The section was agreed to as amended.

The title was read and agreed to.

And said bill having been read at length the second time and agreed to as amended.

Ordered, To be transcribed for a third reading.

Mr. ACHTERMAN asked and obtained unanimous consent to call up out of order House Bill No. 1856, (Senate Bill No. 1047), Printer's No. 399, on page 9 of today's calendar, bills on second reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 1856, (Senate Bill No. 1047), entitled:

An Act to further amend the act approved the seventh day of May one thousand nine hundred twenty-three (P. L. 151) entitled "An act defining and regulating the business of dry cleaning and dyeing providing for the maintenance construction and inspection of dry cleaning and dyeing buildings and establishments providing for enforcing the act and penalties for violation thereof" providing for the administration and enforcement of said act by the Department of Labor and Industry exempting from certain provisions of said act certain plants and systems exclusively using a petroleum solvent having a flash point of one hundred and forty degrees Fahrenheit and empowering the Department of Labor and Industry to make alter amend and repeal rules and regulations

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for a third reading.

REMARKS BY MR. WOODSIDE

Mr. WOODSIDE. The present presiding officer desires to thank the Speaker for permitting him to preside this afternoon. When I was about the age of my son William, who is sitting in the House at the present time, my mother brought me down and took me through the Capitol for the first time and I remember going through the Senate Chamber, the Supreme Court Room, the House Chamber and over into the Governor's Office. We then returned to the Chamber of the House of Representatives and when we came into the Hall of the House my mother asked whether I would be permitted to come up here and sit in this Chair. When I did she said, "I hope some time to see you there". So today on her seventy-fourth birthday the Speaker of the House, Mr. Kilroy, very graciously permitted me to preside so that she could see that her wish made about thirty years ago came true.

I want to thank the Speaker and the Members of the House for permitting that. I deliberately avoided saying anything about my mother at the time I accepted the pre-

sentation from the House. I did that because I knew the Speaker was going to call on me to preside, and that I was going to have the opportunity to make these remarks, and to give her the credit for putting me here.

BILLS ON SECOND READING

Mr. BENTLEY asked and obtained unanimous consent to call up out of order House Bill No. 1943, (Senate Bill No. 1097), Printer's No. 505, on page 7 of today's calendar, bills on second reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 1943, (Senate Bill No. 1097), entitled:

An Act to further amend section one of the act, approved the fifteenth day of July, one thousand eight hundred and ninety-seven (Pamphlet Laws 292) entitled "An act to provide revenue by taxation," by redefining the base for taxation of shares of stock of banks and savings institutions, and by increasing the rate of tax for a further limited period of time.

The first section was read.

On the question,

Will the House agree to the section?

Mr. BENTLEY. Mr. Speaker, I desire to offer the following amendment.

The amendment was read by the Clerk as follows:

Amend Sec. 1 (Sec. 1), page 3, line 12, by inserting after the word "shares" the following:

"Provided, (1) That where such company does not keep its books on an accrual basis, reserves for accruing liabilities shall be deemed to be surplus (2) That where such company is the owner of any asset not recorded in any amount on its books the amount of such asset shall be deemed an addition to surplus as shown by the books of such company and (3) That where such company is the owner of any tangible property subject to exhaustion wear and tear and obsolescence which is written down on its books to a nominal amount the difference between such amount and the depreciated value of such tangible property as shown in its Federal income tax return shall be deemed an addition to surplus as shown by the books of such company"

The amendment was agreed to.

The section was agreed to as amended.

The second section was read.

On the question,

Will the House agree to the section?

Mr. BENTLEY. Mr. Speaker, I desire to offer the following amendment.

The amendment was read by the Clerk as follows:

Amend Sec. 2, page 4, line 12, by inserting after the word "enactment" the following: "except the provisions thereof basing the tax upon the book value of the shares shall be first effective for the calendar year ending December thirty-first, one thousand nine hundred forty-one."

The amendment was agreed to.

The section was agreed to as amended.

The title was read and agreed to.

And said bill having been read at length the second time and agreed to as amended.

Ordered, To be transcribed for a third reading.

Mr. BENTLEY asked and obtained unanimous consent to call up out of order House Bill No. 1942, (Senate Bill No. 1096), Printer's No. 504, on page 8 of today's calendar, bills on second reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 1942, (Senate Bill No. 1096), entitled:

An Act to further amend section one of the act, approved the thirteenth day of June, one thousand nine hundred and seven (Pamphlet Laws 640), entitled "An act to provide revenue by levying a tax upon the shares of stock of companies incorporated under the provisions of section twenty-nine of an act, entitled 'An act to provide for the incorporation and regulation of certain corporations,' approved April twenty-ninth, one thousand eight hundred and seventy-four, and the supplements thereto; for the insurance of owners of real estate, mortgages, and others interested in real estate, from loss by reason of defective titles, liens and encumbrances; and of companies entitled to the benefits of, and of companies having any of the powers of, companies entitled to the benefits of an act, entitled 'An act conferring upon certain fidelity, insurance, safety deposit, trust, and savings companies the powers and privileges of companies incorporated under the provisions of section twenty-nine of an act, entitled "An act to provide for the incorporation and regulation of certain corporations," approved April twenty-ninth, Anno Domini one thousand eight hundred and seventy-four, and of the supplements thereto,' approved June twenty-seventh, one thousand eight hundred and ninety-five, commonly known as title insurance or trust companies," by basing the tax upon the book value of the shares; continuing the increased rate of tax for a further limited period of time and reducing the rate of tax after such limited period of time.

The first section was read.

On the question,

Will the House agree to the section?

Mr. BENTLEY. Mr. Speaker, I desire to offer the following amendment.

The amendment was read by the Clerk as follows:

Amend Sec. 1 (Sec. 1), page 5, line 12, by inserting after the word "shares" the following:

"Provided, (1) That where such company does not keep its books on an accrual basis, reserves for accruing liabilities shall be deemed to be surplus (2) That where such company is the owner of any asset not recorded in any amount on its books the amount of such asset shall be deemed an addition to surplus as shown by the books of such company and (3) That where such company is the owner of any tangible property subject to exhaustion wear and tear and obsolescence which is written down on its books to a nominal amount the difference between such amount and the depreciated value of such tangible property as shown in its Federal income tax return shall be deemed an addition to surplus as shown by the books of such company."

The amendment was agreed to.

The section was agreed to as amended.

The second section was read.

On the question,

Will the House agree to the section?

Mr. BENTLEY. Mr. Speaker, I desire to offer the following amendment.

The amendment was read by the Clerk as follows:

Amend Sec. 2, page 6, line 2, by inserting after the word "enactment" the following: "except the provisions thereof basing the tax upon the book value of the shares shall be first effective for the calendar year ending December thirty-first, one thousand nine hundred forty-one."

The amendment was agreed to.

The section was agreed to as amended.

The title was read and agreed to.

And said bill having been read at length the second time and agreed to as amended.

Ordered, To be transcribed for a third reading.

BILLS ON THIRD READING

Agreeably to order,

The bill having been called up from the postponed calendar by Mr. WEISS.

The House resumed the consideration on third reading of House Bill No. 1653, (Senate Bill No. 587), entitled:

An Act to amend section three hundred six of the act, approved the twenty-fourth day of June, one thousand nine hundred thirty-seven (P. L. 2017) entitled "An act creating in each county (except of the first class) as a separate corporation, and in each city of the first and second class as a part of the city government, an institution district for the care and maintenance of certain indigent persons and children; prescribing the powers and duties of county commissioners, county treasurers, city departments of public welfare, the State Department of Welfare, and the State Department of Public Assistance in respect thereto; abolishing certain poor districts and terminating the terms of directors, overseers, guardians and managers of the poor and poor district auditors, and providing for the temporary employment of certain of them; providing for the transfer, vesting sale and disposition of the property of poor districts and the payment of their obligations; imposing certain existing obligations on institution districts and on the Commonwealth; regulating the affairs of poor districts until abolished; revising, amending, changing and consolidating the law relating to the care of the poor; and repealing existing laws," authorizing the county commissioners to appoint and fix the compensation of a solicitor for county institution districts in counties of the third class.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows, viz:

YEAS—204

Achterman,	French,	Malloy,	Royer,
Allmond,	Gallagher,	Marks,	Rush,
Auker,	Gates,	Maxwell,	Sarge,
Baker,	Gerard,	McClanaghan,	Sarraf
Balthaser,	Gillan,	McClester,	Scanlon,
Bentley,	Gillette,	McDermott,	Schwab,
Bentzel,	Goodwin,	McDowell,	Serrill,
Boies,	Greenwood,	McFall,	Shaffer,
Boney,	Gross,	McIntosh,	Shaw,
Boorse,	Gryskewicz,	McKinney,	Shepard,
Bower,	Gyger,	McLanahan,	Simons,
Bradley,	Habbyshaw,	McLane,	Skale,
Bretherick,	Haberlen,	McMillen,	Snyder,
Brown,	Haines,	McSurdy,	Sollenberger,
Brunner, C. H.,	Hall,	Melchiorre,	Sorg,
Brunner, P. A.,	Hamilton,	Mihm,	Stambaugh,
Burns,	Hare,	Modell,	Stank,
Burris,	Harkins,	Monks,	Stine,
Cadwalader,	Harmuth,	Mooney,	Stockham,
Chervenak,	Harris,	Moran,	Tarr,
Chudoff,	Heatherington,	Moul,	Tate,
Cochran,	Helm,	Muir,	Taylor,
Cohen, M. M.,	Hering,	Munley,	Thompson, E. F.,
Cohen, R. E.,	Herman,	Nagel,	Thompson, R. L.,
Cook,	Hersch,	Nunemacher	Trout,
Cooper,	Hewitt,	O'Brien	Turner,
Cordier,	Hirsch,	O'Connor	Van Allsburg,
Corrigan,	Holland,	O'Dare,	Verona,
Croop,	Huntley,	O'Mullen,	Vincent,
Cullen,	Imbrie,	O'Neill,	Vogt,
Dalrymple,	James,	Owens,	Voldow,
Dennison,	Jefferson,	Petrosky,	Voorhees,
DiGenova,	Jones, G. E.,	Pettit,	Wagner,
Dix,	Jones, P. N.,	Polaski,	Watkins,
Dolon,	Keenan,	Polen,	Weingartner,
D'Ortona,	Kenehan,	Powers,	Weiss,
Duffy,	Kline,	Prosen,	Welsh, E. B.,
Early,	Knoble,	Rank,	Welsh, M. J.,
Eckels,	Kolankiewicz,	Rausch,	Wilkinson,
Elder,	Komorofski,	Readinger,	Williams,
Elliott,	Krise,	Reagan,	Winner,
Ely,	Lee, E. A.,	Reese, D. P.,	Wood, L. H.,
Falkenstein,	Lee, T. H.,	Reese, R. E.,	Wood, N.,
Finestone,	Leisey,	Regan,	Woodring,
Finnerty,	Leonard,	Reynolds,	Woodside,
Fisher,	Lesko,	Rhea,	Wright,
Fiss,	Levy,	Riley,	Yeakel,
Fleming,	Leydic,	Rooney,	Yester,
Fletcher,	Lichtenwalter,	Rose, S.,	Young,
Flynn,	Longo,	Rose, W. E.,	Kilroy,
Foor,	Lovett,	Rosenfeld,	Speaker.
	Lyons,		

NAYS—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return it to the Senate with information that the House has passed it without amendment.

Agreeably to order,

The bill having been called up from the postponed calendar by Mr. ACHTERMAN.

The House resumed the consideration on third reading of House Bill No. 1553, (Senate Bill No. 557), entitled:

An Act to amend section sixty-five of the act approved the twenty-second day of June one thousand nine hundred and thirty-one (P. L. 594) entitled "An act establishing certain township roads as State highways authorizing their construction maintenance and improvement under certain conditions and restrictions limiting the obligation of the Commonwealth in the construction of certain structures located on such highways conferring certain powers upon the Department of Highways and local authorities persons associations and corporations for sharing the cost of the maintenance and construction of such highways and making an appropriation to carry out the provisions of said act by changing a certain route

On the question,

Will the House agree to the bill on third reading?

BILL DROPPED FROM CALENDAR

Mr. ACHTERMAN. Mr. Speaker, I move that this bill be dropped from the calendar.

The motion was agreed to.

BILL ON SECOND READING

Mr. READINGER asked and obtained unanimous consent to call up out of order House Bill No. 1940, (Senate Bill No. 913), Printer's No. 397, on page 1 of today's calendar, bills on second reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 1940, (Senate Bill No. 913), entitled:

An Act authorizing and directing the Department of Revenue to prepare airport approach plans for publicly owned airports empowering and directing such department and also counties municipalities and other political

subdivisions to promulgate administer and enforce airport zoning regulations limiting the height of structures excepting those structures that are under the jurisdiction of the Pennsylvania Public Utility Commission and objects of natural growth and otherwise regulating the use of property in the vicinity of such airports providing for the granting of zoning permits and variances for appeals from zoning regulations authorizing the acquisition by purchase grant or condemnation of air rights and other interests in land and providing penalties and remedies for violations of this act or of any ordinance or regulation made under the authority conferred thereby

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILLS ON THIRD READING

Mr. ACHTERMAN asked and obtained unanimous consent to call up out of order House Bill No. 1844, (Senate Bill No. 594), Printer's No. 587, on page 21 of today's calendar, bills on third reading.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1844, (Senate Bill No. 594), entitled as follows:

An Act to amend the act approved the twenty-fourth day of June one thousand nine hundred and thirty-seven (P. L. 2051) entitled "An act relating to public assistance providing for and regulating assistance to certain classes of persons designated and defined as dependent children aged persons blind persons and other persons requiring relief providing for the administration of this act by the Department of Public Assistance and county boards of assistance hereby created for this purpose authorizing the Department of Public Assistance to cooperate with and to accept and disburse moneys received from the United States Government for assistance to such persons providing for the liquidation of the State Emergency Relief Board Boards of Trustees of the Mothers' Assistance Fund and Boards of Trustees of Pension Fund for the Blind and repealing laws relating to mothers' assistance pensions for the blind old age assistance and the State Emergency Relief Board" as amended by redefining assistance to include work relief providing for the establishment of a Board of Review and Appeal to supervise and regulate work relief projects authorizing the Department of Public Assistance with the approval of the Board of Review and Appeal to administer work relief projects subject to certain provisions and conditions making certain acts unlawful and imposing penalties

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section two of the act approved the twenty-fourth day of June one thousand nine hundred and thirty-seven (P. L. 2051) entitled "An act relating to public assistance providing for and regulating assistance to certain classes of persons designated and defined as dependent children aged persons blind persons and other persons requiring relief providing for the administration of this act by the Department of Public Assistance and county boards of assistance hereby created for this purpose authorizing the Department of Public Assistance to cooperate with and to accept and disburse moneys received from the United States Government for assistance to such persons providing for the liquidation of the State Emergency Relief Board Boards of Trustees of the Mothers' Assistance Fund and Boards of Trustees of Pension Fund for the Blind and repealing laws relating to mothers' assistance pensions for the blind old age assistance and the State Emergency Relief Board" as last amended by the act approved the twenty-sixth day of June one thousand nine hundred thirty-nine (P. L. 1089) and the act approved the twenty-sixth day of June one thousand nine hundred thirty-nine (P. L. 1091) is hereby further amended to read as follows

Section 2 Definitions As used in this act unless otherwise indicated

"Assistance" means assistance in money milk goods shelter medical care work relief or services provided from or with State or Federal funds for indigent persons who reside in Pennsylvania and need assistance to enable them to maintain for themselves and their dependents a decent and healthful standard of living and for indigent homeless or transient persons The word assistance shall be construed to include pensions for those blind persons who are entitled to pensions as provided in this act and to include also burial for those indigent persons who were receiving assistance at the time of their death

"General Assistance" means assistance provided from or with State funds only to persons entitled under this act to assistance other than dependent children aged persons and blind persons

"Local Board" means any county board of assistance established under the provisions of this act

The masculine pronoun includes the feminine

Section 2 Section four of said act as amended by the act approved the twenty-sixth day of June one thousand nine hundred thirty-nine (P. L. 1089) and the act approved the twenty-sixth day of June one thousand nine hundred thirty-nine (P. L. 1091) is hereby further amended by adding after clause (k) a new clause to be known as clause (l) and to read as follows

Section 4 General Powers and Duties of Department of Public Assistance The Department of Public Assistance shall have the power and its duty shall be

* * * * *

(l) Subject to the approval of the Board of Review and Appeal hereinafter provided to approve contribute to the cost of and cooperate in the operation of work relief projects submitted by any State administrative department board or commission or by any political subdivision of the Commonwealth under and subject to the following provisions and conditions

1 That employment on such projects shall be limited to employable persons receiving general assistance

2 That compensation for work on such projects shall be the prevailing rate of pay for that type of employment in the locality in which the employment is being performed

3 That funds contributed to any such project by the Department of Public Assistance shall be used only for the purpose of paying the labor cost of such project and such contribution shall not exceed twenty-five per the purpose of paying the labor cost of such project

4 That there shall be established a Board of Review and Appeal composed of three members all of whom shall be citizens of this Commonwealth One member shall be appointed by the Governor one member shall be appointed by the Speaker of the House of Representatives and one member shall be appointed by the Lieutenant Governor Such appointments shall be for a term of nineteen months Any vacancies caused by the expiration of a term shall be filled by an appointment in the manner above provided and any vacancy otherwise caused shall be filled for the duration of the unexpired term by appointment in the same manner The members of the board shall serve without compensation but shall be reimbursed for necessary expenses by the Department of Public Assistance Said Board of Review and Appeal shall have the power and its duty shall be to examine all proposed work relief project agreements the financial arrangements pertaining thereto and to finally approve or disapprove such agreements The Board of Review and Appeal shall also have the power to determine all appeals by employables from assignments to projects and shall determine all disputes regarding prevailing wage rates to promulgate such rules and regulations which it deems necessary to carry

into effect the duties imposed herein and to supervise and regulate the operation of all work relief projects

5 That all proposed work relief project agreements shall be in writing and approved by the sponsors thereof

6 That no project shall be approved or undertaken until and unless it has been offered to the Federal Work Projects Administration for prosecution and has been rejected because the Federal Work Projects Administration cannot begin operations thereon within six months No project shall be undertaken in any locality where the Federal Work Projects Administration is able to employ all available employables receiving general assistance The Federal Work Projects administration shall have precedence in requisitioning such employables from the Department of Public Assistance and in the employment of such employables that are considered to be skilled

7 That in addition to the limitations set forth in paragraph six hereof no work relief project shall in any event be in substitution of existing projects or of projects which may be sponsored under existing Federal Work programs or work which the State or political subdivisions have undertaken or contracts entered into by them so as to decrease the Federal funds available for work projects or so as to displace any present or contemplated employment but the work to which such employables are assigned shall be in addition and supplementary to any existing Federal Work projects or to any existing projects work or contracts now being performed undertaken or to be performed or undertaken in the usual and regular course of the needs and requirements of the State or any political subdivision

8 That any employe assigned to any project shall be dismissed if such employe shall be a member of a political committee or an officer of a political organization or shall solicit make or receive a contribution for political purposes or shall injure or benefit another employe or threaten or promise to do so because of withholding a contribution for political purposes because of any past or future vote or because of taking or refraining from taking any political action

Section 3 Section thirteen of said act as amended by the act approved the twenty-sixth day of June one thousand nine hundred thirty-nine (P. L. 1091) is hereby further amended by adding after subsection (b) a new subsection to read as follows

Section 13 Penalties

* * * * *

(c) It shall be unlawful for any person directly or indirectly to promise any employment position work compensation or other benefit provided for in clause (1) of section four of this act to any person as consideration favor or reward for any political activity or for the support of or opposition to any candidate in any election or any political party

It shall be unlawful for any person directly or indirectly to deprive attempt to deprive or threaten to deprive by any means any person of any employment position work compensation or other benefit provided for in clause (1) of section four of this act on account of race creed color or any support of or opposition to any candidate or any political party in any election

It shall be unlawful for any person administering or supervising work relief projects under the provisions of clause (1) of section four of this act to use such authority or influence for the purpose of interfering with an election or affecting the results thereof

Any person violating the provisions of this subsection shall be immediately removed from any position or office if any held under the provisions of clause (1) of section four of this act and in addition whereof he shall be sentenced to pay a fine not to exceed one thousand dollars ($1,000) and to imprisonment not to exceed one (1) year or both

Section 4 This act shall become effective immediately upon final enactment

On the question,

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

Mr. ACHTERMAN. Mr. Speaker, Senate Bill No. 594 as amended is a part of the compromise agreement with the Governor. However, may I clarify this? The amendments placed in the bill were placed there by the majority Members of this House. We are trying to pass the bill with the thought that it must of necessity go back to the Senate and will very likely be non-concurred in there, that it will then be placed in conference committee and you will then have an opportunity to pass on the measure as it is hoped to have it finally passed. I am, therefore, asking the Members on the Democratic side of the House to support this particular measure. My statement is also made to the Republican side so that they will understand that they will also have an opportunity finally to pass on it.

On the question recurring,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows, viz:

YEAS—200

Achterman,	Gallagher,	Malloy,	Rosenfeld,
Allmond,	Gates,	Marks,	Royer,
Auker,	Gerard,	Maxwell,	Rush,
Baker,	Gillan,	McClanaghan,	Sarge,
Balthaser,	Gillette,	McClester,	Sarraf,
Bentley,	Goodwin,	McDermott,	Scanlon,
Bentzel,	Greenwood,	McDowell,	Schwab,
Boles,	Gross,	McFall,	Serrill,
Boney,	Gryskewicz,	McIntosh,	Shaffer,
Boorse,	Gyger,	McKinney,	Shaw,
Bower,	Habbyshaw,	McLanahan,	Shepard,
Bradley,	Haberlen,	McLane,	Simons,
Bretherick,	Haines,	McMillen,	Skale,
Brown,	Hall,	McSurdy,	Snyder,
Brunner, C. H.,	Hamilton,	Melchiorre,	Sollenberger,
Brunner, P. A.,	Hare,	Mihm,	Sorg,
Burns,	Harkins,	Modell,	Stambaugh,
Burris,	Harmuth,	Monks,	Stank,
Cadwalader,	Heatherington,	Mooney,	Stine,
Chervenak,	Helm,	Moran,	Stockham,
Chudoff,	Hering,	Moul,	Tarr,
Cochran,	Herman,	Muir,	Tate,
Cohen, M. M.,	Hersch,	Munley,	Taylor,
Cook,	Hewitt,	Nagel,	Thompson, E. F.,
Cooper,	Hirsch,	Nunemacher,	Thompson, R. L.,
Cordier,	Holland,	O'Brien,	Trout,
Corrigan,	Huntley,	O'Connor,	Turner,
Croop,	Imbrie,	O'Dare,	Van Allsburg,
Cullen,	James,	O'Mullen,	Verona,
Dalrymple,	Jefferson,	O'Neill,	Vogt,
Dennison,	Jones, G. E.,	Owens,	Voldow,
DiGenova,	Jones, P. N.,	Petrosky,	Voorhees,
Dix,	Keenan,	Pettit,	Wagner,
Dolon,	Kenehan,	Polaski,	Watkins,
D'Ortona,	Kline,	Polen,	Weingartner,
Duffy,	Knoble,	Powers,	Weiss,
Early,	Kolankiewicz,	Prosen,	Welsh, E. B.,
Eckels,	Komorofski,	Rank,	Welsh, M. J.,
Elder,	Krise,	Rausch,	Wilkinson,
Elliott,	Lee, E. A.,	Readinger,	Williams,
Ely,	Lee, T. H.,	Reagan,	Wilner,
Falkenstein,	Leisey,	Reese, D. P.,	Wood, L. H.,
Finestone,	Leonard,	Reese, R. E.,	Wood, N.,
Finnerty,	Lesko,	Regan,	Woodring,
Fisher,	Levy,	Reynolds,	Woodside,
Fiss,	Leydic,	Rhea,	Wright,
Fleming,	Lichtenwalter,	Riley,	Yeakel,
Fletcher,	Longo,	Rooney,	Yester,
Flynn,	Lovett,	Rose, S.,	Young,
Foor,	Lyons,	Rose, W. E.,	Kilroy, Speaker.

NAYS—4

Cohen R F.	French,	Harris,	Vincent,

The majority required by the Constitution having voted

in the affirmative, the question was determined in the affirmative

Ordered, That the Clerk return it to the Senate with information that the House has passed it with amendments in which the concurrence of the Senate is requested.

Mr. READINGER asked and obtained unanimous consent to call up out of order House Bill No. 1851, Printer's No. 1130, on page 15 of today's calendar, bills on third reading.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1851, as follows:

An Act to amend sections three thousand seven hundred nineteen four thousand four hundred one and four thousand four hundred two of the act approved the twenty-third day of June one thousand nine hundred and thirty-one (P. L. 932), entitled "An act relating to cities of the third class and amending revising and consoliating the law relating thereto" by extending civil service provisions to include park guards

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Sections three thousand seven hundred nineteen four thousand four hundred one and four thousand four hundred two of the act approved the twenty-third day of June one thousand nine hundred and thirty-one (P. L. 932) entitled "An act relating to cities of the third class and amending revising and consolidating the law relating thereto" are hereby amended to read as follows

Section 3719 Appointment of Park Guards The Council of every city shall have power under the provisions of this article and in accordance with the provisions of article fourty-four to provide by ordinance for the selection and employment of such number of persons as they deem necessary to act as park guards fix their compensation and duties and provide for their uniforming

Section 4401 Examinations Required of All Appointees No person or persons may be appointed to any position whatever in the police department or in the position of park guard or in the engineering or electrical department or in the position of building inspector or to any salaried position whatever in the fire department (except volunteer departments) or health officers other than registered physicians or as sanitary policemen or inspectors of the health department without having first passed all the examinations hereinafter provided for and having been appointed in the manner and according to the terms and provisions and conditions of this article Provided however That all persons holding appointments as park guards at the time this act becomes effective shall retain their positions without being required to pass examinations and be removed only in accordance with the provisions of this article

Section 4402 Appointment of Examining Boards There shall be the following civil service boards in each city (a) A board for the examination of applicants for appointment to any position in the police department or as park guard (b) a board for the examination of applicants for appointment to any salaried position in the fire department (except volunteer departments) or health officers other than registered physicians or as sanitary policemen or inspectors of the health department (c) a board for the examination of applicants for appointment to any position in the engineering or electrical departments or to the position of building inspectors

Each of said boards shall consist of three citizens who shall be elected by council for terms of four years or until their successors are elected and qualified One of the members of the board provided for in clauses (a) and (b) of this section shall be an educator and one shall be a physician Any person may be appointed to one or more of said boards.

Section 2 The provisions of this act shall become effective immediately upon final enactment

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows, viz:

YEAS—204

Achterman,	French,	Malloy,	Royer,
Allmond,	Gallagher,	Marks,	Rush,
Auker,	Gates,	Maxwell,	Sarge,
Baker,	Gerard,	McClanaghan,	Sarraf,
Balthaser,	Gillan,	McClester,	Scanlon,
Bentley,	Gillette,	McDermott,	Schwab,
Bentzel,	Goodwin,	McDowell,	Serrill,
Boles,	Greenwood,	McFall,	Shaffer,
Boney,	Gross,	McIntosh,	Shaw,
Boorse,	Gryskewicz,	McKinney,	Shepard,
Bower,	Gyger,	McLanahan	Simons,
Bradley,	Habbyshaw,	McLane,	Skale,
Bretherick,	Haberlen,	McMillen,	Snyder,
Brown,	Haines,	McSurdy,	Soltenberger
Brunner, C. H.,	Hall,	Melchiorre,	Sorg,
Brunner, P. A.,	Hamilton,	Mihm,	Stambaugh,
Burns,	Hare,	Modell,	Stank,
Burris,	Harkins,	Monks,	Stine,
Cadwalader,	Harmuth,	Mooney,	Stockham,
Chervenak,	Harris,	Moran,	Tarr,
Chudoff,	Heatherington,	Moul,	Tate,
Cochran,	Helm,	Muir,	Taylor,
Cohen, M. M.,	Hering,	Munley,	Thompson, E. F.,
Cohen, R. E.,	Herman,	Nagel,	Thompson, R. L.,
Cook,	Hersch,	Nunemacher,	Trout,
Cooper,	Hewitt,	O'Brien,	Turner,
Cordier,	Hirsch,	O'Connor,	Van Allsburg,
Corrigan,	Holland,	O'Dare,	Verona,
Croop,	Huntley,	O'Mullen,	Vincent,
Cullen,	Imbrie,	O'Neill,	Vogt,
Dalrymple,	James,	Owens,	Voldow,
Dennison,	Jefferson,	Petrosky,	Voorhees,
DiGenova,	Jones, G. E.,	Pettit,	Wagner,
Dix,	Jones, P. N.,	Polaski,	Watkins,
Dolon,	Keenan,	Polen,	Weingartner,
D'Ortona,	Kenehan,	Powers,	Weiss,
Duffy,	Kline,	Prosen,	Welsh, E. B.,
Early,	Knoble,	Rank,	Welsh, M. J.,
Eckels,	Kolankiewicz,	Rausch,	Wilkinson,
Elder,	Komorofski,	Readinger,	Williams,
Elliott,	Krise,	Reagan,	Winner,
Ely,	Lee, E. A.,	Reese, D. P.,	Wood, L. H.,
Falkenstein,	Lee, T. H.,	Reese, R. E	Wood, N.,
Finestone,	Leisey,	Regan,	Woodring,
Finnerty,	Leonard,	Reynolds,	Woodside,
Fisher,	Lesko,	Rhea,	Wright,
Fiss,	Levy,	Riley,	Yeakel,
Fleming,	Leydic,	Rooney,	Yeater,
Fletcher,	Longo,	Rose, S.,	Young,
Flynn,	Lyons,	Rose, W. E.,	Kilroy,
Foor,	Lichtenwalter,	Rosenfeld,	Speaker.
	Lovett,		

NAYS—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative

Ordered, That the Clerk present the same to the Senate for concurrence.

The SPEAKER (Elmer Kilroy) IN THE CHAIR.

The SPEAKER. The Chair thanks the gentleman from Dauphin, Mr. Woodside, for presiding.

The SPEAKER. For the information of the Members, the Chair has a photograph of the Honorable Senator from Pennsylvania, Mr. Guffey, and the gentleman from Lancaster, Harry Trout, sitting together in an automobile having a ride. I wonder why.

Mr. WOODSIDE. Mr. Speaker, I think the gentleman from Lancaster should be given an opportunity to apologize.

The SPEAKER. Will the gentleman from Lancaster explain how he was honored by riding with our good Senator?

Mr. TROUT. Mr. Speaker, before I go into that very extensively, I want to apologize to the Speaker and his Chief Clerk for my absence yesterday. I found it necessary to return home for a little while yesterday afternoon to check up on what might have been the reason for United States Senator Joseph F. Guffey paying a visit to our community. I rode in the same automobile with the Senator and discovered quite a few interesting facts. The Senator asked me what voting population we had. I told him around twenty-two hundred.

He said, "How many vote?"

I said, "We usually get sixteen hundred."

He said, "How many Democrats?"

I said, "Oh, we have a hundred sixty registered Democrats, but when you run for the Senate on the President's coat-tails, you usually get around four hundred. If you run by yourself, I don't think you would get the registered Democrat vote."

He didn't think that was very complimentary, and as we went along the route, I said to the Senator, "Listen, Joe, see that group over there? If they applaud, that's yours. And over here is a group, and if they applaud, I want those for myself."

After we got around the group Joe said, "I don't think I'm getting very much here."

I received a very nice letter from the Senator this morning however expressing appreciation of the splendid reception he got in Manheim, and he also thanked me for pointing out to him the few constituents he had in Manheim. The fact of the matter is he made a very splendid speech Saturday night before a crowd of three thousand, and we did, as the photograph indicates, lay aside politics for the day in Manheim.

BILL ON THIRD READING

Mr. LOVETT asked and obtained unanimous consent to call up out of order House Bill No. 1754, (Senate Bill No. 509) Printer's No. 335, on page 13 of today's calendar, bills on third reading.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1754, (Senate Bill No. 509), entitled:

An Act making an appropriation to the State Council for the Blind for use in supplying medical treatment surgical operations eyeglasses or other necessary aids or services to needy blind persons or persons with impaired vision.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows, viz:

YEAS—204

Achterman	French,	Malloy,	Royer,
Allmond,	Gallagher,	Marks,	Rush,
Auker,	Gates,	Maxwell,	Sarge,
Baker,	Gerard,	McClanaghan	Sarraf,
Balthaser,	Gillan,	McClester	Scanlon,
Bentley,	Gillette,	McDermott	Schwab,
Bentzel,	Goodwin,	McDowell,	Serrill,
Boles,	Greenwood,	McFall,	Shaffer,
Boney,	Gross,	McIntosh,	Shaw,
Boorse,	Gryskewicz	McKinney,	Shepard,
Bower,	Gyger,	McLanahan	Simons,
Bradley	Habbyshaw	McLane,	Skale,
Bretherick	Haberlen,	McMillen,	Snyder,
Brown	Haines,	McSurdy,	Sollenberger
Brunner, C H	Hall,	Melchiorre	Sorg,
Brunner, P A,	Hamilton	Mihm,	Stambaugh
Burns,	Hare,	Modell,	Stank,
Burris,	Harkins,	Monks,	Stine,
Cadwalader,	Harmuth,	Mooney,	Stockham
Chervenak,	Harris,	Moran,	Tarr,
Chudoff,	Heatherington	Moul,	Tate,
Cochran,	Helm,	Muir,	Taylor,
Cohen, M M.,	Hering,	Munley,	Thompson, E. P.,
Cohen, R E.,	Herman,	Nagel,	Thompson R. L.,
Cook,	Hersch,	Nunemacher	Trout,
Cooper,	Hewitt,	O'Brien	Turner,
Cordier,	Hirsch,	O'Connor,	Van Allsburg,
Corrigan,	Holland,	O'Dare,	Verona,
Croop,	Huntley,	O'Mullen,	Vincent,
Cullen,	Imbrie,	O'Neill,	Vogt,
Dalrymple,	James,	Owens,	Voldow,
Dennison,	Jefferson,	Petrosky,	Voorhees,
DiGenova,	Jones, G. E.,	Pettit,	Wagner,
Dix,	Jones, P N.,	Polaski,	Watkins,
Dolon,	Keenan,	Polen,	Weingartner,
D'Ortona,	Kenehan,	Powers,	Weiss,
Duffy,	Kline,	Prosen,	Welsh, E. B.,
Early,	Knoble,	Rank	Welsh, M J.,
Eckels,	Kolankiewicz,	Rausch,	Wilkinson,
Elder,	Komorofski,	Readinger,	Williams,
Elliott,	Krise,	Reagan,	Winner,
Ely,	Lee, E. A.,	Reese, D. P.,	Wood, L. H.
Falkenstein,	Lee, T H.,	Reese, R. E.,	Wood, N.,
Finestone,	Leisey,	Regan,	Woodring,
Finnerty,	Leonard,	Reynolds,	Woodside,
Fisher,	Lesko,	Rhea,	Wright,
Fiss,	Levy,	Riley,	Yeakel,
Fleming,	Leydic,	Rooney,	Yeater,
Fletcher,	Lichtenwalter,	Rose, S.,	Young,
Flynn,	Longo,	Rose W E.,	Kilroy,
Foor,	Lovett,	Rosenfeld,	Speaker.
	Lyons,		

NAYS—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative

Ordered, That the Clerk return it to the Senate with information that the House has passed it without amendment.

SENATE MESSAGES

SENATE ADOPTS CONFERENCE COMMITTEE REPORT ON HOUSE BILL No. 230

The Clerk of the Senate being introduced, informed that the Senate has adopted the report of the Committee of Conference on the subject of the difference existing between the two Houses on House Bill numbered and entitled as follows:

HOUSE BILL No. 230.

An Act to reenact and amend the title and the act approved the twenty-second day of June one thousand nine hundred thirty-five (P. L. 414), entitled "An act to provide revenue for State purposes imposing taxes upon certain classes of personal property providing for the assessment collection and lien of the same and the distribution of the proceeds thereof imposing duties on executors administrators registers of wills recorders of deeds prothonotaries and court clerks and on persons copartner-

ships associations banks national banks trust companies and other corporations receiving deposits of money and on certain corporations and limited partnerships conferring powers and imposing duties on certain State officers and departments imposing penalties and making an appropriation" as previously reenacted and amended by continuing the State personal property tax and the emergency rate of tax on scrip bonds certificates and evidences of indebtedness assumed or on which interest is paid by corporations for a further limited period of time exempting casualty insurance corporations not having capital stock relieving life insurance corporations from the duty of reporting and paying tax under section seventeen of said act exempting assets held by liquidating trustees imposing the tax upon personal property held and managed in this Commonwealth owned held or possessed by residents as trustees agents or attorneys-in-fact jointly with one or more trustees agents or attorneys-in-fact domiciled in another state and imposing the tax upon equitable interests of residents in personal property held and managed in another state where the legal title to such personal property is held by more than one trustee agent or attorney-in-fact one or more of whom are domiciled in another state and one or more of whom are domiciled within this Commonwealth

SENATE ADOPTS CONFERENCE COMMITTEE REPORT ON HOUSE BILL No. 234

The Clerk of the Senate being introduced, informed that the Senate has adopted the report of the Committee of Conference on the subject of the difference existing between the two Houses on House Bill numbered and entitled as follows:

HOUSE BILL No. 234.

An Act to further amend section one of the act approved the fifteenth day of July one thousand eight hundred ninety-seven (P. L. 292), entitled "An act to provide revenue by taxation" by increasing the rate of tax for a further limited period of time.

SENATE ADOPTS CONFERENCE COMMITTEE REPORT ON HOUSE BILL No. 663

The Clerk of the Senate being introduced, informed that the Senate has adopted the report of the Committee of Conference on the subject of the difference existing between the two Houses on House Bill numbered and entitled as follows:

HOUSE BILL No. 663.

An Act authorizing the Commonwealth to negotiate temporary emergency loan to defray the current and other expenses of the State government during the two fiscal years beginning the first day of June one thousand nine hundred forty-one evidenced by tax anticipation notes secured by and payable from current revenues levied assessed collectible and accruing during such two fiscal years defining the powers and duties of the Governor the Auditor General and the State Treasurer in relation thereto providing for the payment of interest on and the repayment of such loans and making an appropriation.

REPORT OF COMMITTEE OF CONFERENCE ON SENATE BILL No. 24

Mr. REUBEN E. COHEN presented the report of the Committee of Conference on the part of the House on Senate Bill No. 24.

The report was read by the Clerk.

The SPEAKER. This being a Senate Bill the report will be printed by the Senate, and placed in the files of the Members of the House.

BILL ON SECOND READING

Mr. BROWN asked and obtained unanimous consent to call up out of order House Bill No. 1617, (Senate Bill No. 86), Printer's No. 18, on page 1 of today's calendar, bills on second reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 1617, (Senate Bill No. 86), entitled:

An Act requiring the court in imposing sentence to include in such sentence the costs of keeping the person in the institution to which he is sentenced for the term as fixed by the court, providing such person is or shall become, during such term, financially able to pay for the same.

The first section was read.

On the question,

Will the House agree to the section?

BILL RECOMMITTED

Mr. BROWN. Mr. Speaker, Senate Bill No. 86, House Bill 1617, Printer's No. 18 on page one of today's calendar is a bill which allows the court in imposing sentence also to impose upon the prisoner, if the court so desires, a sufficient fine and imprisonment and also a sufficient sum to cover the cost of the imprisonment of the prisoner. It is our belief that this bill should be given further study. There is nothing in the bill which will allow the prisoner to protest to the court or to have any kind of a trial as to his financial ability to pay for his own keep while in prison. While there may be some justification for the bill, as it is now drawn it is certainly too autocratic; therefore I move that the bill be recommitted to the Committee on Judiciary General for further study and possible amendment.

The motion was agreed to.

SENATE MESSAGES

HOUSE BILLS CONCURRED IN BY SENATE

The Clerk of the Senate being introduced, returned bills from the House of Representatives numbered and entitled as follows:

HOUSE BILL No. 426.

An Act making an appropriation to the Pennsylvania Historical Commission, to cover the expenses of restoring and maintaining the Daniel Boone Homestead

HOUSE BILL No. 1282.

An Act providing that taxes on unseated lands shall be collected and returned in the same manner and at the same time as taxes on seated lands

HOUSE BILL No. 1397.

An Act to amend the act approved the fifth day of May one thousand nine hundred thirty-three (P. L. 457) entitled "An act relating to the business of building and loan associations providing for the organization and

voluntary dissolution of such associations defining the rights powers duties liabilities and immunities of such associations and of their officers directors shareholders solicitors and other employes prohibiting the transaction of business in this Commonwealth by foreign building and loan associations conferring powers and imposing duties upon the courts recorders of deeds and certain State departments commissions and officers establishing limitations of actions imposing penalties and repealing certain acts and parts of acts" as amended by requiring certificates of the payment of taxes and other charges to be filed with the Department of State in certain cases

HOUSE BILL No. 1652.

An Act to further amend sections eight and eleven of the act approved the fifteenth day of May one thousand nine hundred thirty-three (P L 553), entitled "An act relating to the financial responsibility of operators and owners of motor vehicles and to make uniform the law with reference thereto requiring operators and owners of automobiles under certain circumstances to furnish proof of financial responsibility as herein defined providing for the suspension of operators' licenses and motor vehicle registration certificates in certain cases regulating insurance policies which may be accepted as proof of financial responsibility imposing duties upon the Secretary of Revenue the State Treasurer and prothonotaries and prescribing penalties" by giving the secretary discretionary power under certain circumstances to suspend operators' licenses and providing for notice and hearing before suspension of licenses and registrations

HOUSE BILL No. 1857.

An Act making an appropriation to the Department of Revenue for the payment of claims against the Commonwealth arising from damage by fire caused by defective wires used for operating airplane beacons

HOUSE BILL No. 1399.

An Act to amend the act approved the fifteenth day of May one thousand nine hundred thirty-three (P. L. 624) entitled "An act relating to the business of banking and to the exercise of fiduciary powers by corporations providing for the organization of corporations with fiduciary powers and of banking corporations with or without fiduciary powers including the conversion of National banks into State banks and for the licensing of private bankers defining the rights powers duties liabilities and immunities of such corporations of existent corporations authorized to engage in a banking business with or without fiduciary powers of private bankers and of the officers directors trustees shareholders attorneys and other employes of all such corporations or private bankers or of affiliated corporations associations or persons restricting the exercise of banking powers by any other corporation association or person and of fiduciary powers by any other corporation conferring powers and imposing duties upon the courts prothonotaries recorders of deeds and certain State departments commissions and officers imposing penalties and repealing certain acts and parts of acts" as amended by requiring certificates of the payment of taxes and other charges to be filed with the Department of State in certain cases

With the information that the Senate has passed the same without amendment.

AMENDED HOUSE BILL RECALLED FROM THE GOVERNOR CONCURRED IN BY SENATE

The Clerk of the Senate being introduced, returned bill from the House of Representatives numbered and entitled as follows:

HOUSE BILL No. 1323.

An Act authorizing the Department of Property and Supplies, with the consent of the Department of Military Affairs and the approval of the Governor, to sell and convey the property of the Pennsylvania State Arsenal at Harrisburg to the City of Harrisburg, in exchange for the conveyance by said city of Wildwood Park to the Commonwealth providing for the transfer of said park to the Department of Forests and Waters and the use thereof by the department as a State park and by other departments boards and commissions for their respective purposes and providing that such exchange of property shall not be effected unless and until a suitable additional building is made available for use by the Department of Military Affairs as an arsenal or as an administrative building

Said bill having been recalled from the Governor for the purpose of amendment, the vote had on final passage and third reading reconsidered in the House and the bill amended, in amendments the Senate has concurred.

AMENDED HOUSE BILL RECALLED FROM THE GOVERNOR CONCURRED IN BY SENATE

The Clerk of the Senate being introduced, returned bill from the House of Representatives numbered and entitled as follows:

HOUSE BILL No. 1676.

An Act to further amend the act, approved the second day of May, one thousand nine hundred and twenty-nine (P. L. 1518), entitled, as amended "An act regulating the construction, equipment, maintenance, operation and inspection of elevators; granting certain authority to and imposing certain duties upon the Department of Labor and Industry; providing fees for inspection of elevators, certificates of operation, and approval of plans; providing penalties for violations of this act; and repealing all acts or parts of acts inconsistent with this act," by defining and making further provision relative to the use of "man lift" elevators

Said bill having been recalled from the Governor for the purpose of amendment, the vote had on final passage and third reading reconsidered in the House and the bill amended, in amendments the Senate has concurred.

PERMISSION TO ADDRESS HOUSE

Mr. WEISS asked and obtained unanimous consent to address the House.

Mr. Speaker, I am making this last minute appeal to the Members on both sides of thhe House to enact some reasonable re-apportionment legislation which is so very essential and necessary. I do not think it is asking too much of any of you to request that you act as statesmen rather than as politicians, at least this one time in ten years. Mr. Speaker, the Members of the House were elected to do their duty, and it is part of their duty to re-apportion the state at least once every ten years. What are we doing about it? It seems to me we have become stalemated. Something must be done. Both parties have given and taken in order to arrive at a compromise and in order to expedite adjournment. Why not compromise on this type of legislation which is very important? Let us not dilly-dally around.

I read in the newspapers a statement by Senator Wade that there is no possibility of settlement, and he does not care because he thinks the Republican party has a very good chance to elect all thirty-three Republicans to Congress. Is that the talk of a statesman or a politician?

You can answer that yourself. Are we elected as representatives of the people or mis-representatives of the people? The latest census shows a glaring inequality in the various districts and that some people are over-represented and some are under-represented. I do not believe we ought to adjourn until some Congressional and Legislative re-apportionment bills are passed. They must be passed. Let us forget that we are Democrats or Republicans; let us vote as good citizens.

PERMISSION TO ADDRESS HOUSE

Mr. WATKINS asked and obtained unanimous consent to address the House.

Mr. Speaker, I have prepared and have in my hand a speech which I had expected to deliver on the floor of the House in regard to conditions brought about by the disturbance in the mining operations in Schuylkill County, which the Members have read about in the papers.

However, in deference to you and the Members of the House, I am not going to take up the time of the House by reading this speech, but I would ask unanimous consent of the House to put this speech in the record. I thank you.

The SPEAKER. Will the House give its unanimous consent to extend the remarks of the gentleman from Schuylkill, Mr. Watkins in the Legislative Journal. Is there objection? The Chair hears none and the remarks will be extended.

EXTENDED REMARKS OF MR. WATKINS

Mr. WATKINS. Mr. Speaker, I would feel it lax in my duty as a Member of this body, and as one representing the particular district of Schuylkill County in which you have noted in the press that certain disorders and riotous clashes took place between independent miners and private detectives employed by a certain stripping operator, if I were not to call this to your attention.

This particular disorder was not brought about by a gang of miners who believe in lawlessness, riots and disturbances, contrary to many statements in the press for I am in a position to know the make-up, the characters and the entire living conditions of all involved in these clashes for they are my neighbors in that community, these miners have only one important, and far reaching idea in mind and that is the right to live, to make a living for themselves and their families, keep off the relief rolls, and above all preserve the natural resources of rich coal beds underlying stripping operations for future generations, which is highly essential to all the people of Pennsylvania.

On the other hand let me explain to those Members of the House, Mr. Speaker, who are not familar with stripping operations just who make up these various companies who insist on coal operations of this character of production.

In the first place let me state that practically all hard coal mines in this particular territory involved, which has, I believe, the largest amount of virgin anthracite coal in the world, have been abandoned as under surface operations due to fact that the Philadelphia Coal and Iron Company who formerly owned or controlled many mines was forced during the depression period to go under 77 B Bankrupt Act.

From that time to the present day, lands involving this coal have been transferred through leases and so forth from one Company to the other, to such an extent that I nor the local authorities living in these communities know who really is the party or companies entitled to operate same.

However, I do know that the operators of stripping methods, are certainly only interested as far as themselves are concerned in securing from the surface coal which can be taken very easily, and without much cost which in many cases was pointed out to them by these independent miners, on a basis of making themselves small fortunes, in a hurry-up manner and with a disregard entirely for future mining in the proper undersurface method which provides extra employment and gives the purchasers of anthracite a better product. These operators are certainly not taking into consideration how detrimental the large shovels are to the underlying coal beds, nor do they think anything at all about the preservation of these vast rich coal beds underlying their operations for future generations to come.

In other words it is nothing but a get-rich-quick proposition on their part employing few men in defference to a method which was fundamental in the mining of coal in this section for years, and which method if adhered to would employ perhaps all of the miners who formerly made their livings in the production of coal.

Many of these stripping contractors have from time to time through meetings arranged with these various independent groups guarranteed, or promised that they would take a percentage of the underlying coal mined by these groups, with the understanding that they would also do strip mining to certain extents where it was thought advisable. However, in many cases these agreements have been broken on the part of the shovel operators.

This fact alone, along with the others mentioned, Mr. Speaker and Members of the House, is the reason for these demonstrations in my home district of Schuylkill County.

Personally, I certainly do not believe in any form of lawlessness, nor do any of the Members of this House, and I cannot but feel, that the people living in my district, do not want to be unlawful in their tactics.

However, I do feel that these people have a right to protest against stripping operations in this section, especially when any operator will bring in a body of company paid would-be policemen-assembled together from distant places by a so-called shady detective agency.

The proper authorities of our county and state are now investigating this affair which I am sorry took place and which I hope we shall never have a reoccurrence of.

And in conclusion let me state, I as a business man and one interested in the welfare of my community and County, and one knowing the conditions and facts of this affair, the people involved, and understanding their principles, would offer their suggestions.

Let these operators, in a sense of fair play think more of the future and general welfare of all the people of my district, the preservation of future coal beds, which will surely be destroyed if their present activities, or their ideas are promoted, and come down to the conclusion of consideration of not all dollars and cents,

cease methods of mining which they themselves realize in the end are not to the advantage of the employment situation but derimental to our region in all respects.

May these operators, who have witnessed these demonstrations, at this opportune time, when coal is again in great demand start and promote under surface mining as heretofore, perhaps open some of the abandoned collieries, giving employment to these men of this district, and by so doing show that they are interested wholeheartedly not only as business men, but public spirited citizens in the advancement of a cause which will be for the betterment of all concerned and the State in general.

SENATE MESSAGE

SENATE BILLS FOR CONCURRENCE

The Clerk of the Senate being introduced presented for concurrence bills numbered and entitled as follows:

SENATE BILL No. 906. (HOUSE BILL No. 1986).

An Act to further amend section two hundred twenty-seven of the act, approved the second day of May, one thousand nine hundred and twenty-nine (P. L. 1278) entitled "An act relating to counties of the second, third, fourth, fifth, sixth, seventh and eighth classes; and revising, amending and consolidating the laws relating thereto," providing for the appointment of minute clerks in certain courts in counties of the third class.

Referred to the Committee on Counties.

SENATE BILL No. 1053. (HOUSE BILL No. 1987).

An Act to amend section one of the act, approved the eighth day of May, one thousand eight hundred and ninety-five (P. L. 44), entitled "An act providing for the release and discharge of encumbrances or charges on land in all cases in which the period of twenty-one years has elapsed after the principal of the encumbrance or charge has become due and payable and no payment has been made within such period of twenty-one years on account of such encumbrance or charge by the owner or owners of the land sought to be released and discharged and no sufficient release is of record in the county, and regulating proceedings for such release and discharge," heretofore repealed in so far as it related to the orphans' court, relieving courts of common pleas of the necessity of passing on the truth of the allegations of petitions for release and discharge of such encumbrances or charges.

Referred to the Committee on Judiciary General.

SENATE BILL No. 510. (HOUSE BILL No. 1988).

An Act to amend sections 504 A. 607 and 608 A of the act approved the fifteenth day of May, one thousand nine hundred and thirty-three (P. L. 565), entitled "An act relating to the powers and duties of the Department of Banking and the Secretary of Banking in exercising supervision over, and taking possession of and conducting or liquidating the business and property of, corporations associations, and persons receiving deposits or otherwise transacting a banking business, corporations acting as fiduciaries, and building and loan associations; providing for the payment of the expenses of the Department of Banking by supervised corporations, associations, or persons and appropriating the Banking Department Fund; authorizing the Department of Banking, under certain circumstances, to examine corporations, associations, or persons affiliated, or having business transactions with supervised corporations, associations, or persons; authorizing appeals to the Supreme Court, and prescribing and limiting the powers and duties of certain other courts and their prothonotaries, register of wills, recorders of deeds, and certain State Departments, commissions, and officers; authorizing certain local public officers and State Departments to collect fees for services rendered under this act; providing penalties; and repealing certain acts and parts of acts," by providing for the taking of possession of the business and property of building and loan associations and savings and loan associations the shares of which are insured in the State Building and Loan Insurance Fund.

Referred to the Committee on Building and Loan Associations.

SENATE BILL No. 512. (HOUSE BILL No. 1989).

An Act providing for the creation and for the administration by a State Building and Loan Insurance Board created in this act, or a state fund for the insurance of shares in building and loan associations and savings and loan associations; and prescribing penalties.

Referred to the Committee on Building and Loan Associations.

PERMISSION TO ADDRESS HOUSE

Mr. BRETHERICK asked and obtained unanimous consent to address the House.

Mr. Speaker I listened with interest a few minutes ago to some remarks made by Mr. Weiss, the gentleman from Westmoreland, with regard to reapportionment. May I say to him that the Republican Members of the House and of the Senate and of the Caucus Committee studying the reapportionment problem have always been willing to compromise, but that the Members on the other side of the House have taken a rather adamant stand and have refused to budge from it.

PERMISSION GRANTED COMMITTEE TO MEET DURING SESSION

Mr. MOONEY asked and obtained permission for the Committee on Building and Loan Association to meet during the session of the House.

RESOLUTION

LOBBYISTS

Mr. CORRIGAN offered the following resolution and asked and obtained unanimous consent for its immediate consideration.

The resolution was read, considered and adopted:

In the House of Representatives, July 11, 1941.

Whereas, Charges and countercharges have been made throughout this Session of the General Assembly regarding "boodle," "barrel heads" and "lobbyists"; and

Whereas, Notwithstanding such charges the members of the General Assembly have not been able to locate either "boodle" or "barrel heads" although lobbyists have been quite plentiful; and

Whereas, It would be to the best interest of all concerned if the work and identity of lobbyists be centralized and facilitated in order that their objects may be accomplished in a simple and orderly fashion, and in order to obviate the appointment of any committees in the future to search for questionable items; Therefore be it

Resolved, If the Senate concur that all lobbyists before being permitted on the floor of either House, be required to register and become affiliated with the Amalgamated Fraternity of Lobbyists A. C. I. O. F. of L. Local No. 13, with which the General Assembly has contracted to deal and which contract provides for a check-

off system with barrel heads thrown in at no extra cost; and be it further

Resolved, That all applicants for membership in the Amalgamated be requested to register immediately with the Honorable I. C. U. A. minute, at the same time filing a statement indicating the scope of his activities; and be it further

Resolved, That no Gubernatorial Secretary, Cabinet Member, State Chairman of any Party, Senator or Member of the House shall carry on any lobbying activities without proper credentials, under penalty of being declared unfair to the said Amalgamated Fraternity of Lobbyists. In order to qualify to enter said organization of Lobbyists, each person must have a fair aim in throwing boodle through transoms.

REPORT OF COMMITTEE OF CONFERENCE ON SENATE BILL No. 561

Mr. ROSENFELD presented the report of the Committee of Conference on the part of the House on Senate Bill No. 561.

The report was read by the Clerk.

The SPEAKER. This being a Senate Bill the report will be printed by the Senate, and placed in the files of the Members of the House.

BILLS SIGNED BY SPEAKER

Bills numbered and entitled as follows having been prepared for presentation to the Governor, and the same being correct, the titles were publicly read as follows:

HOUSE BILL No. 230.

An Act to reenact and amend the title and the act approved the twenty-second day of June, one thousand nine hundred thirty-five (P. L. 414), entitled "An act to provide revenue for State purposes imposing taxes upon certain classes of personal property providing for the assessment collection and lien of the same and the distribution of the proceeds thereof imposing duties on executors administrators registers of wills recorders of deeds prothonotaries and court clerks and on persons copartnerships associations banks national banks trust companies and other corporations receiving deposits of money and on certain corporations and limited partnerships conferring powers and imposing duties on certain State officers and departments imposing penalties and making an appropriation," as previously reenacted and amended by continuing the State personal property tax and the emergency rate of tax on scrip bonds certificates and evidences of indebtedness assumed or on which interest is paid by corporations for a further limited period of time exempting casualty insurance corporations not having capital stock and relieving life insurance corporations from the duty of reporting and paying tax under section seventeen of said act exempting assets held by liquidating trustees imposing the tax upon personal property held and managed in this Commonwealth owned held or possessed by residents as trustees agents or attorneys-in-fact jointly with one or more trustees agents or attorneys-in-fact domiciled in another state and imposing the tax upon equitable interests of residents in personal property held and managed in another state where the legal title to such personal property is held by more than one trustee agent or attorney-in-fact one or more of whom are domiciled in another state and one or more of whom are domiciled within this Commonwealth

HOUSE BILL No. 234.

An Act to further amend section one of the act approved the fifteenth day of July one thousand eight hundred ninety-seven (P. L. 292) entitled "An act to provide revenue by taxation" by increasing the rate of tax for a further limited period of time.

HOUSE BILL No. 663.

An Act authorizing the Commonwealth to negotiate temporary emergency loans to defray the current and other expenses of the State government during the two fiscal years beginning the first day of June, one thousand nine hundred forty-one; evidenced by tax anticipation notes secured by and payable from current revenues, levied, assessed, collectible, and accruing during such two fiscal years; defining the powers and duties of the Governor, the Auditor General, and the State Treasurer in relation thereto; providing for the payment of interest on and the repayment of such loans; and making an appropriation.

RECESS

The SPEAKER. If there is no objection the Chair is about to declare a recess until 9 p. m. Is there objection? The Chair hears none and a recess is declared.

AFTER RECESS

The House reconvened at 9 p. m.

The SPEAKER (Elmer Kilroy) IN THE CHAIR.

REPORT OF COMMITTEE TO INVESTIGATE BUREAU OF VITAL STATISTICS

Mr. McINTOSH. Mr. Speaker, I desire to present the report of the Committee appointed to investigate the Bureau of Vital Statistics relative to the delay in the issuance of certificates of birth by that Bureau.

Copies will be distributed to the Members by placing them in their mail boxes. I also wish to state that one of the members of this Committee, the gentleman from Lackawanna, Mr. Regan, failed to sign this report. The reason Mr. Regan failed to sign this report was on account of his illness. I believe I could safely state that Mr. Regan's attitude on this question is in accord with this report of the committee.

The SPEAKER. The report will be noted in the Journals and printed in the Appendix to the Legislative Journal.

BILLS SIGNED BY SPEAKER

Bills numbered and entitled as follows having been prepared for presentation to the Governor, and the same being correct, the titles were publicly read as follows:

HOUSE BILL No. 426.

An Act making an appropriation to the Pennsylvania Historical Commission to cover the expenses of restoring and maintaining the Daniel Boone Homestead

HOUSE BILL No. 1282.

An Act providing that taxes on unseated lands shall be collected and returned in the same manner and at the same time as taxes on seated lands

HOUSE BILL No. 1323.

An Act authorizing the Department of Property and Supplies, with the consent of the Department of Military Affairs and the approval of the Governor, to sell and convey the property of the Pennsylvania State Arsenal at Harrisburg to the City of Harrisburg, in exchange for the conveyance by said city of Wildwood Park to the Commonwealth providing for the transfer of said park to the Department of Forests and Waters and the use thereof by the department as a State park and by other departments boards and commissions for their respective pur-

pose and providing that such exchange of property shall not be effected unless and until a suitable additional building is made available for use by the Department of Military Affairs as an arsenal or as an administrative building

HOUSE BILL No. 1397.

An Act to amend the act approved the fifth day of May one thousand nine hundred thirty-three (P. L. 457) entitled "An act relating to the business of building and loan associations providing for the organization and voluntary dissolution of such associations defining the rights powers duties liabilities and immunities of such associations and of their officers directors shareholders solicitors and other employes prohibiting the transaction of business in this Commonwealth by foreign building and loan associations conferring powers and imposing duties upon the courts recorders of deeds and certain State departments commissions and officers establishing limitations of actions imposing penalties and repealing certain acts and parts of acts" as amended by requiring certificates of the payment of taxes and other charges to be filed with the Department of State in certain cases

HOUSE BILL No. 1399.

An Act to amend the act approved the fifteenth day of May one thousand nine hundred thirty-three (P. L. 624) entitled "An act relating to the business of banking and to the exercise of fiduciary powers by corporations providing for the organization of corporations with fiduciary powers and of banking corporations with or without fiduciary powers including the conversion of National banks into State banks and for the licensing of private bankers defining the rights powers duties liabilities and immunities of such corporations of existent corporations authorized to engage in a banking business with or without fiduciary powers of private bankers and of the officers directors trustees shareholders attorneys and other employes of all such corporations or private bankers or of affiliated corporations associations or persons restricting the exercise of banking powers by any other corporation association or person and of fiduciary powers by any other corporation conferring powers and imposing duties upon the courts prothonotaries recorders of deeds and certain State departments commissions and officers imposing penalties and repealing certain acts and parts of acts" as amended by requiring certificates of the payment of taxes and other charges to be filed with the Department of State in certain cases

HOUSE BILL No. 1652.

An Act to further amend section eight and eleven of the act approved the fifteenth day of May one thousand nine hundred thirty-three (P. L. 553) entitled "An act relating to the financial responsibility of operators and owners of motor vehicles and to make uniform the law with reference thereto requiring operators and owners of automobiles under certain circumstances to furnish proof of financial responsibility as herein defined providing for the suspension of operators' licenses and motor vehicle registration certificates in certain cases regulating insurance policies which may be accepted as proof of financial responsibility imposing duties upon the Secretary of Revenue the State Treasurer and prothonotaries and prescribing penalties" by giving the secretary discretionary power under certain circumstances to suspend operators' licenses and providing for notice and hearing before suspension of licenses and registrations

HOUSE BILL No. 1676.

An Act to further amend the act, approved the second day of May, one thousand nine hundred and twenty-nine (P. L. 1518), entitled, as amended "An act regulating the construction, equipment, maintenance, operation and inspection of elevators; granting certain authority to and imposing certain duties upon the Department of Labor and Industry; providing fees for inspection of elevators, certificates of operation, and approval of plans; providing penalties for violations of this act; and repealing all acts or parts of acts inconsistent with this act," by defining and making further provisions relative to the use of "man lift" elevators

HOUSE BILL No. 1857.

An Act making an appropriation to the Department of Revenue for the payment of claims against the Commonwealth arising from damage by fire caused by defective wires used for operating airplane beacons

Whereupon,

The SPEAKER, in the presence of the House, signed the same.

FORMER MEMBER WELCOMED

The SPEAKER. The Chair welcomes to the House this evening a former Member, the gentleman from Fulton, Captain Herbert Wood.

SENATE MESSAGES

APPOINTMENT OF CONFERENCE COMMITTEE ON HOUSE BILL No. 551

The Clerk of the Senate being introduced, informed that the Senate has insisted upon its amendments, nonconcurred in by the House of Representatives, to House Bill Bill No. 551, entitled:

A Supplement to the act approved the twenty-seventh day of June one thousand nine hundred thirty-nine (Appropriation Acts Page 60) entitled "An act to provide for the ordinary expenses of the Executive Legislative and Judicial Departments of the Commonwealth interest on the public debt and the support of the Public schools for the two years beginning June first one thousand nine hundred and thirty-nine and for the payment of bills incurred and remaining unpaid at the close of the fiscal year ending May thirty-first one thousand nine hundred and thirty-nine" providing for a deficiency in the appropriation to the Department of Property and Supplies for the fiscal biennium ending May thirty-first one thousand nine hundred forty-one providing for payment out of revenues of the fiscal biennial period beginning June first one thousand nine hundred forty-one and preventing lapsing.

And has appointed Messrs. Stevenson, Tyler and McGinnis a Committee of Conference to confer with a similar Committee of the House of Representatives (already appointed) on the subject of the differences existing between the two houses in relation to said bill.

APPOINTMENT OF CONFERENCE COMMITTEE ON HOUSE BILL No. 1465

The Clerk of the Senate being introduced, informed that the Senate has insisted upon its amendments, nonconcurred in by the House of Representatives, to House Bill No. 1465, entitled:

An Act to amend the act approved the twenty-ninth day of April one thousand nine hundred thirty-seven (P. L. 487) entitled "An act to provide for the permanent personal registration of electors in boroughs towns and townships as a condition of their right to vote at elections and primaries and their enrollment as members of political parties as a further condition of their right to vote at

primaries prescribing certain procedure for the conduct of elections and primaries and the challenge and proof of qualifications of electors requiring the county commissioners of the various counties to act as a registration commission therefor and prescribing the powers and duties of citizens parties political bodies registration commissions commissioners registrars inspectors of registration and other appointees of registration commissions county election boards election officers municipal officers departments and bureaus police officers courts judges prothonotaries sheriffs county commissioners peace officers county treasurers county controllers registrars of vital statistics certain public utility corporations real estate brokers rental agents and boards of school directors and imposing penalties" as amended by requiring and providing for the registration of persons in military service before they shall be entitled to vote at any election

And has appointed Messrs. Miller, Crider and McQuiddy a Committee of Conference to confer with a similar Committee of the House of Representatives (already appointed) on the subject of the differences existing between the two houses in relation to said bill.

APPOINTMENT OF CONFERENCE COMMITTEE ON HOUSE BILL No. 1466

The Clerk of the Senate being introduced, informed that the Senate has insisted upon its amendments, nonconcurred in by the House of Representatives, to House Bill No. 1466, entitled:

An Act to amend the act approved the third day of June one thousand nine hundred and thirty-seven (P. L. 1353), entitled "An act concerning elections including general municipal special and primary elections the nomination of candidates primary and election expenses and election contests creating and defining membership of county boards of elections imposing duties upon the Secretary of the Commonwealth courts county boards of elections county commissioners imposing penalties for violation of the act and codifying revising and consolidating the laws relating thereto and repealing certain acts and parts of acts relating to elections" by changing the procedure for and regulating voting in elections by persons in actual military service conferring powers and imposing duties upon the Secretary of the Commonwealth courts county boards of elections and county commissioners providing for reimbursement of counties for actual expenses incurred for canvassing the vote of electors in actual military service

And has appointed Messrs. Miller, Crider and McQuiddy a Committee of Conference to confer with a similar Committee of the House of Representatives (already appointed) on the subject of the differences existing between the two houses in relation to said bill.

APPOINTMENT OF CONFERENCE COMMITTEE ON HOUSE BILL No. 1467

The Clerk of the Senate being introduced, informed that the Senate has insisted upon its amendments, nonconcurred in by the House of Representatives, to House Bill No. 1467, entitled:

An Act to amend the act approved the first day of June one thousand nine hundred thirty-seven (P. L. 1132) entitled "An act to provide for the permanent personal registration of electors in cities of the second class A as a condition of their right to vote at elections and primaries and their enrollment as members of political parties as a further condition of their right to vote at primaries prescribing certain procedure for the conduct of elections and primaries and the challenge and proof of qualifications of electors and prescribing the powers and duties of citizens parties political bodies registration commissions commissioners registrars inspectors of registration and other appointees of registration commission county election boards election officers municipal officers departments and bureaus police officers courts judges prothonotaries sheriffs county commissioners peace officers county treasurers county controllers registrars of vital statistics certain public utility corporations real estate brokers rental agents and boards of school directors and imposing penalties" as amended by requiring and providing for the registration of persons in military service to entitle them to vote at any election

And has appointed Messrs. Miller, Crider and McQuiddy a Committee of Conference to confer with a similar Committee of the House of Representatives (already appointed) on the subject of the differences existing between the two houses in relation to said bill.

APPOINTMENT OF CONFERENCE COMMITTEE ON HOUSE BILL No. 1468

The Clerk of the Senate being introduced, informed that the Senate has insisted upon its amendments, nonconcurred in by the House of Representatives, to House Bill No. 1468, entitled:

An Act to amend the act approved the twenty-fifth day of May one thousand nine hundred thirty-seven (P. L. 814) entitled "An act to provide for the permanent personal registration of electors in cities of the second class as a condition of their right to vote at elections and primaries and their enrollment as members of political parties as a further condition of their right to vote at primaries prescribing certain procedure for the conduct of elections and primaries and the challenge and proof of qualifications of electors and prescribing the powers and duties of citizens parties political bodies registration commissions commissioners registrars inspectors of registration and other appointees of registration commissions county election boards election officers municipal officers departments and bureaus police officers courts judges prothonotaries sheriffs county commissioners peace officers county treasurers county controllers registrars of vital statistics certain public utility corporations real estate brokers rental agents and boards of school directors and imposing penalties" as amended by requiring and providing for the registration of persons in military service to entitle them to vote at any election

And has appointed Messrs. Miller, Crider and McQuiddy a Committee of Conference to confer with a similar Committee of the House of Representatives (already appointed) on the subject of the differences existing between the two houses in relation to said bill.

APPOINTMENT OF CONFERENCE COMMITTEE ON HOUSE BILL No. 1469

The Clerk of the Senate being introduced, informed that the Senate has insisted upon its amendments, nonconcurred in by the House of Representatives, to House Bill No. 1469, entitled:

An Act to amend the act approved the twenty-fifth day of May one thousand nine hundred thirty-seven (P. L. 849) entitled "An act to provide for the permanent personal registration of electors in cities of the third class as a condition of their right to vote at elections and primaries and their enrollment as members of political

parties as a further condition of their right to vote at primaries prescribing certain procedure for the conduct of elections and pimaries and the challenge and proof of qualifications of electors and prescribing the powers and duties of citizens parties political bodies registration commissions commissioners registrars inspectors of registration and other appointees of registration commissions county election boards election officers municipal officers departments and bureaus police officers courts judges prothonotaries sheriffs county commissioners peace officers county treasurers county controllers registrars of vital statistics certain public utility corporations real estate brokers rental agents and boards of school directors imposing penalties and repealing existing legislation" as amended by requiring and providing for the registration of persons in military service to entitle them to vote at any election

And has appointed Messrs. Miller, Crider and McQuiddy a Committee of Conference to confer with a similar Committee of the House of Representatives (already appointed) on the subject of the differences existing between the two houses in relation to said bill.

APPOINTMENT OF CONFERENCE COMMITTEE ON HOUSE BILL No. 1729

The Clerk of the Senate being introduced, informed that the Senate has insisted upon its amendments, nonconcurred in by the House of Representatives, to House Bill No. 1729, entitled:

An Act to add section fourteen and one-tenth to the act approved the seventh day of August one thousand nine hundred and thirty-six (P. L. 106) entitled as amended "An act relating to flood control prescribing the powers and duties of the Water and Power Resources Board of the Department of Forests and Waters in relation to the creation of flood control districts adoption of plans for flood control works and improvements carrying into effect of such plans assistance aid and cooperation with public and private agencies and the Federal Government in Federal flood control works and improvements and entering into compacts and agreements with other states for flood control works and improvements conferring the power of eminent domain providing for the setting off of benefits imposing certain charges upon the Commonwealth providing for appeals and conferring certain powers on municipalities counties and townships and the Department of Highways" prohibiting the construction maintenance or operation of facilities works and improvements for the generation or development of power and authorizing the Secretary of Highways and the various political subdivisions with the approval of the Water and Power Resources Board to grant easements and flowage rights to the Federal Government over certain highways roads streets bridges and adjacent lands

And has appointed Messers. Crowe, Watkins and Barr a committee of conference to confer with a similar committee of the House of Representatives (already appointed) on the subject of the differences existing between the two houses in relation to said bill.

RECONSIDERATION OF VOTE

Mr. REUBEN E. COHEN. Mr. Speaker, I move that the vote by which House Bill No. 1940, (Senate Bill No. 913), Printer's No. 397, on page 1 of today's calendar, was ordered to be transcribed for third reading be reconsidered.

Mr. SARRAF. Mr. Speaker, I second the motion.

The SPEAKER. How did the gentleman from Philadelphia, Mr. Cohen, vote to transcribe the bill for third reading?

Mr. REUBEN E. COHEN. Mr. Speaker, I voted in the majority.

The SPEAKER. How did the gentleman from Allegheny, Mr. Sarraf vote to transcribe the bill for third reading?

Mr. SARRAF. Mr. Speaker, I voted in the majority.

On the question,

Will the House agree to the motion?

It was agreed to.

Mr. REUBEN E. COHEN. Mr. Speaker, I move that the vote by which this bill passed second reading be reconsidered.

Mr. SARRAF. Mr. Speaker, I second the motion.

The motion was agreed to.

Mr. REUBEN E. COHEN. Mr. Speaker, I move that the vote by which the title was agreed to be reconsidered.

Mr. SARRAF. Mr. Speaker, I second the motion.

The motion was agreed to.

Mr. REUBEN E. COHEN. Mr. Speaker, I move that the vote by which the various sections were agreed to be reconsidered.

Mr. SARRAF. Mr. Speaker, I second the motion.

The motion was agreed to.

The first section was read.

On the question,

Will the House agree to the section?

Mr. REUBEN E. COHEN. Mr. Speaker, I desire to offer the following amendments.

The amendments were read by the Clerk as follows:

Amend Section 1, page 3 by inserting between lines 6 and 7 the following:

"(8) Airport approach shall for the purpose of this act mean property located adjacent to or in the vicinity of any publicly owned airport but shall not be construed to include any portion of the said publicly owned airport."

"(9) Airport zoning regulations mean regulations adopted for the zoning of property adjacent to or in the vicinity of any publicly owned airport."

The amendments were agreed to.

The section was agreed to as amended.

The second to the thirteenth sections inclusive and titles were separately read and agreed to.

And said bill having been read at length the second time and agreed to as amended.

Ordered, To be transcribed for a third reading.

BILLS ON SECOND READING

Mr. ACHTERMAN asked and obtained unanimous consent to call up out of order House Bill No. 1975, (Senate Bill No. 1215), Printer's No. 520, on page 2 of today's calendar, bills on second reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 1975, (Senate Bill No. 1215), entitled:

A Supplement to the act, approved the sixteenth day of June, one thousand nine hundred forty-one (Appropriation Act No. 12A), entitled "An act to provide for the ordinary expenses of the Executive, Legislative and Judi-

cial Departments of the Commonwealth, interest on the public debt and the support of the public schools for two years beginning June first, one thousand nine hundred and forty-one, and for the payment of bills incurred and remaining unpaid at the close of the fiscal year ending May thirty-first, one thousand nine hundred and forty-one"

The first section was read.

On the question,

Will the House agree to the section?

Mr. ACHTERMAN. Mr. Speaker, I desire to offer the following amendments.

The amendments were read by the Clerk as follows:

Amend Sec. 1, page 1, lines 1 to 3, both inclusive, by striking out all of said lines.

Amend Sec. 1, page 2, lines 1 to 28, both inclusive, by striking out all of said lines.

Amend Sec. 1, page 3, lines 1 and 2, by striking out both of said lines and inserting in lieu thereof:

Section 1. In addition to the appropriations made by The General Appropriation Act of one thousand nine hundred forty-one (Appropriation Act Number 12A), the following sums or a much thereof as may be necessary are hereby specifically appropriated from the General Fund to the several hereinafter named agencies of the Executive and Legislative Departments of the Commonwealth for the purposes hereinafter set forth for the two years beginning June first, one thousand nine hundred and forty-one and for the payment of the bills incurred by said agencies and remaining unpaid at the close of the fiscal year ending May thirty-first, one thousand nine hundred and forty-one.

I. Executive Department

To the Department of the Auditor General

For the payment of salaries, wages and other compensation of a deputy auditor general and other employes, for the payment of general expenses, for the payment of rentals of patented leased office devices, for the purchase of automobiles, furniture, furnishings and equipment and for the purchase of supplies, printing, binding, patent indices, records, law books and other books necessary for the proper conduct of the work of the department, the sum of two hundred forty-six thousand five hundred dollars ($246,500).

For the payment of salaries, wages or other compensation of members and employes, for the payment of general expenses, for the payment of rentals of patented leased office devices, for the purchase of furniture and equipment, for the purchase of supplies, printing and books and for all other expenses necessary for the conduct of the work of the Board of Arbitration of Claims, the sum of fifteen thousand dollars ($15,000).

To the Treasury Department

For the payment of salaries, wages or other compensation of a deputy state treasurer and other employes, for the payment of general expenses, for the purchase of insurance covering the loss of any or all cash and securities of which the Treasury Department or State Treasurer is custodian and covering forgeries of all kinds on checks, drafts, warrants and requisitions, for the payment of rentals of patented leased office devices and for the purchase of automobiles, furniture, furnishings and equipment, for the purchase of supplies, printing, binding, patent indices, records, law books and other books necessary for the proper conduct of the work of the department, the sum of one hundred eighty-five thousand five hundred dollars ($185,500).

To the Department of Agriculture

For the payment of salaries, wages or other compensation of employes, for the payment of general expenses necessary for the proper conduct of the work of the State Farm Products Show Commission, for the payment of premium awards, for exhibits at the State Farm Product Show and for the maintenance of the State Farm Show Building and the grounds surrounding it, the sum of twenty-five thousand dollars ($25,000).

To the Department of Commerce

For the payment of salaries, wages or other compensation of a deputy secretary and other employes, for the payment of general expenses, advertising, supplies, printing and equipment necessary for the proper conduct of the work of the department, including the work of the department with respect to collecting press information and distributing it to the several administrative departments, boards and commissions, and to legislative offices and legislative agencies, the sum of fifty thousand dollars ($50,000), and in addition thereto, any amount appropriated to the department out of the Motor License Fund, which shall be credited to the appropriation made by this paragraph and shall be available for the purposes herein enumerated.

To the Department of Health

For the payment of salaries, wages or other compensation of a deputy secretary and other employes, for the payment of general expenses, supplies, printing and equipment necessary for the proper conduct of the work of the department, the Sanitary Water Board, the Advisory Health Board and other boards, the sum of one hundred forty thousand dollars ($140,000) and in addition to said amount all contributions received by the department from private sources for the express use of the department in public health work shall be paid into the General Fund and credited to this appropriation.

To the Insurance Department

For the payment of salaries, wages or other compensation of a deputy secretary and other employes; for the payment of general expenses, supplies, printing and equipment necessary for the proper conduct of the work of the department, and for the payment of costs in court proceedings to forfeit charters of extinct companies, the sum of twenty thousand dollars ($20,000), and in addition to said amount all income and all moneys collected by the Insurance Department from foreign insurance companies for examinations made by the Insurance Department and paid into the General Fund of the State Treasury, are hereby appropriated out of the General Fund to the Insurance Department and shall be credited to the appropriation made by this paragraph.

To the Department of Justice

For the payment of salaries, wages and other compensation of the supervisor of paroles, chief field agents, field agents and other employes for the payment of general expenses, supplies, printing and equipment necessary for the proper conduct of the work of the Board of Pardons in supervising prisoners released on parole from the State penitentiaries and the Pennsylvania Industrial School and for other parole work of the board, the sum of three hundred sixty thousand dollars ($360,000).

For the payment of all expenses whatsoever necessary for the prosecution by the Department of Justice either alone or in cooperation with other law enforcement agencies of this or any other state or of the United States of America of persons, associations or corporations engaged in treasonable, seditious and subversive activities directed against the government of this Commonwealth or of the United States of America, or both, including any activities designed and directed toward the impairment, hindrance, delay, sabotage of or interference with the duly established National Defense Program including the manufacture, production and furnishing of materials, equipment and supplies, for this purpose, the sum of one hundred thousand dollars ($100,000)

To the Department of Labor and Industry

For the payment of salaries, wages or other compensation of the members of the Workmen's Compensation Board, Workmen's Compensation Referees, Pennsylvania

Labor Relations Board, the members of the Industrial Board, a deputy secretary and other employes for the payment of general expenses, supplies, printing and equipment necessary for the proper conduct of the work of the department, the Workmen's Compensation Board, the Workmen's Compensation Referees, Pennsylvania Labor Relations Board and the Industrial Board and for compensation and expenses of wage boards, the sum of one hundred seventy-five thousand dollars ($175,000).

To the Department of Public Assistance

For the payment of assistance, administrative expenses, attorneys' fees for allocation, from time to time, to the several assistance programs (old age assistance, aid to dependent children, pensions for the blind, general assistance and other programs provided by the Public Assistance Law) and the administrative expenses of the several county boards of assistance and for such administrative expenses incurred by the department which are chargeable to such boards as may be necessary for the proper conduct of the department with respect to the Public Assistance Law, the sum of fifteen million dollars ($15,000,000): Provided however, That no part of this appropriation shall be available (1) until after July first, one thousand nine hundred forty-two; and (2) unless the Governor, from time to time, by his proclamation, shall indicate that the revenues of the General Fund will be sufficient for the payment of all or part of this appropriation, whereupon this appropriation shall become available for expenditure to the extent indicated in any such proclamation.

Out of the moneys, hereinbefore appropriated to the Department of Public Assistance, quarterly allocations shall be made to the Department of the Auditor General and the Treasury Department, respectively, in such amounts as may be deemed necessary to pay the administrative expenses of such departments in auditing and disbursing appropriations for or relating to public assistance, including any Federal sums supplementing such appropriations. In the case of the Department of the Auditor General, said allocations shall be made by the Governor, President Pro Tempore of the Senate, Speaker of the House of Representatives and the Auditor General or a majority thereof, and in the case of allocations made to the Treasury Department such allocations shall be made by the Governor, President Pro Tempore of the Senate, Speaker of the House of Representatives and the State Treasurer, or a majority thereof.

To the Department of Public Instruction

For the payment of salaries, wages or other compensation of a deputy, members and other employes for the payment of general expenses, supplies, printing and equipment necessary for the proper conduct of the work of the Department of Public Instruction with respect to professional education and licensure and the professional examining boards and advisory committees within the department, the sum of one hundred thousand dollars ($100,000): Provided, That no part of this appropriation shall be expended for any purpose other than the work of the department with respect to the certification of teachers, professional education and licensure, and the professional examining boards and advisory committees within the department.

For the payment of salaries, wages or other compensation of a secretary and other employes, for the payment of general expenses, supplies, printing and equipment necessary for the proper conduct of the work of the Pennsylvania Historical Commission, and for the purchase of archaeological collections and maintenance of historical monuments, sites, buildings and markers as provided by law and as authorized and approved by the Superintendent of Public Instruction, the sum of fifty thousand dollars ($50,000)

For the payment of the expenses of assistant county superintendents of public schools and supervisors of special education, as required by law, the sum of twenty-seven thousand four hundred six dollars ($27,406).

For reimbursing fourth class school districts upon the increase in the salaries of teachers of elementary schools of such districts in accordance with law, the sum of two hundred ninety-eight thousand nine hundred thirty dollars ($298,930)

For the payment of salaries, wages and all other expenses of the department in conducting examinations of auditory acuity of pupils in the public schools, the sum of twenty thousand dollars ($20,000).

For reimbursing school districts for their costs in providing part-time instruction in the homes of children prevented by physical incapacity from attending school, the sum of five thousand dollars ($5,000).

To the Pennsylvania Public Utility Commission

For the payment of salaries, wages or other compensation of a secretary and other employes, and for the payment of general expenses, supplies, printing and equipment necessary for the proper conduct of the work of the commission, the sum of one hundred thousand dollars ($100,000)

To the Department of Revenue

For the payment of salaries, wages or other compensation of a deputy, secretary and other employes for the payment of general expenses, rentals, equipment and other expenses, incidental to the collection of inheritance and estate taxes and mercantile license taxes, supplies, printing and equipment necessary for the proper conduct of the work of the department for the payment of cost of filing liens, for the purchase of tax stamps and for the payment of costs of advertising required by any act of Assembly in connection with the escheat of moneys and property to the Commonwealth or in connection with the payment of unclaimed moneys into the State Treasury without escheat, the sum of two hundred fifty thousand dollars ($250,000): Provided however, That to the extent to which appropriations have been made to the department out of special funds for any of the foregoing purposes, this appropriation shall not be used for such purposes.

For the payment of the salaries, wages or other compensation of such special deputy, attorneys general, special attorneys appointed by the Attorney General, experts, scientists, examiners, statisticians, clerks, stenographers and other assistants and employes, and for costs, witness fees, postage, express charges, telegraph and telephone charges and all other expenses whatsoever, as may be necessary for the proper conduct of investigations and litigation in the Estate of Henrietta E. Garrett, Deceased, the sum of fifty thousand dollars ($50,000)

To the Department of State

For the payment of salaries, wages or other compensation of a deputy secretary and other employes; for the payment of general expenses, supplies, printing, and equipment necessary for the proper conduct of the work of the department and for proof-reading the Pamphlet Laws, the sum of eighteen thousand dollars ($18,000).

For the payment of salaries, wages or other compensation of commissioners and other employes, and for the payment of printing and other expenses of the department including the reimbursement of counties for expenses incurred in taking the vote of citizens of the Commonwealth who are in the active Military Service of the United States, the sum of two hundred thousand dollars ($200,000).

To the Department of Welfare

For the payment of salaries, wages or other compensation of the superintendents or wardens and other employes; for the payment of general expenses, supplies and printing; for repairs, alterations and improvements to plant and equipment; for improvements to land; for the purchase of equipment, furniture, furnishings and live stock; for expenses of the boards of trustees and incidental expenses; for the payment of gratuities, clothing and parole expenses and for all other expenses of maintenance and operation necessary for the proper conduct of the work of the Pennsylvania Industrial School at Huntingdon, the

Pennsylvania Training School at Morganza, the State Industrial Home for Women at Muncy, the Eastern State Penitentiary at Philadelphia and Graterford, the Western State Penitentiary at Pittsburgh, the State Penitentiary at Rockview and any other institution established for the custody of prisoners as may be authorized and approved by the Secretary of Welfare, the sum of one hundred thousand dollars ($100,000).

For the payment of salaries, wages or other compensation of the Superintendents and other employes; for the payment of general expenses, supplies and printing; for repairs, alterations and improvements to plant and equipment; for improvements to land; for the purchase of equipment, furniture, furnishings and live stock; for expenses of the boards of trustees and incidental expenses and for all other expenses of maintenance and operation necessary for the proper conduct of the work of the Allentown State Hospital at Allentown, the Danville State Hospital at Danville, the Farview State Hospital at Farview, the Harrisburg State Hospital at Harrisburg, the Norristown State Hospital at Norristown, the Torrance State Hospital at Torrance, the Warren State Hospital at Warren, the Philadelphia State Hospital at Philadelphia, the Wernersville State Hospital at Wernersville and any institution of any city, county or institution district taken over by the Commonwealth by law for operation and management as a State mental hospital as may be authorized and approved by the Secretary of Welfare, the sum of five million eight hundred fifty thousand dollars ($5,850,000): Provided, That this appropriation shall also be available for the purpose of reimbursing any city, county or institution district for proper charges sustained in the operation after June first, one thousand nine hundred forty-one of any institution taken over by the Commonwealth by law for operation and management as a State mental hospital.

For the payment of salaries, wages or other compensation of the superintendents and other employes; for the payment of general expenses, supplies and printing; for repairs, alterations and improvements to plant and equipment; for improvements to lands for the purchase of equipment, furniture, furnishings and live stock; for expenses of the boards of trustees and incidental expenses and for all other expenses of maintenance and operation necessary for the proper conduct of the work of the Laurelton State Village at Laurelton, the Pennhurst State School at Pennhurst, the Polk State School at Polk, the Selinsgrove State Colony for Epileptics at Selinsgrove and any other institution established for the care and treatment of mental defectives and epileptics as authorized and approved by the Secretary of Welfare the sum of one hundred thousand dollars ($100,000).

For the payment of salaries, wages or other compensation of the superintendents and other employes; for the payment of general expenses, supplies and printing for repairs; for the purchase of equipment, furniture and furnishings; for expenses of the boards of trustees and incidental expenses, and for all other expenses of maintenance and operation necessary for the proper conduct of the work of the Ashland State Hospital at Ashland, the Blossburg State Hospital at Blossburg, the Coaldale State Hospital at Coaldale, the Connellsville State Hospital at Connellsville, the Hazleton State Hospital at Hazleton, the Locust Mountain State Hospital at Shenandoah, the Nanticoke State Hospital at Nanticoke, the Philipsburg State Hospital at Philipsburg, the Scranton State Hospital at Scranton and the Shamokin State Hospital at Shamokin as may be authorized and approved by the Secretary of Welfare, the sum of two hundred thousand dollars ($200,000).

II Legislative Department

To the Joint State Government Commission

For the payment of wages and other compensation of the employes and for the payment of general expenses necessary for the proper conduct of the work of the Joint State Government Commission, the sum of fifty thousand dollars ($50,000) to be paid on warrants of the Auditor General in favor of the chairman of said commission on the presentation of his requisition for the same. The chairman shall file an accounting of said expenses with the Auditor General.

The amendments were agreed to.

The section was agreed to as amended.

The title was read and agreed to.

And said bill having been read at length the second time and agreed to as amended.

Ordered, To be transcribed for a third reading.

Mr. ACHTERMAN asked and obtained unanimous consent to call up out of order House Bill No. 1745, (Senate Bill No. 839), Printer's No. 305, on page 6 of today's calendar, bills on second reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 1745, (Senate Bill No. 839), entitled:

An Act to further amend Section 7 of the act, approved the fifth day of May, one thousand nine hundred twenty-one (P. L. 374), entitled "An act providing for the licensing and regulation of corporations, copartnerships, associations, and individuals, engaged in the business of receiving payments or contributions to be held or used in any plan of accumulation or investment, or of issuing, negotiating, offering for sale or selling any certificates, securities, contracts, or other choses in actions evidenced by writing on the partial payment or instalment plan, or of assuming fixed obligations, or issuing, in connection therewith, a contract based upon payments being made upon instalments or single payments, under which all or part of the total amount received is to be repaid at some future time, with or without profit; and imposing penalties," requiring corporations and persons licensed under said act to deposit additional security with the Commission for the fulfillment of their contracts.

The first section was read.

On the question,

Will the House agree to the section?

Mr. SKALE. Mr. Speaker, I desire to offer the following amendments.

The amendments were read by the Clerk as follows:

Amend Section 1, page 2, line 1, by striking out the word "Section" immediately before the word "seven" and inserting in lieu thereof the following: "Sections 4 and".

Amend Section 1, page 2, line 17, by striking out the word "is" and inserting in lieu thereof the following: "are".

Amend Section 1, page 2, by inserting between lines 18 and 19 the following: "Section 4. No corporation or person shall be licensed under the provisions of this act unless and until it has deposited with the [commissioner] commission in cash or bonds of the United States, or of the State of Pennsylvania, or of cities, counties, boroughs, or school districts of this Commonwealth, or any other State of the United States, approved by the [commissioner] commission, of the clear market value of one hundred thousand dollars ($100,000), as security for the fulfillment of its contracts made heretofore or hereafter with residents of Pennsylvania. Exchanges of such bonds may be made from time to time with the approval of the [commissioner] commission. If any of said bonds are called for payment, the proceeds thereof shall remain in the hands of the [commissioner] commission until other bonds of the character described in this section shall be substituted in like amount for the bonds so paid. The corporation or person making such deposit shall be entitled to the income thereon. Provided, however, That nothing contained in this Section 4 shall apply to corporations or persons acting solely as distributors of

investment plans or contracts issued by other corporations or persons licensed under the provisions of this act."

Amend Section 1 (Sec. 7), page 2, line 19 by placing light-faced bracket before the word "The" thus: "[The".

Amend Section 1, (Sec. 7), page 2, line 20 by placing light-faced bracket after the word "to" thus: "to]".

Amend Section 1, (Sec. 7), page 2, line 20, by inserting after the word "to" the following: "Every corporation or person licensed under the provisions of this act is required to".

Amend Section 1 (Sec. 7), page 2, line 26, by inserting before the word "as" the following: "equal to one hundred per cent (100%) of the net liability of such corporation or person to contract holders in this State after deduction from such net liability of the deposit required under Section 4 of this act."

Amend Section 1 (Sec. 7), page 2, line 27, by inserting before the word "its" the following: "such of".

Amend Section 1 (Sec. 7), page 2, line 27, by inserting after the word "contracts" the following: "as are not secured by property, real or personal, of a value at least equal to the amount which such corporation or person is currently liable to pay in cash to the holders or owners of such contracts under the terms thereo, which property is held by a national bank authorized to act as fiduciary by the laws of the state in which such national bank operates."

Amend Section 1 (Sec. 7), page 3, line 4, by inserting after the word "vested" the following: "at the close of each calendar year or oftener if the Commission may require".

Amend Section 1 (Sec. 7), page 3, line 5, by inserting after the word "or" the following: "(a) in bonds of the Federal Land Banks; (b) in debentures issued by the Federal Housing Administrator in settlement of claims for insurance pursuant to title two of the National Housing Act; (c) in securities of national mortgage associations, or similar national mortgage credit institutions now or hereafter organized under title three of the National Housing Act; (d) in first encumbrances upon standard steam railways, or upon their rolling stock equipment, or of water, gas or other public utility companies; or bonds issued to retire a prior debt, or bonds prior thereto, or in other bonds or notes of the above named corporations, upon which no default in interest exists at the time of purchase; (e) first mortgages on improved real estate in the Commonwealth of Pennsylvania, provided that no loan shall exceed sixty-six and two-thirds per cent (66 2/3%) of the fair market value thereof at the time of such loan; (f) in bonds, notes, or other obligations of any corporation other than those mentioned in Section 7 (a), (b), (c), or (d); Provided, That said corporation shall have earned in each of its three fiscal years next preceding the date of the investment an amount equal to one and one-half times the total interest on its debt; and (g) bonds or notes secured by mortgages insured by the Federal Housing Administrator; Provided, That the restrictions set forth in Section 7 (e) shall not apply to such insured mortgages. Nothing in this section shall be construed as permitting the deposit of stocks of any corporation."

Amend Section 1 (Sec. 7), page 3, by striking out the following beginning in line 5: "in such other securities as the Commission may from time to time designate by rule or regulation and".

Amend Section 1 (Sec. 7), page 3, line 7, by placing light-faced brackets before and after the word "forthwith" thus: "[forthwith]".

Amend Section 1 (Sec. 7), page 3, line 7, by inserting before the word "deposited" the following: "such fund shall be".

Amend Section 1 (Sec. 7), page 3, line 3 by striking out the word "Such" and inserting in lieu thereof the word: "The".

Amend Section 1 (Sec. 7), page 3, line 3 by inserting after the word "fund" the following: "required as to contracts not otherwise secured as herein specified".

Amend Section 1 (Sec. 7), page 3, line 9, by inserting after the word "section" the following: "four".

Amend Section 1, (Sec. 7), page 3, line 12, by striking out the following: "The Commission may require every", and inserting in lieu thereof the following: "Every".

Amend Section 1 (Sec. 7), page 3, line 13, by inserting after the word "hereunder" the following "is required".

Amend Section 1, (Sec. 7), page 3, line 13, by striking out the word "it", and inserting in lieu thereof the following: "the commission at the close of each calendar year or oftener".

Amend Section 1 (Sec. 7), page 3, line 16, by inserting after the word "holders" the following: "Nothing contained in this Section 7 shall apply to corporations or persons acting solely as distributors of investment plans or contracts issued by other corporations or persons licensed under the provisions of this act".

Amend page 3 by inserting after line 16, the following:

"Section 2. This act shall become effective on December 1, 1941."

The amendments were agreed to.

The section was agreed to as amended.

The title was read.

On the question,

Will the House agree to the title?

Mr. SKALE. Mr. Speaker, I desire to offer the following amendments.

The amendments were read by the Clerk as follows:

Amend title, page 1, line 1 of title, by striking out the word "Section" and inserting in lieu thereof the following: "Sections 4 and".

Amend title, page 2, line 2 of title, by inserting after the word "contracts" the following: "and exempting certain licensees from deposit of security in full or in part".

The amendments were agreed to.

The title was agreed to as amended.

And said bill having been read at length the second time and agreed to as amended.

Ordered, To be transcribed for a third reading.

Mr. ACHTERMAN asked and obtained unanimous consent to call up out of order House Bill No. 1872, (Senate Bill No. 1091), Printer's No. 437, on page 9 of today's calendar, bills on second reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 1872, (Senate Bill No. 1091), entitled:

An Act to amend the act approved the thirtieth day of March one thousand nine hundred thirty-seven (P. L. one hundred fifteen) entitled "An act to provide for the permanent personal registration of electors in cities of the first class as a condition of their right to vote at elections and primaries and their enrollment as members of political parties as a further condition of their right to vote at primaries prescribing certain procedure for the conduct of elections and primaries and the challenge and proof of qualifications of electors and prescribing the powers and duties of citizens parties bodies of electors registration commissions commissioners registrars inspectors of registration and other appointees of registration commission election officers municipal officers departments and bureaus police officers courts judges prothonotaries sheriffs county commissioners peace officers county treasurers county controllers registrars of vital statistics real

estate brokers rental agents certain public service companies persons firms and corporations operating vehicles for moving furniture and household goods and boards of school directors and imposing penalties" as amended by requiring and providing for the registration of persons in military service to entitle them to vote at any election.

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for a third reading.

Mr. ACHTERMAN asked and obtained unanimous consent to call up out of order House Bill No. 1954, Printer's No. 1161, on page 1 of today's calendar, bills on second reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 1954, entitled:

An Act to add section two hundred twenty-nine and one-tenth to the act approved the second day of May one thousand nine hundred and twenty-five (P. L. 448) entitled "An act relating to fish and amending revising consolidating and changing the law relating to fish in the inland waters and the boundary lakes and boundary rivers of the Commonwealth" limiting the right of certain lessees or owners of or holders of certain rights in property for fishing purposes to exclu..e the general public from fishing from such property

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

FORMER HOUSE OFFICIAL WELCOMED

The SPEAKER. The Chair welcomes to the House the former Assistant to the Chief Clerk, Mr. Walter Miller, of Allegheny County.

SENATE MESSAGE

AMENDED HOUSE BILL RETURNED FOR CONCURRENCE

The Clerk of the Senate being introduced, returned bill from the House of Representatives numbered and entitled as follows:

HOUSE BILL No. 602.

An Act to amend sections eight hundred one and nine hundred seventy-six of the act, approved the third day of June one thousand nine hundred thirty-seven (P. L. 1333), entitled "An act concerning elections, including general, municipal, special and primary elections, the nomination of candidates, primary and election expenses and election contests; creating and defining membership of county boards of elections; imposing duties upon the Secretary of the Commonwealth, courts, county boards of elections, county commissioners; imposing penalties for violation of the act, and codifying, revising and consolidating the laws relating thereto; and repealing certain acts and parts of acts relating to elections," by further defining parties and political bodies; providing procedure for rejection of nomination petitions, papers or certificates in certain cases; imposing duties on the Governor and the Attorney General and imposing additional duties on county boards of elections, the Secretary of the Commonwealth and the courts.

With the information that the Senate has passed the same with amendments, in which the concurrence of the House of Representatives is requested.

The SPEAKER. The Clerk will read the amendments.

The Clerk read the amendments as follows:

Amend Section 2, page 8, line 14, by inserting after the word "paper" the word "petition."

On the question,

Will the House concur in the amendments made by the Senate?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows, viz:

YEAS—204

Achterman,	French,	Malloy,	Royer,
Allmond,	Gallagher,	Marks.	Rush,
Auker,	Gates.	Maxwell,	Sarge,
Baker,	Gerard,	McClanaghan.	Sarraf,
Balthaser.	Gillan,	McClester.	Scanlon.
Bentley.	Gillette,	McDermott.	Schwab.
Bentzel.	Goodwin.	McDowell.	Serrill.
Boies,	Greenwood,	McFall.	Shaffer.
Boney.	Gross.	McIntosh.	Shaw.
Boorse,	Gryskewicz,	McKinney.	Shepard.
Bower,	Gyger,	McLanahan	Simons.
Bradley.	Habbyshaw,	McLane.	Skale.
Bretherick,	Haberlen,	McMillen,	Snyder.
Brown,	Haines,	McSurdy.	Sollenberger
Brunner, C. H.	Hall.	Melchiorre,	Sorg,
Brunner. P. A.	Hamilton.	Mihm,	Stambaugh
Burns,	Hare,	Modell,	Stank,
Burris.	Harkins.	Monks,	Stine.
Cadwalader,	Harmuth,	Mooney,	Stockham.
Chervenak,	Harris,	Moran,	Tarr,
Chudoff,	Heatherington,	Moul,	Tate
Cochran,	Helm.	Muir.	Taylor,
Cohen, M M..	Hering,	Munley	Thompson, E. F.,
Cohen, R. E..	Herman,	Nagel	Thompson, R. L.,
Cook.	Hersch,	Nunemacher	Trout.
Cooper.	Hewitt,	O'Brien.	Turner,
Cordier.	Hirsch.	O'Connor	VanAllsburg,
Corrigan.	Holland,	O'Dare,	Verona,
Croop.	Huntley,	O'Mullen,	Vincent,
Cullen.	Imbrie,	O'Neill,	Vogt.
Dalrymple,	James.	Owens.	Voldow.
Dennison,	Jefferson,	Petrosky.	Voorhees,
DiGenova,	Jones, G. E.,	Pettit.	Wagner,
Dix.	Jones, P N.,	Polaski,	Watkins.
Dolon.	Keenan.	Polen,	Weingartner.
D'Ortona.	Kenehan,	Powers,	Weiss.
Duffy,	Kline,	Prosen,	Welsh E B.,
Early.	Knoble,	Rank,	Welsh, M. J.,
Eckels,	Kolankiewicz,	Rausch,	Wilkinson,
Elder.	Komorofski,	Readinger,	Williams.
Elliott.	Krise,	Reagan.	Winner
Ely.	Lee, E. A.,	Reese, D. P.,	Wood, L. H..
Falkenstein,	Lee, T. H.,	Reese, R E..	Wood, N.,
Finestone,	Leisey.	Regan,	Woodring.
Finnerty.	Leonard,	Reynolds.	Woodside
Fisher,	Lesko,	Rhea,	Wright.
Fiss	Levy.	Riley.	Yeakel,
Fleming	Lewdic.	Rooney.	Yester.
Fletcher	Lichtenwalter.	Rose, S.,	Young.
Flynn	Longo.	Rose, W E.,	Kilroy.
Foor,	Lovett,	Rosenfeld,	Speaker.
	Lyons,		

NAYS—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative, and the amendments were concurred in.

Ordered, That the Clerk inform the Senate accordingly.

RESOLUTION

AMENDMENTS TO HOUSE RULES

Mr. ACHTERMAN asked and obtained unanimous consent to offer and for the immediate consideration a Resolution from the Committee on Rules.

The resolution was read by the Clerk as follows:

In the House of Representatives, July 11, 1941.

Resolved, That Rule 41 of the House of Representatives, which reads as follows:

"Calendar of Bills

41. All bills and resolutions reported affirmatively shall be placed on the calendars in the order in which they were reported to the House. The Chief Clerk shall prepare all calendars of bills," is hereby amended to read as folows:

Calendar of Bills

41. All bills and resolutions reported affirmatively shall be placed on the calendars. Those reported as committed shall precede those reported with amendments. The Chief Clerk shall prepare all calendars of bills.

Resolved, That Rule 44 of the House of Representatives, which reads as follows:

"Second Reading

44. When bills are on second reading, they shall be considered by sections or articles and be subject to amendment in any part. The title of the bill shall be read last.

No house bill shall be considered unless called up from the second reading calendar by a member. If not called up for fourteen calendar days it shall be dropped from the calendar unless otherwise ordered by the House.

Bills on second reading shall be placed upon the calendar in the order in which they were agreed to on first reading," is hereby amended to read as follows:

Second Reading

44. When bills are on second reading, they shall be considered by sections or articles and be subject to amendment in any part. The title of the bill shall be read last.

No House bill shall be considered unless called up from the second reading calendar by a member. If not called up for fourteen calendar days it shall be dropped from the calendar unless otherwise ordered by the House.

Bills on second reading shall be placed upon the calendar in the order in which they were agreed to on first reading, except that all bills amended since last appearing on the calendar shall be placed at the end of the calendar of bills on second reading.

Resolved, That Rule 45 of the House of Representatives, which reads as follows:

"Third Reading and Final Passage

45. When bills on third reading are in order, the Speaker shall take up the calendar and announce each bill in its order, when it shall be read at length, and, having been agreed to, the Speaker shall announce as follows:

"This bill has been read three times, at length, on three different days, considered and agreed to, and is now on its final passage. Agreeable to the provisions of the Constitution, the yeas and nays will be taken. The question is—'shall the bill pass finally.'"

Bills on third reading and final passage shall be placed upon the calendars in the order in which they were agreed to on second reading and third reading, respectively," is hereby amended to read as follows:

Third Reading and Final Passage

45. When bills on third reading are in order, the Speaker shall take up the calendar and announce each bill in its order, when it shall be read at length, and, having been agreed to, the Speaker shall announce as follows:

"This bill has been read three times, at length, on three different days, considered and agreed to, and is now on its final passage. Agreeable to the provisions of the Constitution, the yeas and nays will be taken. The question is—'Shall the bill pass finally.'"

Bills on third reading and final passage shall be placed upon the calendars in the order in which they were agreed to on second reading and third reading, respectively, except that all bills amended since last appearing on the calendar shall be placed at the end of the calendar of bills on third reading or final passage, as the case may be.

Resolved, That Rule 49 of the House of Representatives, which reads as follows:

"How Amendments Shall be Printed

49. In printing amendments to House or Senate bills, all new matter inserted shall be italicized and all matter eliminated from the bill shall be enclosed in heavy black face brackets. The letter "H" shall be inserted in a bill before each amendment adopted on the floor of the House and the letters "HC" shall be inserted in a bill before each amendment made by the Committees of the House," is hereby amended to read as follows:

How Amendments Shall be Printed

49. In printing amendments to House or Senate bills, all new matter inserted shall be italicized and all matter eliminated from the bill shall be printed in Roman type with a light horizontal line through its center (strike-out type). In reprinting House bills previously amended by the House, and in reprinting Senate bills previously amended by the Senate, all matter appearing in strike-out type shall be dropped entirely from the new print, and all matter appearing in italics shall be reset in Roman type.

On the question,

Will the House adopt the resolution?

It was adopted.

SENATE MESSAGES

AMENDED HOUSE BILL RETURNED FOR CONCURRENCE

The Clerk of the Senate being introduced, returned bill from the House of Representatives numbered and entitled as follows:

HOUSE BILL No. 708.

An Act enabling city county poor institution district ward school borough and township tax collectors their executors and administrators if they are deceased or either surety or sureties to collect taxes for the payment of which they have become personally liable without having collected the same by the expiration of the authority of their respective warrants or by the expiration of their terms of office extending the time for the collection of the same for a period of two years from the passage of this act and validating collections and proceedings for collections made or commenced without previous authority

With the information that the Senate has passed the same with amendments, in which the concurrence of the House of Representatives is requested.

The SPEAKER. The Clerk will read the amendments.

The Clerk read the amendments as follows:

Amend Section 1, page 2, line 2, by striking out after the word "have" the word "heretofore."

On the question,

Will the House concur in the amendments made by the Senate?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows, viz:

YEAS—204

Achterman,	French,	Malloy,	Royer,
Allmond,	Gallagher,	Marks,	Rush,
Auker,	Gates,	Maxwell,	Sarge,

Baker,	Gerard,	McFall,	Sarraf,
Balthaser,	Gillan,	McIntosh,	Scanlon,
Bentley,	Gillette,	McClester,	Schwab,
Bentzel,	Goodwin,	McDermott,	Serrill,
Boles,	Greenwood,	McDowell,	Shaffer,
Boney,	Gross,	McKinney,	Shaw,
Boorse,	Gryskewicz,	McClanaghan,	Shepard,
Bower,	Gyger,	McLanahan,	Simons,
Bradley,	Habbyshaw,	McLane,	Skale,
Bretherick,	Haberlen,	McMillen,	Snyder,
Brown,	Haines,	McSurdy,	Sollenberger,
Brunner, C. H.,	Hall,	Melchiorre,	Sorg,
Brunner, P. A.,	Hamilton,	Mihm,	Stambaugh,
Burns,	Hare,	Modell,	Stank,
Burris,	Harkins,	Monks,	Stine,
Cadwalader,	Harmuth,	Mooney,	Stockham,
Chervenak,	Harris,	Moran,	Tarr,
Chudoff,	Heatherington,	Moul,	Tate,
Cochran,	Helm,	Muir,	Taylor,
Cohen, M. M.,	Hering,	Munley,	Thompson, E. F.,
Cohen, R. E.,	Herman,	Nagel,	Thompson, R. L.,
Cook,	Hersch,	Nunemacher,	Trout,
Cooper,	Hewitt,	O'Brien,	Turner,
Cordier,	Hirsch,	O'Connor,	Van Allsburg,
Corrigan,	Holland,	O'Dare,	Verona,
Croop,	Huntley,	O'Mullen,	Vincent,
Cullen,	Imbrie,	O'Neill,	Vogt,
Dalrymple,	James,	Owens,	Voldow,
Dennison,	Jefferson,	Petrosky,	Voorhees,
DiGenova,	Jones, G. E.,	Pettit,	Wagner,
Dix,	Jones, P. N.,	Polaski,	Watkins
Dolon,	Keenan,	Polen,	Weingartner,
D'Ortona,	Kenehan,	Powers,	Weiss,
Duffy,	Kline,	Prosen,	Welsh, E. B.,
Early,	Knoble,	Rank,	Welsh, M. J.,
Eckels,	Kolankiewicz,	Rausch,	Wilkinson,
Elder,	Komorofski,	Readinger,	Williams,
Elliott,	Krise,	Reagan,	Winner,
Ely,	Lee, E. A.,	Reese, D. P.,	Wood, L. H.,
Falkenstein,	Lee, T. H.,	Reese, R. E.,	Wood, N.,
Finestone,	Leisey,	Regan,	Woodring,
Finnerty,	Leonard,	Reynolds,	Woodside,
Fisher,	Lesko,	Rhea,	Wright,
Fiss,	Levy,	Riley,	Yeakel,
Fleming,	Leydic,	Rooney,	Yester,
Fletcher,	Lichtenwalter,	Rose, S.,	Young,
Flynn,	Longo,	Rose, W. E.,	Kilroy,
Foor,	Lovett,	Rosenfeld,	Speaker.
	Lyons,		

NAYS—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative, and the amendments were concurred in.

Ordered, That the Clerk inform the Senate accordingly.

AMENDED HOUSE BILL RETURNED FOR CONCURRENCE

The Clerk of the Senate being introduced, returned bill from the House of Representatives numbered and entitled as follows:

HOUSE BILL No. 437.

An Act Authorizing the Department of Property and Supplies to acquire by purchase, gift, lease or condemnation, on behalf of the Commonwealth of Pennsylvania, ten acres of land adjacent to the Daniel Boone Homestead, or so much thereof as may be necessary to properly honor the pioneer, Daniel Boone, on the spot where he was born; providing for the control, management, supervision, improvement, preservation and maintenance thereof; authorizing the Pennsylvania Historical Commission to make and enforce rules and regulations for the preservation and visitation thereof; and making an appropriation

With the information that the Senate has passed the same with amendments, in which the concurrence of the House of Representatives is requested.

The SPEAKER. The Clerk will read the amendments.

The Clerk read the amendments as follows:

Amend Section 1, page 2, by striking out at the beginning of line 13 the words "upon the westerly boundary."

On the question,

Will the House concur in the amendments made by the Senate?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows, viz:

YEAS—204

Achterman,	French,	Malloy,	Royer,
Allmond,	Gallagher,	Marks,	Rush,
Auker,	Gates,	Maxwell,	Sarge,
Baker,	Gerard,	McClanaghan,	Sarraf,
Balthaser,	Gillan,	McClester,	Scanlon,
Bentley,	Gillette,	McDermott,	Schwab,
Bentzel,	Goodwin,	McDowell,	Serrill,
Boles,	Greenwood,	McFall,	Shaffer,
Boney,	Gross,	McIntosh,	Shaw,
Boorse,	Gryskewicz,	McKinney,	Shepard,
Bower,	Gyger,	McLanahan,	Simons,
Bradley,	Habbyshaw,	McLane,	Skale,
Bretherick,	Haberlen,	McMillen,	Snyder,
Brown,	Haines,	McSurdy,	Sollenberger,
Brunner, C. H.,	Hall,	Melchiorre,	Sorg,
Brunner, P. A.,	Hamilton,	Mihm,	Stambaugh,
Burns,	Hare,	Modell,	Stank,
Burris,	Harkins,	Monks,	Stine,
Cadwalader,	Harmuth,	Mooney,	Stockham,
Chervenak,	Harris,	Moran,	Tarr,
Chudoff,	Heatherington,	Moul,	Tate,
Cochran,	Helm,	Muir,	Taylor,
Cohen, M. M.,	Hering,	Munley,	Thompson, E. F.,
Cohen, R. E.,	Herman,	Nagel,	Thompson, R. L.,
Cook,	Hersch,	Nunemacher,	Trout,
Cooper,	Hewitt,	O'Brien,	Turner,
Cordier,	Hirsch,	O'Connor,	Van Allsburg,
Corrigan,	Holland,	O'Dare,	Verona,
Croop,	Huntley,	O'Mullen,	Vincent,
Cullen,	Imbrie,	O'Neill,	Vogt,
Dalrymple,	James,	Owens,	Voldow,
Dennison,	Jefferson,	Petrosky,	Voorhees,
DiGenova,	Jones, G. E.,	Pettit,	Wagner,
Dix,	Jones, P. N.,	Polaski,	Watkins,
Dolon,	Keenan,	Polen,	Weingartner
D'Ortona,	Kenehan,	Powers,	Weiss,
Duffy,	Kline,	Prosen,	Welsh, E. B.,
Early,	Knoble,	Rank,	Welsh, M. J.,
Eckels,	Kolankiewicz,	Rausch,	Wilkinson,
Elder,	Komorofski,	Readinger,	Williams,
Elliott,	Krise,	Reagan,	Winner,
Ely,	Lee, E. A.,	Reese, D. P.,	Wood, L. H.
Falkenstein,	Lee, T. H.,	Reese, R. E.,	Wood, N.,
Finestone,	Leisey,	Regan,	Woodring,
Finnerty,	Leonard,	Reynolds,	Woodside,
Fisher,	Lesko,	Rhea,	Wright,
Fiss,	Levy,	Riley,	Yeakel,
Fleming,	Leydic,	Rooney,	Yester,
Fletcher,	Lichtenwalter,	Rose, S.,	Young,
Flynn,	Lovett,	Rose, W. E.,	Kilroy,
Foor,	Longo,	Rosenfeld,	Speaker.
	Lyons,		

NAYS—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative, and the amendments were concurred in.

Ordered, That the Clerk inform the Senate accordingly.

REPORTS FROM COMMITTEES

Mr. MELCHIORRE, from the Committee on Rules, reported as committed, House Resolution No. 108.

MR. SARRAF IN THE CHAIR

SENATE MESSAGES

AMENDED HOUSE BILL RETURNED FOR CONCURRENCE

The Clerk of the Senate being introduced, returned bill

from the House of Representatives numbered and entitled as follows:

HOUSE BILL No. 955.

An Act to amend section ninety-five of the act approved the second day of May one thousand nine hundred and twenty-five (P. L. 448) entitled "An act relating to fish and amending revising consolidating and changing the law relating to fish in the inland waters and the boundary lakes and boundary rivers of the Commonwealth" further regulating use of nets in boundary lakes

With the information that the Senate has passed the same with amendments, in which the concurrence of the House of Representatives is requested.

The SPEAKER pro tempore. The Clerk will read the amendments.

The Clerk read the amendments as follows:

Amend the title, page 1, line 7, by striking out the word "nets" and inserting in lieu thereof the word "gill-nets".

Amend Section 1, page 2, line 10, by striking out the light-faced bracket before the word "three-fourth"; also same line, by striking out the light-faced bracket after the word "mile"; also same page by striking out in lines 10 and 11 the words "one and one-eighth miles"; also same page, by inserting at the end of line 11 after the word "line" the words "and no gill-net shall be set fastened drawn or used within one and one-half miles from shore measured in a direct line".

On the question,

Will the House concur in the amendments made by the Senate?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows, viz:

YEAS—204

Achterman,	French,	Malloy,	Royer,
Allmond,	Gallagher,	Marks,	Rush,
Auker,	Gates,	Maxwell,	Sarge,
Baker,	Gerard,	McClanaghan,	Sarraf,
Balthaser,	Gillan,	McClester	Scanlon,
Bentley,	Gillette,	McDermott,	Schwab,
Bentzel,	Goodwin,	McDowell,	Serrill,
Boles,	Greenwood,	McFall,	Shaffer,
Boney,	Gross	McIntosh,	Shaw,
Boorse,	Gryskewicz,	McKinney,	Shepard,
Bower,	Gyger,	McLanahan,	Simons,
Bradley,	Habbyshaw,	McLane,	Skale,
Bretherick,	Haberlen,	McMillen,	Snyder,
Brown	Haines,	McSurdy,	Sollenberger,
Brunner, C. H.,	Hall,	Melchiorre,	Sorg,
Brunner, P. A.,	Hamilton,	Mihm,	Stambaugh,
Burns,	Hare,	Modell,	Stank,
Burris,	Harkins,	Monks,	Stine,
Cadwalader,	Harmuth,	Mooney,	Stockham,
Chervenak,	Harris,	Moran,	Tarr
Chudoff,	Heatherington,	Moul,	Tate,
Cochran,	Helm,	Muir,	Taylor,
Cohen, M. M.,	Hering,	Munley,	Thompson, E. P.,
Cohen, R. E.,	Herman,	Nagel	Thompson, R. L.,
Cook,	Hersch,	Nunemacher,	Trout,
Cooper,	Hewitt,	O'Brien	Turner,
Cordier,	Hirsch,	O'Connor,	Van Allsburg,
Corrigan,	Holland,	O'Dare	Verona,
Croop,	Huntley,	O'Mullen	Vincent,
Cullen,	Imbrie,	O'Neill,	Vogt
Dalrymple,	James,	Owens,	Voldow,
Dennison,	Jefferson,	Petrosky,	Voorhees,
DiGenova,	Jones, G. E.,	Pettit,	Wagner,
Dix,	Jones, P. N.	Polaski,	Watkins
Dolon,	Keenan,	Polen,	Weingartner,
D'Ortona,	Kenehan,	Powers,	Weiss,
Duffy,	Kline	Prosen,	Welsh, E. B.,
Early,	Knoble,	Rank	Welsh, M. J.,
Eckels,	Kolankiewicz,	Rausch,	Wilkinson,
Elder,	Komorofski,	Readinger,	Williams,
Elliott,	Krise,	Reagan,	Winner
Ely,	Lee, E. A.,	Reese, D. P.,	Wood, L. H.,
Falkenstein,	Lee, T. H.,	Reese, R. E.,	Wood, N.,
Finestone,	Leisey,	Regan,	Woodring,
Finnerty,	Leonard,	Reynolds,	Woodside,
Fisher,	Lesko,	Rhea,	Wright,
Fiss,	Levy,	Riley,	Wukel,
Fleming,	Leydic,	Rooney,	Yester,
Fletcher,	Lichtenwalter,	Rose, S.,	Young,
Flynn,	Longo,	Rose, W. E.,	Kilroy,
Foor,	Lovett,	Rosenfeld,	Speaker.
	Lyons,		

NAYS—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative, and the amendments were concurred in.

Ordered, That the Clerk inform the Senate accordingly.

AMENDED HOUSE BILL RETURNED FOR CONCURRENCE

The Clerk of the Senate being introduced, returned bill from the House of Representatives numbered and entitled as follows:

HOUSE BILL No. 1023.

An Act prohibiting employers from directly or indirectly offering for sale selling procuring for sale having in possession or under control for sale to employes or others any merchandise not produced by employers or not handled in the regular course of employer's business providing exceptions thereto declaring such prohibited sales to be unfair competition and repealing prior inconsistent legislation

With the information that the Senate has passed the same with amendments, in which the concurrence of the House of Representatives is requested.

The SPEAKER pro tempore. The Clerk will read the amendments.

The Clerk read the amendments as follows:

Amend the title, page 1, line 4, by striking out after the word "employers" the word "or"; also at the end of line 5 of the title, by inserting after the word "business" the words "or not connected or related to his or its business".

Amend Section 1, page 1, line 5, by striking out after the word "production" the word "or"; also on page 2, line 1, by inserting after the word "business" the words "or not connected with or related to his or its trade or business"; also same page, line 2, by striking out the words "health safety morals"; also same page, line 3, by inserting after the word "public" the words "engaged in retail business"; also same page by striking out in lines 4 to 6 inclusive the words "results in the loss of taxes to the Commonwealth and the various taxing instrumentalities existent in the Commonwealth (2) unreasonably"; also same page, line 7, by inserting after the word "commerce" the words "from persons engaged in retail business and (2)"; also same line by striking out after the word "commerce" the numeral "(3)"; also same page, at the end of line 9, by inserting after the word "commerce" the words "as retail merchants".

Amend Section 2, page 2, line 22, by striking out after the word "production" the word "or"; also same page, at the beginning of line 24, by inserting after the syllable "ness" and before the word "Provided" the words "or not connected with or related to his or its trade or business"; also same page, line 25, by inserting after the word "candy" the word "beverages"; also same page, line 26, by striking out after the word "tobacco" the word "or"; also same line by inserting after the word "used" the words "or worn"; also same page, line 28, by striking out after the word "used" the word "therein" and inserting in lieu thereof the words "and worn by employes"; also on page 3, at the beginning of line 1, by inserting after the word "employes" the following: "(3) equipment or

machinery which has previously been used by such person partnership corporation or association in the conduct of his or its business or (4) goods of use in the furtherance of his or its trade or business or connected therewith or related thereto"; also same page, at the end of line 3, by inserting after the word "Commonwealth" the following: "And provided further That nothing herein contained shall be construed to prohibit or prevent any person firm or corporation engaged in any industry other than a retail business or trade from owning and operating either directly by itself or through any agency or subsidiary a bona fide store or stores for the sale of goods at retail to his or its employes and others under the provisions of this section".

Amend Section 3, page 3, at the end of line 15, by striking out after the word "production" the word "or"; also same page, at the beginning of line 17, by inserting after the word "business" the words "or not connected with or related to his or its trade or business"; also same page, at the end of line 18, by inserting after the word "thereby" the words "Such action shall be in equity by injunction only and no damages shall be assessed".

On the question,

Will the House concur in the amendments made by the Senate?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows, viz:

YEAS—204

Achterman,	French,	Lyons,	Rosenfeld,
Allmond,	Gallagher,	Malloy,	Royer,
Auker,	Gates,	Marks,	Rush,
Baker,	Gerard,	Maxwell,	Sarge,
Balthaser,	Gillan,	McClanaghan,	Sarraf,
Bentley,	Gillette,	McClester,	Scanlon,
Bentzel,	Goodwin,	McDermott,	Schwab,
Boles,	Greenwood,	McDowell,	Serrill,
Boney,	Gross,	McFall,	Shaffer,
Boorse,	Gryskewicz,	McIntosh,	Shaw,
Bower,	Gyger,	McKinney,	Shepard,
Bradley,	Habbyshaw,	McLanahan,	Simons,
Bretherick,	Haberlen,	McLane	Skale,
Brown,	Haines	McMillen,	Snyder,
Brunner C H,	Hall,	McSurdy	Sollenberger,
Brunner, P A,	Hamilton	Melchiorre,	Sorg,
Burns,	Hare,	Mihm,	Stambaugh,
Burris,	Harkins,	Modell,	Stank,
Cadwalader,	Harmuth,	Monks,	Stine,
Chervenak,	Harris,	Mooney,	Stockham,
Chudoff,	Heatherington,	Moran,	Tarr,
Cochran,	Helm,	Moul,	Tate,
Cohen, M M.,	Hering,	Muir,	Taylor,
Cohen R E.,	Herman,	Munley,	Thompson E F.,
Cook,	Hersch,	Nagel	Thompson R L.,
Cooper,	Hewitt,	Nunemacher	Trout,
Cordier,	Hirsch,	O'Brien	Turner
Corrigan,	Holland,	O'Connor	Van Allsburg,
Croop,	Huntley,	O'Dare,	Verona,
Cullen,	Imbrie,	O'Mullen,	Vincent,
Dalrymple,	James,	O'Neill,	Vogt
Dennison,	Jefferson,	Owens,	Voldow,
DiGenova,	Jones, G E.,	Petrosky,	Voorhees,
Dix,	Jones, P N.,	Pettit,	Wagner,
Fenton	Keenan	Polaski,	Watkins
D'Ortona,	Kenehan	Polen,	Weingartner,
Duffy,	Kline	Powers,	Weiss
Early,	Knoble,	Prosen,	Welsh E B.,
Eckels,	Kolankiewicz,	Rank	Welsh, M J.,
Elder,	Komorofski,	Rausch,	Wilkinson,
Elliott,	Krise,	Readinger,	Williams,
Ely	Lee, E A.,	Reagan,	Winner
Falkenstein,	Lee, T H.,	Reese, D P.,	Wood, L H.,
Finestone,	Leisey,	Reese, R E.,	Wood, N.,
Finnerty,	Leonard,	Regan,	Woodring,
Fisher,	Lesko,	Reynolds,	Woodside,
Fisa,	Levy,	Rhea,	Wright,
Fleming,	Leydic,	Riley,	Yeakel,
Fletcher,	Lichtenwalter,	Rooney,	Yester,
Flynn,	Longo,	Rose, S.,	Young,
Foor,	Lovett,	Rose, W E.,	Kilroy, Speaker

NAYS—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative, and the amendments were concurred in.

Ordered, That the Clerk inform the Senate accordingly.

AMENDED HOUSE BILL RETURNED FOR CONCURRENCE

The Clerk of the Senate being introduced, returned bill from the House of Representatives numbered and entitled as follows:

HOUSE BILL No. 1418.

An Act making an appropriation to the Department of Welfare for the maintenance of certain homes.

With the information that the Senate has passed the same with amendments, in which the concurrence of the House of Representatives is requested.

The SPEAKER pro tempore. The Clerk will read the amendments.

The Clerk read the amendments as follows:

Amend Section 1, page 1, by striking out in lines 2 and 3 the words and figures "four hundred seventy-one thousand one hundred and thirty dollars ($471,130)" and inserting in lieu thereof the words and figures "four hundred seventy-seven thousand six hundred and five dollars ($477,605)"; also on page 4, at the beginning of line 22, by striking out the words "Beacon Light Mission" and inserting in lieu thereof the words "Children's Home of"; also at the end of same line by striking out the figures "2,100" and inserting in lieu thereof the figures "1,800"; also same page, at the end of line 28, by striking out the figures "2,000" and inserting in lieu thereof the figures "1,000"; also same page, by striking out all of lines 26 and 27 as follows: "Bethel Orphanage changed to Osceola Home for Children . . . . . 3,000"; also on page 5, at the end of line 2, by striking out the figures "975" and inserting in lieu thereof the figures "2,000"; also same page, at the end of line 5, by striking out the figures "24,000" and inserting in lieu thereof the figures "28,000"; also same page, at the end of line 9, by striking out the figures "7,700" and inserting in lieu thereof the figures "9,800"; also same page, line 14, by striking out the words "Destitute Women and Children" and inserting in lieu thereof the word "Girls"; also same page, at the end of line 20, by striking out the figures "450" and inserting in lieu thereof the figures "700"; also same page, at the end of line 28, by striking out the figures "2,500" and inserting in lieu thereof the figures "1,800"; also on page 6, at the end of line 1, by striking out the figures "4,400" and inserting in lieu thereof the figures "5,400"; also same page, at the end of line 2, by striking out the figures "1,300" and inserting in lieu thereof the figures "1,500"; also same page, at the end of line 13, by striking out the figures "1,200" and inserting in lieu thereof the figures "600"; also same page, by inserting between lines 13 and 14 the following: "McKeesport Day Nursery . . . . . 500"; also same page at the end of line 17, by striking out the figures "2,400" and inserting in lieu thereof the figures "3,000"; also same page, at the end of line 18, by striking out the figures "9,400" and inserting in lieu thereof the figures "9,800"; also same page, at the end of line 25, by striking out the figures "44,000" and inserting in lieu thereof the figures "46,000".

On the question,

Will the House concur in the amendments made by the Senate?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows, viz:

YEAS—204

Achterman,	French,	Lyons,	Royer,
Allmond,	Gallagher,	Malloy,	Rush,
Auker,	Gates,	Marks,	Sarge,
Baker,	Gerard,	Maxwell,	Sarraf,
Balthaser,	Gillan,	McClanaghan,	Scanlon,
Bentley,	Gillette,	McClester,	Schwab,
Bentzel,	Goodwin,	McDermott,	Serrill,
Boles,	Greenwood,	McDowell,	Shaffer,
Boney,	Gross,	McFall,	Shaw,
Boorse,	Gryskewicz,	McIntosh,	Shepard,
Bower,	Gyger,	McKinney,	Simons,
Bradley,	Habbyshaw,	McLanahan,	Skale,
Bretherick,	Haberlen,	McLane,	Snyder,
Brown,	Haines,	McMillen,	Sollenberger,
Brunner, C. H.,	Hall,	McSurdy,	Sorg,
Brunner, P. A.,	Hamilton,	Melchiorre,	Stambaugh,
Burns,	Hare,	Mihm,	Stank,
Burris,	Harkins,	Modell,	Stine,
Cadwalader,	Harmuth,	Monks,	Stockham,
Chervenak,	Harris,	Mooney,	Tarr,
Chudoff,	Heatherington,	Moran,	Tate,
Cochran,	Helm,	Moul,	Taylor,
Cohen, M. M.,	Hering,	Muir,	Thompson, E. F.,
Cohen, R. E.,	Herman,	Munley,	Thompson, R. L.,
Cook,	Hersch,	Nagel,	Trout,
Cooper,	Hewitt,	Nunemacher,	Turner,
Cordier,	Hirsch,	O'Brien,	VanAllsburg,
Corrigan,	Holland,	O'Connor,	Verona,
Croop,	Huntley,	O'Dare,	Vincent,
Cullen,	Imbrie,	O'Mullen,	Vogt,
Dalrymple,	James,	O'Neill,	Voldow,
Dennison,	Jefferson,	Owens,	Voorhees,
DiGenova,	Jones, G. E.,	Petrosky,	Wagner,
Dix,	Jones, P. N.,	Pettit,	Watkins,
Dolon,	Keenan,	Polaski,	Weingartner,
D'Ortona,	Kenehan,	Polen,	Weiss,
Duffy,	Kline,	Powers,	Welsh, E. B.,
Early,	Knoble,	Prosen,	Welsh, M. J.,
Eckels,	Kolankiewicz,	Rank,	Wilkinson,
Elder,	Komorofski,	Rausch,	Williams,
Elliott,	Krise,	Readinger,	Winner,
Ely,	Lee, E. A.,	Reagan,	Wood, L. H.,
Falkenstein,	Lee, T. H.,	Reese, D. P.,	Wood, N.,
Finestone,	Leisey,	Reese, R. E.,	Woodring,
Finnerty,	Leonard,	Regan,	Woodside,
Fisher,	Lesko,	Reynolds,	Wright,
Fiss,	Levy,	Rhea,	Yeakel,
Fleming,	Leydic,	Riley,	Yester,
Fletcher,	Lichtenwalter,	Rooney,	Young,
Flynn,	Longo,	Rose, S.,	Kilroy,
Foor,	Lovett,	Rose, W. E.,	Speaker.
		Rosenfeld,	

NAYS—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative, and the amendments were concurred in.

Ordered, That the Clerk inform the Senate accordingly.

AMENDED SENATE BILL RECALLED FROM THE GOVERNOR RETURNED FOR CONCURRENCE

The Clerk of the Senate being introduced, returned bill from the House of Representatives numbered and entitled as follows:

SENATE BILL No. 599.

An Act to amend section three of the act approved the twenty-third day of March, one thousand eight hundred and sixty-five (P. L. 607), entitled "An act for the better management of the Allegheny county prison" by requiring all contracts involving an expenditure of one hundred dollars to be in writing and prohibiting the making of any contract involving the expenditure of over five hundred dollars unless made with the lowest and best bidder after due advertising and requiring all purchases to be made through the purchasing department of the county.

Said bill having been recalled from the Governor for amendment, the vote had on final passage and third reading reconsidered in the Senate and the bill amended, in which amendments the concurrence of the House of Representatives is requested.

The SPEAKER pro tempore. The Clerk will read the amendments.

The Clerk read the amendments as follows:

Amend the title, page 1, line 6, by striking out after the word "expenditure" the word "of" and inserting in lieu thereof the word "exceeding"; also at end of some line by inserting after the word "writing" the words "and filed with the county controller"; also same page, at the end of line 11 of the title, by inserting after the word "county" the words "and providing for the opening of bids and the award of contracts".

On the question,

Will the House concur in the amendments made by the Senate?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows, viz:

YEAS—204

Achterman,	French,	Lyons,	Royer,
Allmond,	Gallagher,	Malloy,	Rush,
Auker,	Gates,	Marks,	Sarge,
Baker,	Gerard,	Maxwell,	Sarraf,
Balthaser,	Gillan,	McClanaghan,	Scanlon,
Bentley,	Gillette,	McClester,	Schwab,
Bentzel,	Goodwin,	McDermott,	Serrill,
Boles,	Greenwood,	McDowell,	Shaffer,
Boney,	Gross,	McFall,	Shaw,
Boorse,	Gryskewicz,	McIntosh,	Shepard,
Bower,	Gyger,	McKinney,	Simons,
Bradley,	Habbyshaw,	McLanahan,	Skale,
Bretherick,	Haberlen,	McLane,	Snyder,
Brown,	Haines,	McMillen,	Sollenberger,
Brunner, C. H.,	Hall,	McSurdy,	Sorg,
Brunner, P. A.,	Hamilton,	Melchiorre,	Stambaugh,
Burns,	Hare,	Mihm,	Stank,
Burris,	Harkins,	Modell,	Stine,
Cadwalader,	Harmuth,	Monks,	Stockham,
Chervenak,	Harris,	Mooney,	Tarr,
Chudoff,	Heatherington,	Moran,	Tate,
Cochran,	Helm,	Moul,	Taylor,
Cohen, M. M.,	Hering,	Muir,	Thompson, E. F.,
Cohen, R. E.,	Herman,	Munley,	Thompson, R. L.,
Cook,	Hersch,	Nagel,	Trout,
Cooper,	Hewitt,	Nunemacher,	Turner,
Cordier,	Hirsch,	O'Brien,	VanAllsburg,
Corrigan,	Holland,	O'Connor,	Verona,
Croop,	Huntley,	O'Dare,	Vincent,
Cullen,	Imbrie,	O'Mullen,	Vogt,
Dalrymple,	James,	O'Neill,	Voldow,
Dennison,	Jefferson,	Owens,	Voorhees,
DiGenova,	Jones, G. E.,	Petrosky,	Wagner,
Dix,	Jones, P. N.,	Pettit,	Watkins,
Dolon,	Keenan,	Polaski,	Weingartner,
D'Ortona,	Kenehan,	Polen,	Weiss,
Duffy,	Kline,	Powers,	Welsh, E. B.,
Early,	Knoble,	Prosen,	Welsh, M. J.,
Eckels,	Kolankiewicz,	Rank,	Wilkinson,
Elder,	Komorofski,	Rausch,	Williams,
Elliott,	Krise,	Readinger,	Winner,
Ely,	Lee, E. A.,	Reagan,	Wood, L. H.,
Falkenstein,	Lee, T. H.,	Reese, D. P.,	Wood, N.,
Finestone,	Leisey,	Reese, R. E.,	Woodring,
Finnerty,	Leonard,	Regan,	Woodside,
Fisher,	Lesko,	Reynolds,	Wright,
Fiss,	Levy,	Rhea,	Yeakel,
Fleming,	Leydic,	Riley,	Yester,
Fletcher,	Lichtenwalter,	Rooney,	Young,
Flynn,	Longo,	Rose, S.,	Kilroy,
Foor,	Lovett,	Rose, W. E.,	Speaker.
		Rosenfeld,	

NAYS—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative, and the amendments were concurred in.

Ordered, That the Clerk inform the Senate accordingly.

AMENDED HOUSE BILL RECALLED FROM THE GOVERNOR NON-CONCURRED IN BY SENATE

The Clerk of the Senate being introduced, returned bill from the House of Representatives numbered and entitled as follows:

HOUSE BILL No. 803.

An Act to amend section six hundred and forty-three of the act approved the twenty-fourth day of June one thousand nine hundred and thirty-nine (P. L. 872) entitled "An act to consolidate amend and revise the penal laws of the Commonwealth" by prohibiting certain persons from permitting or employing minors under eighteen years of age to sing dance act or exhibit in any place where wines or spirituous or malt liquors are sold or given away or any place connected therewith and prohibiting certain persons from permitting or employing minors under eighteen years of age to sing dance act or exhibit in any dance hall or dance house prohibiting the misrepresentation of age by the aforesaid minors and providing penalties for the violation of the provisions of this act

Said bill having been recalled from the Governor for the purpose of amendment. The vote had on final passage and third reading on said bill was reconsidered in the House of Representatives and the bill amended, in which amendments the Senate has non-concurred.

Mr. ACHTERMAN. Mr. Speaker, I move that the House insist on its amendments non-concurred in by the Senate.

The motion was agreed to.

Ordered, That the Clerk inform the Senate accordingly.

AMENDED SENATE BILL NONCONCURRED IN BY SENATE

The Clerk of the Senate being introduced, informed that the Senate has nonconcurred in the amendments made by the House of Representatives to Senate Bill numbered and entitled as follows:

SENATE BILL No. 1029.

An Act authorizing the Joint State Government Commission to make a thorough study and investigation of the State Employes' Retirement System providing for the employment of necessary clerks and assistants authorizing the subpoenaing of witnesses and records and making an appropriation

Mr. ACHTERMAN. Mr. Speaker, I move that the House insist on its amendments non-concurred in by the Senate.

The motion was agreed to.

Ordered, That the Clerk inform the Senate accordingly.

The SPEAKER. (Elmer Kilroy) IN THE CHAIR

The SPEAKER. The Chair thanks the gentleman from Allegheny, Mr. Sarraf, for presiding.

REQUEST TO HOLD COMMITTEE MEETING

Mr. WOODRING. Mr. Speaker, as Vice Chairman of the Committee on Building and Loan I have been requested in the temporary absence of the Chairman, to ask unanimous consent of the House to hold a meeting of the committee in the Conference room in the rear of the House immediately to consider Senate Bills 512 and 510.

Mr. BAKER. Mr. Speaker, I object for the reason that the Chairman of the Building and Loan Committtee is in and about the House and I see no reason for the Vice Chairman to call a meeting at this time if the Chairman is in and about the House.

The SPEAKER. If the Chairman is in or about the House there is no reason for the Vice Chairman to call a meeting. The Chair would advise the Vice Chairman to contact the Chairman.

Mr. WOODRING. I wish to thank the Speaker for his ruling.

SENATE MESSAGE

SENATE INSISTS ON ITS AMENDMENTS NON-CONCURRED IN BY HOUSE

The Clerk of the Senate being introduced, informed that the Senate has insisted upon its amendments, non-concurred in by the House of Representatives, to House Bill No. 957, entitled:

An Act to amend the act approved the fourth day of June one thousand nine hundred and thirty-seven (P. L. 1625) entitled "An act providing for the creation maintenance and operation of a county employes' retirement system in counties of the third class and imposing certain charges on counties" extending and further regulating such retirement systems

Mr. ACHTERMAN. Mr. Speaker, I move that the House insist upon its non-concurrence in the amendments made and insisted upon by the Senate and that a Committee of Conference be appointed.

The motion was agreed to.

APPOINTMENT OF COMMITTEE OF CONFERENCE ON HOUSE BILL No. 957

The SPEAKER. The Chair appoints as a Committee of Conference on said bill, Messrs. Weiss, Lesko and Lloyd H. Wood.

Ordered, That the Clerk inform the Senate accordingly.

SENATE MESSAGE

APPOINTMENT OF CONFERENCE COMMITTEE ON SENATE BILL No. 51

The Clerk of the Senate being introduced, informed that the Senate insists on its non-concurrence in the amendments made and insisted upon by the House of Representatives to Senate Bill No. 51, entitled:

An Act authorizing and empowering school districts with the consent and approval of the Superintendent of Public Instruction to furnish food including milk to undernourished and poor school children in their districts and providing that the acceptance and distribution of surplus commodities furnished by the Federal Government shall not be affected or limited thereby

And has appointed Messrs. Kephart, Watkins and Lanius a committee of conference to confer with a similar committee of the House of Representatives (if the House of Representatives shall appoint such committee) on the subject of the differences existing between the two Houses in relation to said bill.

Mr. ACHTERMAN. Mr. Speaker, I move that the House insist upon its amendments non-concurred in by the Senate to Senate Bill No. 51, and that a Committee of Conference be appointed.

The motion was agreed to.

APPOINTMENT OF COMMITTEE OF CONFERENCE ON SENATE BILL No. 51

Mr. SPEAKER. The Chair appoints as a Committee of Conference on said bill, Messrs. O'Neill, Bradley and McSurdy.

Ordered, That the Clerk inform the Senate accordingly.

REPORT OF COMMITTEE OF CONFERENCE ON HOUSE BILL No. 1526

Mr. HEATHERINGTON. Mr. Speaker, I desire to submit the report of the Committee of Conference on House Bill No. 1526.

The SPEAKER. The report will lie over for printing under the rules.

MR. ACHTERMAN IN THE CHAIR

BILLS ON THIRD READING

The SPEAKER pro tempore. If there is no objection the Chair will return to the third reading Calendar.

The Chair hears none.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1949, (Senate Bill No. 1283), entitled:

A Supplement to the act, approved the twenty-second day of June, one thousand nine hundred and thirty-one (P. L. 594) entitled "An act establishing certain township roads as State highways; authorizing their construction, maintenance and improvement under certain conditions and restrictions; limiting the obligation of the Commonwealth in the construction of certain structures located on such highways; conferring certain powers upon the Department of Highways and local authorities, persons, associations and corporations for sharing the cost of the maintenance and construction of such highways and making an appropriation to carry out the provisions of said act," establishing an additional route in the County of Warren.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows, viz:

YEAS—204

Achterman,	French,	Malloy,	Royer,
Allmond,	Gallagher,	Marks,	Rush,
Auker,	Gates,	Maxwell,	Sarge,
Baker,	Gerard,	McClanaghan,	Sarraf,
Balthaser,	Gillan,	McClester,	Scanlon,
Bentley,	Gillette,	McDermott,	Schwab,
Bentzel,	Goodwin,	McDowell,	Serrill,
Boles,	Greenwood,	McFall,	Shaffer,
Boney,	Gross,	McIntosh,	Shaw,
Boorse,	Gryskewicz,	McKinney,	Shepard,
Bower,	Gyger,	McLanahan,	Simons,
Bradley,	Habbyshaw,	McLane,	Skale,
Bretherick,	Haberlen,	McMillen,	Snyder,
Brown,	Haines,	McSurdy,	Sollenberger,
Brunner, C. H.,	Hall,	Melchiorre,	Sorg,
Brunner, P. A.,	Hamilton,	Mihm,	Stambaugh,
Burns,	Hare,	Modell,	Stank,
Burris,	Harkins,	Monks,	Stine,
Cadwalader,	Harmuth,	Mooney,	Stockham,
Chervenak,	Harris,	Moran,	Tarr,
Chudoff,	Heatherington,	Moul,	Tate,
Cochran,	Helm,	Muir,	Taylor,
Cohen, M. M.,	Hering,	Munley,	Thompson, E. F.,
Cohen, R. E.,	Herman,	Nagel,	Thompson, R.,
Cook,	Hersch,	Nunemacher,	Trout,
Cooper,	Hewitt,	O'Brien,	Turner,
Cordier,	Hirsch,	O'Connor,	Van Allsburg,
Corrigan,	Holland,	O'Dare,	Verona,
Croop,	Huntley,	O'Mullen,	Vincent,
Cullen,	Imbrie,	O'Neill,	Vogt,
Dalrymple,	James,	Owens,	Voldow,
Dennison,	Jefferson,	Petrosky,	Voorhees,
DiGenova,	Jones, G. E.,	Pettit,	Wagner,
Dix,	Jones, P. N.,	Polaski,	Watkins,
Dolon,	Keenan,	Polen,	Weingartner,
D'Ortona,	Kenehan,	Powers,	Weiss,
Duffy,	Kline,	Prosen,	Welsh, E. B.,
Earp,	Knoble,	Rank,	Welsh, M. J.,
Eckels,	Kolankiewicz,	Rausch,	Wilkinson,
Elder,	Komorofski,	Readinger,	Williams,
Elliott,	Krise,	Reagan,	Winner,
Ely,	Lee, E. A.,	Reese, D. P.,	Wood, L. H.,
Falkenstein,	Lee, T. H.,	Reese, R. E.,	Wood, N.,
Finestone,	Leisey,	Regan,	Woodring,
Finnerty,	Leonard,	Reynolds,	Woodside,
Fisher,	Lesko,	Rhea,	Wright,
Fiss,	Levy,	Riley,	Yeakel,
Fleming,	Leydic,	Rooney,	Yester,
Fletcher,	Lichtenwalter,	Rose, S.,	Young,
Flynn,	Longo,	Rose, W. E.,	Kilroy,
Foor,	Lovett,	Rosenfeld,	Speaker.
	Lyons,		

NAYS—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return it to the Senate with information that the House has passed it without amendment.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1830, (Senate Bill No. 1041), entitled:

An Act to amend the title and section one of the act, approved the twenty-first day of May, one thousand nine hundred and twenty-three (P. L. 295), entitled, "An act authorizing and empowering counties of the second class in this Commonwealth to acquire by lease, purchase, or condemnation proceedings any land within the county for the purpose of establishing and maintaining airdromes or aviation landing fields; providing for the procedure in case of condemnation, and the extent of title acquired; authorizing the lease by the county of portions of said land to individuals or corporations upon such terms as may be fixed, and the lease thereof to the Government of the United States upon nominal rental; authorizing and empowering the county to use land now owned by it for such purposes; and authorizing joint operation by said county and any city within the county of airdromes or aviation landing fields, where such city is authorized to establish and maintain the same," by extending the provisions of such act to all counties of this Commonwealth, except counties of the eighth class.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows, viz:

YEAS—204

Achterman,	French,	Lyons,	Rosenfeld,
Allmond,	Gallagher,	Marks,	Royer,
Auker,	Gates,	Malloy,	Rush,
Baker,	Gerard,	Maxwell,	Sarge,

Balthaser,	Gillan,	McClanaghan,	Sarraf,
Bentley,	Gillette,	McClester,	Scanlon,
Bentzel,	Goodwin,	McDermott,	Schwab,
Boles,	Greenwood	McDowell,	Serrill,
Boney,	Gross,	McFall,	Shaffer,
Boorse,	Gryskewicz,	McIntosh,	Shaw,
Bower,	Gyger,	McKinney,	Shepard,
Bradley,	Habbyshaw,	McLanahan,	Skale,
Bretherick,	Haberlen,	McLane,	Simons,
Brown,	Haines,	McMillen,	Snyder,
Brunner, C. H.,	Hall,	McSurdy,	Sollenberger,
Brunner, P. A.,	Hamilton	Melchiorre,	Sorg,
Burns,	Hare,	Mihm,	Stambaugh,
Burris,	Harkins,	Modell,	Stank,
Cadwalader,	Harmuth,	Monks,	Stine,
Chervenak,	Harris,	Mooney,	Stockham,
Chudoff,	Heatherington,	Moran,	Tarr,
Cochran,	Helm,	Moul,	Tate,
Cohen, M. M.,	Hering,	Muir,	Taylor,
Cohen, R. E.,	Herman,	Munley,	Thompson, E. F.,
Cook,	Hersch,	Nagel,	Thompson, R. L.,
Cooper,	Hewitt,	Nunemacher,	Trout,
Cordier,	Hirsch,	O'Brien,	Turner,
Corrigan,	Holland,	O'Connor,	VanAllsburg,
Croop,	Huntley,	O'Dare,	Verona,
Cullen,	Imbrie,	O'Mullen,	Vincent,
Dalrymple,	James,	O'Neill,	Vogt,
Dennison,	Jefferson,	Owens,	Voldow,
DiGenova,	Jones, G. E.,	Petrosky,	Voorhees,
Dix,	Jones, P. N.,	Pettit,	Wagner,
Dolon,	Keenan,	Polaski,	Watkins,
D'Ortona,	Kenehan,	Polen,	Weingartner,
Duffy,	Kline,	Powers,	Weiss,
Early,	Knoble,	Prosen,	Welsh, E. B.,
Eckels,	Kolankiewicz,	Rank,	Welsh, M. J.,
Elder,	Komorofski,	Rausch,	Wilkinson,
Elliott,	Krise,	Readinger,	Williams,
Ely,	Lee, E. A.,	Reagan,	Winner,
Falkenstein,	Lee, T. H.,	Reese, D. P.,	Wood, L. H.,
Finestone,	Leisey,	Reese, R. E.,	Wood, N.,
Finnerty,	Leonard,	Regan,	Woodring,
Fisher,	Lesko,	Reynolds,	Woodside,
Fiss,	Levy,	Rhea,	Wright,
Fleming,	Leydic,	Riley,	Yeakel,
Fletcher,	Lichtenwalter,	Rooney,	Yester,
Flynn,	Longo,	Rose, S.,	Young,
Foor,	Lovett,	Rose, W. E.,	Kilroy, Speaker.

NAYS—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return it to the Senate with information that the House has passed it without amendment.

THE SPEAKER (Elmer Kilroy) IN THE CHAIR

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1813, as follows:

An Act to amend section seven of the act approved the third day of May one thousand nine hundred and thirty-three (P. L. 242) entitled "An act to promote the public health and safety by providing for examination and registration of those who desire to engage in the occupation of beauty culture and regulating beauty culture shops schools students apprentices teachers managers and operators conferring powers and duties upon the Department of Public Instruction providing for appeals to certain courts by applicants and licenseees and providing penalties" permitting beauty culture schools in certain cases to charge for materials used by students in giving treatments to the public

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1. Section seven of the act approved the third day of May one thousand nine hundred and thirty-three (P. L. 242) entitled "An act to promote the public health and safety by providing for examination and registration of those who desire to engage in the occupation of beauty culture defining beauty culture and regulating beauty culture shops schools students apprentices teachers managers and operators conferring powers and duties upon the Department of Public Instruction providing for appeals to certain courts by applicants and licensees and providing penalties" is hereby amended to read as follows

Section 7. Student Practice Upon the Public for Pay Prohibited Exceptions It shall be unlawful for any school of beauty culture to permit its students to practice beauty culture upon the public under any circumstances except by way of clinical work upon persons willing to submit themselves to such practice after having first been properly informed that the operator is a student No school of beauty culture shall [directly or indireclty] charge any money whatsoever for treatment by its students [or for materials used in such treatment] except such schools may charge for materials used in such treatments when given by a student having received more than three months training in such school

Section 2. The provisions of this act shall become effective immediately upon final enactment.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows, viz:

YEAS—204

Achterman,	French,	Malloy,	Royer,
Allmond,	Gallagher,	Marks,	Rush,
Auker,	Gates,	Maxwell,	Sarge,
Baker,	Gerard,	McClanaghan,	Sarraf,
Balthaser,	Gillan,	McClester,	Scanlon,
Bentley,	Gillette,	McDermott,	Schwab,
Bentzel,	Goodwin,	McDowell,	Serrill,
Boles,	Greenwood,	McFall,	Shaffer,
Boney,	Gross,	McIntosh,	Shaw,
Boorse,	Gryskewicz,	McKinney,	Shepard,
Bower,	Gyger,	McLanahan,	Simons,
Bradley	Habbyshaw,	McLane,	Skale,
Bretherick,	Haberlen,	McMillen,	Snyder,
Brown,	Haines,	McSurdy,	Sollenberger,
Brunner, C. H.,	Hall,	Melchiorre,	Sorg,
Brunner, P. A.,	Hamilton,	Mihm,	Stambaugh,
Burns,	Hare,	Modell,	Stank,
Burris,	Harkins,	Monks,	Stine,
Cadwalader,	Harmuth,	Mooney,	Stockham,
Chervenak,	Harris,	Moran,	Tarr,
Chudoff,	Heatherington,	Moul,	Tate,
Cochran,	Helm,	Muir,	Taylor,
Cohen, M. M.,	Hering,	Munley,	Thompson, E. F.,
Cohen, R. E.,	Herman,	Nagel,	Thompson, R. L.,
Cook,	Hersch,	Nunemacher,	Trout,
Cooper,	Hewitt,	O'Brien,	Turner,
Cordier,	Hirsch,	O'Connor,	Van Allsburg,
Corrigan,	Holland,	O'Dare,	Verona,
Croop,	Huntley,	O'Mullen,	Vincent,
Cullen,	Imbrie,	O'Neill,	Vogt,
Dalrymple,	James,	Owens,	Voldow,
Dennison,	Jefferson,	Petrosky,	Voorhees,
DiGenova,	Jones, G. E.,	Pettit,	Wagner,
Dix,	Jones, P. N.,	Polaski,	Watkins,
Dolon,	Keenan,	Polen,	Weingartner,
D'Ortona,	Kenehan,	Powers,	Weiss,
Duffy,	Kline,	Prosen,	Welsh, E. B.,
Early,	Knoble,	Rank,	Welsh, M. J.,
Eckels,	Kolankiewicz,	Rausch,	Wilkinson,
Elder,	Komorofski,	Readinger,	Williams,
Elliott,	Krise,	Reagan,	Winner,
Ely,	Lee, E. A.,	Reese, David P.,	Wood, L. H.,
Falkenstein,	Lee, T. H.,	Reese, Russell E.,	Wood, N.,
Finestone,	Leisey,	Regan,	Woodring,
Finnerty,	Leonard,	Reynolds,	Woodside,
Fisher	Lesko,	Rhea,	Wright,
Fiss,	Levy,	Riley,	Yeakel,
Fleming,	Leydic,	Rooney,	Yester,
Fletcher,	Lichtenwalter,	Rose, S.,	Young,
Flynn,	Longo,	Rose, W. E.,	Kilroy,
Foor,	Lovett,	Rosenfeld,	Speaker.
	Lyons,		

NAYS—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

QUESTION OF INFORMATION

Mr. O'BRIEN. Mr. Speaker, I arise to a question of information.

The SPEAKER. The gentleman from Philadelphia will state his question of information.

Mr. O'BRIEN. Mr. Speaker, if a committee meeting of the Committee on Building and Loan recessed or adjourned until ten o'clock, what is the situation in relation to the committee meeting?

The SPEAKER. That is within the control of the committee itself.

Mr. O'BRIEN. Mr. Speaker, the Committee on Building and Loan, as I understand, adjourned until ten o'clock this evening, after recess this afternoon. I would like to know as a point of information as to whether or not the committee would meet automatically or whether they are at the call of the Chairman at ten o'clock this evening.

The SPEAKER. The Chair must advise the gentleman that the committee is without power to meet during the absence of the Chairman without the consent of the House.

Mr. BAKER. Mr. Speaker, I desire to interrogate the gentleman from Philadelphia, Mr. O'Brien.

The SPEAKER. Will the gentleman from Philadelphia permit himself to be interrogated?

Mr. O'BRIEN. I shall, Mr. Speaker.

Mr. BAKER. Mr. Speaker, is the gentleman from Philadelphia a member of the Building and Loan Committee?

Mr. O'BRIEN. No, I am not, Mr. Speaker.

Mr. BAKER. Then, Mr. Speaker, how does the gentleman from Philadelphia come to this House saying that the Building and Loan Committee recessed or adjourned until ten o'clock tonight?

Mr. O'BRIEN. Mr. Speaker, I yield to the gentleman from Philadelphia, Mr. Chudoff, in this connection.

The SPEAKER. Does the gentleman from Allegheny desire to interrogate the gentleman from Philadelphia, Mr. Chudoff?

Mr. BAKER. I do not, Mr. Speaker.

Mr. O'BRIEN. Mr. Speaker, I still ask for a ruling of the Chair.

The SPEAKER. The Chair rules that a Committee is without power to meet during a session of the House, whether it recessed to a time that the House is in Session or not, without first having obtained permission of this House to meet during a session of the House.

Mr. O'BRIEN. Mr. Speaker, I did not ask for a ruling here, I asked as a question of information.

The SPEAKER. The Chair has given the informatoin in the form of a ruling.

Mr. O'BRIEN. I did not ask for a ruling, I did not ask as a question of parliamentary inquiry, I just asked as a question of inquiry.

The SPEAKER. The gentleman has his information now.

Mr. O'BRIEN. Mr. Speaker, I do not see how the Chair could rule that way.

POINT OF ORDER

Mr. BAKER. Mr. Speaker, I rise to a point of order.

The SPEAKER. The gentleman from Allegheny will state his point of order.

Mr. BAKER. Mr. Speaker, I am somewhat curious as to the gentleman's intentions as to the Building and Loan Committee meeting at this time, since he is not a member, and therefore I will ask the gentleman from Philadelphia to tell this House why he is so interested in the Building and Loan Committee meeting.

The SPEAKER. The gentleman has not raised a point of order in his statement.

Mr. O'BRIEN. Mr. Speaker, for the information of the gentleman from Allegheny, Mr. Baker, raising his voice does not impress anybody and raising his voice does not scare anybody. If Mr. Baker wants to rant and rave in my personal direction, I will be delighted to have Mr. Baker do so, but I think it is so silly, it is not even funny, and his point of order is equally as funny.

Mr. BAKER. Mr. Speaker, without raising my voice, I will speak in a lower tone, I want to say to the gentleman that I do not care to play with boys; I like to do business with men as Members of the House of Representatives and not with a lot of silly boys.

BILLS ON THIRD READING

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1965, (Senate Bill No. 1300), entitled:

An Act to amend sections 410 and 411 of the Act approved the third day of June one thousand nine hundred and thirty-seven (P. L. 1225) entitled "An act concerning game and other wild birds and wild animals and amending revising consolidating and changing the law relating thereto" by eliminating the requirement that owners make available open public hunting areas contiguous to regulated shooting grounds and changing shooting restrictions on regulated shooting grounds

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows, viz:

YEAS—204

Achterman,	French,	Malloy,	Royer,
Allmond,	Gallagher,	Marks,	Rush,
Auker,	Gates	Maxwell,	Sarge,
Baker,	Gerard,	McClanaghan,	Sarraf,
Balthaser,	Gillan,	McClester,	Scanlon,
Bentley,	Gillette,	McDermott,	Schwab,
Bentzel,	Goodwin,	McDowell,	Serrill,
Boles,	Greenwood,	McFall,	Shaffer,
Boney,	Gross,	McIntosh,	Shaw,
Boorse,	Gryskewicz,	McKinney,	Shepard,
Bower,	Gyger,	McLanahan,	Simons,
Bradley,	Habbyshaw,	McLane,	Skale,

Bretherick,	Haberlen,	McMillen,	Snyder,
Brown,	Haines,	McSurdy,	Sollenberger,
Brunner, C. H.,	Hall,	Melchiorre,	Sorg,
Brunner, P. A.,	Hamilton,	Mihm,	Stambaugh,
Burns,	Hare,	Modell,	Stank,
Burris,	Harkins,	Monks,	Stine,
Cadwalader,	Harmuth,	Mooney,	Stockham,
Chervenak,	Harris,	Moran,	Tarr,
Chudoff,	Heatherington,	Moul,	Tate,
Cochran,	Helm,	Muir,	Taylor,
Cohen, M. M.,	Hering,	Munley,	Thompson, E. F.,
Cohen, R. E.,	Herman,	Nagel,	Thompson, R. L.,
Cook,	Hersch,	Nunemacher,	Trout,
Cooper,	Hewitt,	O'Brien,	Turner,
Cordier,	Hirsch,	O'Connor,	Van Allsburg,
Corrigan,	Holland,	O'Dare,	Verona,
Croop,	Huntley,	O'Mullen,	Vincent,
Cullen,	Imbrie,	O'Neill,	Vogt,
Dalrymple,	James,	Owens,	Voldow,
Dennison,	Jefferson,	Petrosky,	Voorhees,
DiGenova,	Jones, G. E.,	Pettit,	Wagner,
Dix,	Jones, P. N.,	Polaski,	Watkins,
Dolon,	Keenan,	Polen,	Weingartner,
D'Ortona,	Kenehan,	Powers,	Weiss,
Duffy,	Kline,	Prosen,	Welsh, E. B.,
Early,	Knoble,	Rank,	Welsh, M. J.,
Eckels,	Kolankiewicz,	Rausch,	Wilkinson,
Elder,	Komorofski,	Readinger,	Williams,
Elliott,	Krise,	Reagan,	Winner,
Ely,	Lee, E. A.,	Reese, D. P.,	Wood, L. H.,
Falkenstein,	Lee, T. H.,	Reese, R. E.,	Wood, N.,
Finestone,	Leisey,	Regan,	Woodring,
Finnerty,	Leonard,	Reynolds,	Woodside,
Fisher,	Lesko,	Rhea,	Wright,
Fiss,	Levy,	Riley,	Yeakel,
Fleming,	Leydic,	Rooney,	Yester,
Fletcher,	Lichtenwalter,	Rose, S.,	Young,
Flynn,	Longo,	Rose, W. E.,	Kilroy,
Foor,	Lovett,	Rosenfeld,	Speaker.
	Lyons,		

NAYS—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return it to the Senate with information that the House has passed it without amendment.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1868, (Senate Bill No. 1055), entitled:

An Act to amend sections five six twenty-seven thirty-one thirty-two and thirty-nine of the act approved the twenty-fifth day of May one thousand nine hundred and thirtyseven (P. L. 849) entitled "An act to provide for the permanent personal registration of electors in cities of the third class as a condition of their right to vote at elections and primaries and their enrollment as members of political parties as a further condition of their right to vote at primaries; prescribing certain procedure for the conduct of elections and primaries and the challenge and proof of qualifications of electors: and prescribing the powers and duties of citizens, parties, political bodies, registration commissions, commissioners, registrars, inspectors of registration and other appointees of registration commissions, county election boards, election officers, municipal officers, departments and bureaus, police officers, courts, judges, prothonotaries, sheriffs, county commissioners, peace officers, county treasurers, county controllers, registrars of vital statistics, certain public utility corporations, real estate brokers, rental agents and boards of school directors; imposing penalties; and repealing existing legislation," extending the powers and duties of the registration commission and further regulating the check-up of electors and the cancellation of their registrations by the commission.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows, viz:

YEAS—204

Achterman,	French,	Lyons,	Rosenfeld,
Allmond,	Gallagher,	Malloy,	Royer,
Auker,	Gates,	Marks,	Rush,
Baker,	Gerard,	Maxwell,	Sarge,
Balthaser,	Gillan,	McClanaghan,	Sarraf,
Bentley,	Gillette,	McClester,	Scanlon,
Bentzel,	Goodwin,	McDermott,	Schwab,
Boles,	Greenwood,	McDowell,	Serrill,
Boney,	Gross,	McFall,	Shaffer,
Boorse,	Gryskewicz,	McIntosh,	Shaw,
Bower,	Gyger,	McKinney,	Shepard,
Bradley,	Habbyshaw,	McLanahan,	Simons,
Bretherick,	Haberlen,	McLane,	Skale,
Brown,	Haines,	McMillen,	Snyder,
Brunner, C. H.,	Hall,	McSurdy,	Sollenberger,
Brunner, P. A.,	Hamilton,	Melchiorre,	Sorg,
Burns,	Hare,	Mihm,	Stambaugh,
Burris,	Harkins,	Modell,	Stank,
Cadwalader,	Harmuth,	Monks,	Stine,
Chervenak,	Harris,	Mooney,	Stockham,
Chudoff,	Heatherington,	Moran,	Tarr,
Cochran,	Helm,	Moul,	Tate,
Cohen, M. M.,	Hering,	Muir,	Taylor,
Cohen, R. E.,	Herman,	Munley,	Thompson, E. F.,
Cook,	Hersch,	Nagel,	Thompson, R. L.,
Cooper,	Hewitt,	Nunemacher,	Trout,
Cordier,	Hirsch,	O'Brien,	Turner,
Corrigan,	Holland,	O'Connor,	Van Allsburg,
Croop,	Huntley,	O'Dare,	Verona,
Cullen,	Imbrie,	O'Mullen,	Vincent,
Dalrymple,	James,	O'Neill,	Vogt,
Dennison,	Jefferson,	Owens,	Voldow,
DiGenova,	Jones, G. E.,	Petrosky,	Voorhees,
Dix,	Jones, P. N.,	Pettit,	Wagner,
Dolon,	Keenan,	Polaski,	Watkins,
D'Ortona,	Kenehan,	Polen,	Weingartner,
Duffy,	Kline,	Powers,	Weiss,
Early,	Knoble,	Prosen,	Welsh, E. B.,
Eckels,	Kolankiewicz,	Rank,	Welsh, M. J.,
Elder,	Komorofski,	Rausch,	Wilkinson,
Elliott,	Krise,	Readinger,	Williams,
Ely,	Lee, E. A.,	Reagan,	Winner,
Falkenstein,	Lee, T. H.,	Reese, D. P.,	Wood, L. H.,
Finestone,	Leisey,	Reese, R. E.,	Wood, N.,
Finnerty,	Leonard,	Regan,	Woodring,
Fisher,	Lesko,	Reynolds,	Woodside,
Fiss,	Levy,	Rhea,	Wright,
Fleming,	Leydic,	Riley,	Yeakel,
Fletcher,	Lichtenwalter,	Rooney,	Yester,
Flynn,	Longo,	Rose, S.,	Young,
Foor,	Lovett,	Rose, W. E.	Kilroy, Speaker.

NAYS—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return it to the Senate with information that the House has passed it without amendment.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1892, (Senate Bill No. 1054), entitled:

An Act to amend sections four five twenty-six thirty thirty-one and thirty-eight of the act approved the twenty-ninth day of April one thousand nine hundred and thirtyseven (P. L. 487) entitled "An act to provide for the permanent personal registration of electors in boroughs towns townships as a condition of their right to vote at elections and primaries, and their enrollment as members of political parties as a further condition of their right to vote at primaries; prescribing certain procedure for the con-

duct of elections and primaries and the challenge and proof of qualifications of electors; requiring the county commissioners of the various counties to act as a registration commission therefor; and prescribing the powers and duties of citizens, parties, political bodies, registration commissions, commissioners, registrars, inspectors of registration and other appointees of registration commissions, county election boards, election officers, municipal officers, departments and bureaus, police officers, courts, judges, prothonotaries, sheriffs, county commissioners, peace officers, county treasurers, county controllers, registrars of vital statistics, certain public utility corporations, real estate brokers, rental agents, and boards of school directors; and imposing penalties," extending the powers and duties of the registration commission and further regulating the check-up of electors and the cancellation of their registrations by the commission

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows, viz:

YEAS—204

Achterman,	French,	Lyons,	Rosenfeld,
Allmond,	Gallagher,	Malloy,	Royer,
Auker,	Gates,	Marks,	Rush,
Baker,	Gerard,	Maxwell,	Sarge,
Balthaser,	Gillette,	McClanaghan,	Sarraf,
Bentley,	Gillan,	McClester,	Scanlon,
Bentzel,	Goodwin,	McDermott,	Schwab,
Boles,	Greenwood,	McDowell,	Serrill,
Boney,	Gross,	McFall,	Shaffer,
Boorse,	Gryskewicz,	McIntosh,	Shaw,
Bower,	Gyger,	McKinney,	Shepard,
Bradley,	Habbyshaw,	McLanahan,	Simons,
Bretherick,	Haberlen,	McLane,	Skale,
Brown,	Haines,	McMillen,	Snyder,
Brunner, C. H.,	Hall,	McSurdy,	Sollenberger,
Brunner, P. A.,	Hamilton,	Melchiorre,	Sora
Burns,	Hare,	Mihm,	Stambaugh,
Burris,	Harkins,	Modell,	Stank,
Cadwalader,	Harmuth,	Monks,	Stine
Chervenak,	Harris,	Mooney,	Stockham,
Chudoff,	Heatherington,	Moran,	Tarr,
Cochran,	Helm,	Moul,	Tate,
Cohen, M. M.,	Hering,	Muir,	Taylor,
Cohen, R. E.,	Herman,	Munley,	Thompson, E. F.,
Cook,	Hersch,	Nagel,	Thompson, R. L.,
Cooper,	Hewitt,	Nunemacher,	Trout,
Cordier,	Hirsch,	O'Brien,	Turner,
Corrigan	Holland,	O'Connor	VanAllsburg,
Croop,	Huntley,	O'Dare,	Verona
Cullen	Imbrie,	O'Mullen,	Vincent,
Dalrymple,	James,	O'Neill,	Vogt,
Dennison,	Jefferson,	Owens,	Voldow,
DiGenova,	Jones, G. E.,	Petrosky,	Voorhees,
Dix,	Jones, P. N.,	Pettit,	Wagner,
Dolon,	Keenan,	Polaski,	Watkins,
D'Ortona,	Kenehan,	Polen,	Weingartner,
Duffy,	Kline,	Powers,	Weiss,
Farly,	Knoble,	Prosen,	Welsh, E. B.,
Eckels,	Kolankiewicz,	Rank,	Welsh, M. J.,
Elder,	Komorofski,	Rausch,	Wilkinson,
Elliott,	Krise,	Readinger,	Williams,
Ely	Lee, E. A.,	Reagan,	Winner
Falkenstein,	Lee, T. H.,	Reese, D. P.,	Wood, L. H.,
Finestone,	Leisey,	Reese, R. E.,	Wood, N.,
Finnerty,	Leonard,	Regan,	Woodring,
Fisher,	Lesko,	Reynolds,	Woodside,
Fiss,	Levy,	Rhea,	Wright,
Fleming,	Leydic,	Riley,	Yeakel,
Fletcher,	Lichtenwalter,	Rooney,	Yester,
Flynn,	Longo,	Rose, S.,	Young,
Foor,	Lovett,	Rose, W. E.,	Kilroy, Speaker

NAYS—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return it to the Senate with information that the House has passed it without amendment.

QUESTION OF INFORMATION

Mr. O'BRIEN. Mr. Speaker, I rise to a question of information.

The SPEAKER. The gentleman from Philadelphia will state his question of information.

Mr. O'BRIEN. Mr. Speaker, the Vice-Chairman of the Building and Loan Committee asked permission of the House to call a meeting of the Building and Loan Committee, and the Chair ruled, after objection by the gentleman from Allegheny, Mr. Baker, to the effect that the Chairman was in the House. We have not seen the Chairman of the Building and Loan Committee and I ask you, Mr. Speaker, if the Vice-Chairman cannot call a meeting of the Committee on Building and Loan during the session.

The SPEAKER. On the question of information, the Chair advises the gentleman from Philadelphia that in the absence of the Chairman from the House, and the inability to find him, the Vice-Chairman may call a meeting of the Committee, providing a majority of the members of that Committee sign the request. The request must be in the form of a petition.

Mr. O'BRIEN. Mr. Speaker, in other words, it would have to be a written request on the part of a majority of the Committee?

The SPEAKER. The request must be in the form of a petition addressed to the Chair, and of course, the meeting must also receive the consent of the House.

Mr. O'BRIEN. Mr. Speaker, am I to understand that only on written request submitted to the Speaker can the Committee meeting be called by the Vice-Chairman?

The SPEAKER. That is correct.

BILLS ON THIRD READING

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1817, (Senate Bill No. 1044), as follows:

An Act to further amend section eleven and section seventeen of the act approved the twenty-seventh day of June one thousand nine hundred twenty-three (P. L. 858), entitled "An act establishing a State employes' retirement system and creating a retirement board for the administration thereof establishing certain funds from contributions by the Commonwealth and contributing State employes defining the uses and purposes thereof and the manner of payments therefrom and providing for the guaranty by the Commonwealth of certain of said funds imposing powers and duties upon the heads of departments in which State employes serve excepting annuities allowances returns benefits and rights from taxation and judicial process and providing penalties" by permitting a member to borrow from his or her funds under certain provisions and regulating exemption from execution

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section eleven of the act approved the twenty-seventh day of June one thousand nine hundred twenty-three (P. L. 858), entitled "An act establishing a State employes' retirement system and creating a re-

tirement board for the administration thereof establishing certain funds from contributions by the Commonwealth and contributing State employes defining the uses and purposes thereof and the manner of payments therefrom and providing for the guaranty by the Commonwealth of certain of said funds imposing powers and duties upon the heads of departments in which State employes serve excepting annuities allowances returns benefits and rights from taxation and judicial process and providing penalties" as last amended by the act approved the eighteenth day of May one thousand nine hundred thirty-seven (P. L. 683) is hereby further amended to read

Withdrawal

Section 11 (1) Should a contributor before reaching superannuation retirement age by resignation or dismissal or for any other reason than death or retirement upon disability under section twelve or for superannuation under section thirteen cease to be a State employe he or she shall be paid on demand from the fund created by this act (a) the full amount of the accumulated deductions standing to his or her individual credit in the annuity savings account or in lieu thereof should he or she so elect (b) an annuity or a deferred annuity beginning at superannuation retirement age which shall be the actuarial equivalent of said accumulated deductions His or her membership in the retirement association shall thereupon cease

(2) Should a State employe so separate from his or her service as State employe without retiring return within ten years and restore to the State Employes' Retirement Fund to the credit of the annuity savings account in such manner as may be agreed upon by the State employe and the retirement board his or her accumulated deductions as they were at the time of his or her separation the annuity rights forfeited by him or her at the time of separation from service shall be restored and his obligations as a member of the retirement association shall begin again but nothing contained in this clause shall limit the right of a State employe who has heretofore retired or shall hereafter retire voluntarily or involuntarily to return to service as a State employe at any time and to continue from the time of reentry into State service his rights as an original or new member as they existed at the time of retirement and add to such rights by further service and by further payroll deductions In any such case his or her annuity or allowance shall cease upon reentry into State service until subsequent retirement

(3) Should a member be discontinued from service not voluntarily after having completed ten years of total service or voluntarily after having completed twenty-five years of total service but before reaching superannuation retirement age he or she shall be paid as he or she may elect as follows

(a) The full amount of the accumulated deductions standing to the credit of his or her individual account in the annuity savings account or

(b) An annuity of equivalent actuarial value to his or her accumulated deductions and in addition a State annuity having a value equal to the present value of a State annuity beginning at superannuation retirement age calculated in accordance with the provisions and with the privileges of the same options provided for in sections thirteen and fourteen of this act with respect to State annuities for superannuation retirement

(4) Should a contributor die before retirement his or her accumulated deductions shall be paid to his or her estate or to such person as he or she shall have nominated by written designation duly executed and filed with the retirement board In case any contributor heretofore or hereafter dying has failed to nominate a beneficiary or the beneficiary nominated shall have died prior to the death of the contributor and in either event the amount of his or her accumulated deductions is less than one hundred dollars ($100) the board may if letters testamentary or of administration have not been taken out on the estate of such contributor within six months of death pay such accumulated deductions on the claim of the undertaker or any person or persons or political subdivision who or which shall have paid the claim of the undertaker

(5) A State employe who has at least three (3) years of service as an employe of the Commonwealth and is presently actively employed by the Commonwealth may borrow from his or her funds in the retirement system with the approvel of the State Employes Retirement Board an amount not exceeding fifty per cent per annum of the amount of his or her accumulated contributions provided that the amount so bororwed together with the interest thereon shall not exceed three hundred dollars ($300) and can be repaid by additional deductions from the salary of the contributor not in excess of ten per cent per annum of the member's salary made at the same time salary is paid to the member but not after the attainment of age sixty The amount so borrowed together with the interest at the rate of five per cent per annum on any unpaid balance thereof shall be repaid to his or her funds in the retirement system in equal installments by deduction from the salary of the member at the time the salary is paid and in such amounts as the State Employes' Retirement Board shall approve but such installments shall be at least equal to the member's contributions to the retirement system and at least sufficient to repay the amount borrowed with interest thereon by the time the member attains age sixty Notwithstanding anything to the contrary in this act the additional deductions required to repay the loan shall be made and shall be credited to the proper fund of the retirement system and any unpaid balance of a loan at the time any benefit may become payable shall be deducted from the benefit otherwise payable The provisions of this subdivision shall apply equally to members of the Pennsylvania Motor Police Retirement System established by the act approved the twenty-ninth day of June one thousand nine hundred thirty-seven (P. L. 2423)

Section 2 Section seventeen of said act as last amended by the act approved the twenty-third day of April one thousand nine hundred thirty-five (P. L. 49) is hereby further amended to read

Exemption from Execution

Section 17 The right of a person to a member's annuity a State annuity or retirement allowance to the return of contributions to withdrawal any benefit or right accrued or accruing to any person under the provisions of this act and the moneys in the fund created under this act are hereby exempt from any State or municipal tax including transfer or inheritance tax and exempt from levy and sale garnishment attachment or any other process whatsoever and shall be unassignable except as in this act specifically otherwise provided and shall not be subject to diminution in any respect except to reimburse the funds for moneys fraudulently retained or obtained from the fund [and with the further exception that the assignment of any or all such rights as security for a loan not in excess of three hundred dollars ($300) the interest on] [which loan shall not exceed six per centum per annum discounted by a person to credit union now or hereafter organized and incorporated under the laws of this Commonwealth the membership of which credit union is limited solely to officers and employes of the Commonwealth of Pennsylvania shall be valid.]

Section 3 This act shall become effective only upon the final liquidation of all credit unions membership to which is limited solely to officers and employes of the Commonwealth where such credit unions hold assignments of rights of members as security for loans from such credit unions

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows, viz:

YEAS—204

Achterman,	French,	Malloy,	Royer,
Allmond,	Gallagher,	Marks,	Rush,
Auker,	Gates,	Maxwell,	Sarge,
Baker,	Gerard,	McClanaghan,	Sarraf,
Balthaser,	Gillan,	McClester,	Scanlon,
Bentley,	Gillette,	McDermott,	Schwab,
Bentzel,	Goodwin,	McDowell,	Serrill,
Boies,	Greenwood,	McFall,	Shaffer,
Boney,	Gross,	McIntosh,	Shaw,
Boorse,	Gryskewicz,	McKinney,	Shepard,
Bower,	Gyger,	McLanahan,	Simons,
Bradley,	Habbyshaw,	McLane,	Skale,
Bretherick,	Haberlen,	McMillen,	Snyder,
Brown,	Haines,	McSurdy,	Sollenberger,
Brunner, C. H.,	Hall,	Melchiorre	Sorg,
Brunner, P. A.,	Hamilton,	Mihm,	Stambaugh,
Burns,	Hare,	Modell,	Stank,
Burris,	Harkins,	Monks,	Stine,
Cadwalader,	Harmuth,	Mooney,	Stockham,
Chervenak,	Harris,	Moran,	Tarr,
Chudoff,	Heatherington,	Moul,	Tate,
Cochran,	Helm,	Muir,	Taylor,
Cohen, M. M.,	Hering,	Munley,	Thompson, E. F.,
Cohen, R. E.,	Herman,	Nagel,	Thompson, R. L.,
Cook,	Hersch,	Nunemacher,	Trout,
Cooper,	Hewitt,	O'Brien,	Turner,
Cordier,	Hirsch,	O'Connor,	Van Allsburg,
Corrigan,	Holland,	O'Dare,	Verona,
Croop,	Huntley,	O'Mullen,	Vincent,
Cullen,	Imbrie,	O'Neill,	Vogt,
Dalrymple,	James,	Owens,	Voldow,
Dennison,	Jefferson,	Petrosky,	Voorhees,
DiGenova,	Jones, G. E.,	Pettit,	Wagner,
Dix,	Jones, P. N.,	Polaski,	Watkins,
Dolon,	Keenan,	Polen,	Weingartner,
D'Ortona,	Kenehan,	Powers,	Weiss,
Duffy,	Kline,	Prosen,	Welsh, E. B.,
Early,	Knoble,	Rank,	Welsh, M. J.,
Eckels,	Kolankiewicz,	Rausch,	Wilkinson,
Elder,	Komorofski,	Readinger,	Williams,
Elliott,	Krise,	Reagan,	Winner,
Ely,	Lee, E. A.,	Reese, D. P.,	Wood, L. H.,
Falkenstein,	Lee, T. H.,	Reese, R. E.,	Wood, N.,
Finestone,	Leisey,	Regan,	Woodring,
Finnerty,	Leonard,	Reynolds,	Woodside,
Fisher,	Lesko,	Rhea,	Wright,
Fiss,	Levy,	Riley,	Yeakel,
Fleming	Leydic,	Rooney,	Yester,
Fletcher,	Lichtenwalter,	Rose, S.,	Young,
Flynn,	Longo,	Rose, W. E.,	Kilroy
Foor,	Lovett,	Rosenfeld,	Speaker
	Lyons,		

NAYS—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return it to the Senate with information that the House has passed it with amendments in which the concurrence of the Senate is requested.

Mr. SCANLON asked and obtained unanimous consent to call up out of order House Bill No. 570, Printer's No. 1160, on page 19 of today's calendar, bills on third reading.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 570, entitled,

An Act to add two new definitions to Section 102 to amend the table of contents to Article VI to further amend Sections 601 603 605 and 606 to amend Section 609 to further amend Sections 613 620 and 621 to add Sections 623 to 638 both inclusive to Article VI and to further amend Section 713 of the act approved the first day of May one thousand nine hundred twenty-nine (P. L. 905) entitled "An act for the protection of the public safety regulating the use of highways and the operation of vehicles tractors street cars trackless trolley omnibuses bicycles pedestrians and the riding of animals upon the highways of this Commonwealth providing for the titling including liens encumbrances and legal claims registration of certain vehicles and licensing the operators thereof upon payment of prescribed fees prescribing and limiting the powers of local authorities to deal with the subject matter of this act conferring powers and imposing duties upon the Department of Revenue the Department of Highways peace officers mayors burgesses magistrates aldermen justices of the peace the courts and the clerks thereof owners of vehicles and garage keepers providing that records are admissible as evidence imposing upon owners counties cities boroughs incorporated towns townships within the Commonwealth liability for damages caused by the negligent operation of their motor vehicles imposing penalties imposing certain costs upon counties providing for the disposition of fines forfeitures fees and miscellaneous receipts making an appropriation and providing for refunds" providing for the issuance of commercial operators' licenses further regulating the operation of motor vehicles commercial motor vehicles motor busses omnibuses and school busses fixing fees and imposing additional penalties

On the question,

Will the House agree to the bill on third reading?

Mr. SCANLON. Mr. Speaker, I ask unanimous consent to offer amendment at this time.

The SPEAKER. The amendment will be read by the Clerk for information.

The Clerk read the amendment as follows:

Amend section 1, page 3, line 28, by striking out after the "vehicle" which appears the second time in the line, the following: "including streets cars".

The SPEAKER. Will the House give unanimous consent to the offering of amendment at this time? Is there objection? The Chair hears none.

On the question,

Will the House agree to the amendment?

The amendment was agreed to.

On the question,

Will the House agree to the bill on third reading as amended?

It was agreed to.

Ordered, That the bill as amended lie over for printing.

REPORT FROM COMMITTEE

Mr. READINGER from the Committee on Rules reported as committed Senate Concurrent Resolution Serial No. 126.

Mr. READINGER asked and obtained unnaimous consent for the immediate consideration of the resolution.

The resolution was read by the Clerk as follows:

SENATE MESSAGE

RESOLUTION FOR CONCURRENCE

The Clerk of the Senate being introduced presented an extract from the ournal of the Senate, which was read as follows:

SENATE CONCURRENT RESOLUTION

Serial No. 126.

By Mr. TALLMAN.

CONGRESS MEMORIALIZED TO ADOPT RESOLUTIONS DESIGNATING OBSERVANCE 200th ANNIVERSARY MUHLENBERG COLLEGE

In the Senate, April 16, 1941.

Whereas, Muhlenberg College will hold celebrations during the year 1942 commemorating the two hundredth anniversary of the arrival in the American colonies of Henry Melchior Muhlenberg; and

Whereas, The said Henry Melchior Muhlenberg was the father of General John Peter Gabriel Muhlenberg, a friend of George Washington and a member of his staff; and

Whereas, The said General John Peter Gabriel Muhlenberg was born at Trappe, Pennsylvania, October 1, 1746; and

Whereas, In 1775 the said General John Peter Gabriel Muhlenberg threw off his clerical gown while delivering a sermon at Woodstock, Virginia, disclosing himself dressed in the uniform of an officer of the Continental Army and challenged his congregation with the remark: "There is a time for all things—a time to preach and a time to pray; but there is also a time to fight, and that time has now come," and took leave of his congregation and led his soldiers in the war for our Country's freedom; and

Whereas, The said General John Peter Gabriel Muhlenberg was chosen the Vice President of Pennsylvania in 1785 with Benjamin Franklin as President; and

Whereas, He was elected to the First Congress of the United States and reelected to the second and third, serving from March 4, 1789 to March 3, 1795; and

Whereas, In 1801 he was elected to the United States Senate but resigned before the Congress met to accept President Jefferson's appointment as Supervisor of Revenue for the District of Pennsylvania; and

Whereas, There has been introduced in the Senate of the United States by The Honorable James J. Davis, for himself and The Honorable Joseph F. Guffey, a Joint Resolution resolving that the Government and the people of the United States unite with Muhlenberg College in a fitting and appropriate observance of the two hundredth anniversary of the arrival in the American Colonies of Henry Melchior Muhlenberg; and

Whereas, There has been introduced in the House of Representatives of the United States by the Honorable Charles L. Gerlach a Joint Resolution resolving that the Government and the people of the United States unite with Muhlenberg College in a fitting and appropriate observance of the two hundredth anniversary of the arrival in the American colonies of Henry Melchior Muhlenberg; Now therefore be it

Resolved (if the House concur), That the General Assembly memorialize the Congress of the United States to adopt with all possible dispatch S. J. Resolution 40 and H. J. Resolution 128 in the form introduced; and be it further

Resolved, That one copy of this Resolution be forwarded to each of the following:

The President of the United States, Franklin D. Roosevelt.

Senator Alben W. Barkley, Chairman of the Joint Committee on the Library.

Senator James J. Davis.

Senator Joseph F. Guffey.

Honorable Charles L. Gerlach.

All members of the House Delegation from Pennsylvania.

Ordered, That the Clerk present the same to the House of Representatives for its concurrence.

On the question,

Will the House concur in the resolution of the Senate?

It was concurred in.

Ordered, That the Clerk inform the Senate accordingly.

REPORT OF COMMITTEE TO INVESTIGATE WESTERN PENNSYLVANIA HOSPITAL

Mr. SARRAF. Mr. Speaker, I desire to submit the "Report of the Committee to Investigate the Controversy at the Western Pennsylvania Hospital of Allegheny County," pursuant to House Resolution No. 94, adopted May 20, 1941.

This is the majority report of the Committee. There will be a minority report filed at a later time. The material gathered during the investigation will be placed in the hands of the Chief Clerk of the House.

The report was read by the Clerk.

The SPEAKER. The report will noted in the Journals of the House and printed in the Appendix to the Legislative Journal.

RESOLUTION INTRODUCED AND REFERRED

By Messrs. RHEA, FLEMING, RONALD L. THOMPSON, COOPER and LEYDIC, RESOLUTION No. 109.

In the House of Representatives, July 11th, 1941.

Whereas, This session of the Legislature of the Commonwealth is apparently drawing to a close without any legislation having been passed to provide for a congressional reapportionment measure as required by the Constitution following a decennial census; and

Whereas, the passage of such legislation is necessary to provide for the election of Representatives in Congress from districts and this failure so to do would necessitate their election at large at great expense to the Commonwealth and to the great detriment and prejudice of the voting public; and

Whereas, The oath of members of the Legislature to support, obey and defend the Constitution of the United States and of this Commonwealth, imposes a solemn duty upon them to obey this plain mandate to pass such legislation; therefore be it

Resolved by the House of Representatives of the Commonwealth of Pennsylvania that this House will refuse to concur in any resolution passed by the Senate providing for adjournment sine die before this constitutional mandate has been complied with.

Referred to the Committee on Rules.

REPORT OF COMMITTEE OF CONFERENCE ON HOUSE BILL No. 1465

Mr. WEINGARTNER. Mr. Speaker, I desire to submit the report of the Committee of Conference on House Bill No. 1465.

The SPEAKER. The report will lie over for printing under the rules.

REPORT OF COMMITTEE OF CONFERENCE ON HOUSE BILL No. 1466

Mr. MAXWELL. Mr. Speaker, I desire to submit the report of the Committee of Conference on House Bill No. 1466.

The SPEAKER. The report will lie over for printing under the rules.

REPORT OF COMMITTEE OF CONFERENCE ON HOUSE BILL No. 1467

Mr. WEINGARTNER. Mr. Speaker, I desire to submit the report of the Committee of Conference on House Bill No. 1467.

The SPEAKER. The report will lie over for printing under the rules.

REPORT OF COMMITTEE OF CONFERENCE ON HOUSE BILL No. 1468

Mr. WEINGARTNER. Mr. Speaker, I desire to submit the report of the Committee of Conference on House Bill No. 1468.

The SPEAKER. The report will lie over for printing under the rules.

REPORT OF COMMITTEE OF CONFERENCE ON HOUSE BILL No. 1469

Mr. MAXWELL. Mr. Speaker, I desire to submit the report of the Committee of Conference on House Bill No. 1469.

The SPEAKER. The report will lie over for printing under the rules.

CONGRATULATORY RESOLUTION

Messrs. WILLIAMS and McLANE offered a privileged resolution which was read, considered and adopted as follows:

In the House of Representatives, July 11, 1941.

Whereas, Some members of the House of Representatives make their presence felt and l. rd, and engage constantly in fierce and serimonious debate; and

Whereas, Others remain quiet, soft spoken, sitting back in their chairs, and merely vote in accordance with the dictates of their conscience and the wishes of their constituents; and

Whereas, The Honorable Thomas J. Heatherington, by virtue of his great legislative ability, has already had three bills approved by the Governor of this Commonwealth, as well as twelve bills in addition thereto passed in the House, and sent on to the Senate; and

Whereas, There may not be some merit in the old adage about empty barrels; be it therefore

Resolved, That the House of Representatives congratulates the Honorable Thomas J. Heatherington on his success as a legislator; and be it further

Resolved, That the House of Representatives hereby appoints the Honorable Thomas J. Heatherington as Chairman of the new committee of the House, to be known as the "Sitting Quiet and Get the Bills Through Committee."

HOUSE BILL No. 472 TAKEN FROM TABLE

Mr. SARRAF. Mr. Speaker, I move that House Bill No. 472, together with the communication from the Governor which was laid on the table July 7, 1941, be taken from the table.

The motion was agreed to.

The communication was read by the Clerk as follows:

COMMUNICATION FROM THE GOVERNOR

The Secretary to the Governor being introduced, presented a communication in writing from His Excellency the Governor, which was read as follows:

APPROVAL OF RESOLUTION RECALLING HOUSE BILL No. 472

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, July 2, 1941.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed a resolution of the House of Represenatives and Senate recalling from the Governor House Bill No. 472, Printer's No. 680, for the purpose of further consideration.

Accordingly, the original bill is herewith returned.

ARTHUR H. JAMES.

RECONSIDERATION OF VOTE

Mr. SARRAF. Mr. Speaker, I move that the vote by which this bill passed finally be reconsidered.

Mr. HEATHERINGTON. Mr. Speaker, I second the motion.

The SPEAKER. How did the gentleman from Allegheny, Mr. Sarraf, vote on the final passage of this bill?

Mr. SARRAF. Mr. Speaker, I voted in the majority.

The SPEAKER. How did the gentleman from Allegheny, Mr. Heatherington, vote on the final passage of this bill?

Mr. HEATHERINGTON. Mr. Speaker, I voted in the majority.

On the question,

Will the House agree to the motion?

It was agreed to.

Mr. SARRAF. Mr. Speaker, I move that the vote by which this bill passed third reading be reconsidered.

The motion was agreed to.

On the question recurring,

Will the House agree to the bill on third reading?

Mr. SARRAF. Mr. Speaker, I ask unanimous consent to offer amendment at this time.

The SPEAKER. The amendment will be read by the Clerk for information.

The Clerk read the amendment as follows.

Amend Sec. 1, page 1, lines 1 and 2, by striking out the following "twenty thousand dollars ($20,000)" and inserting in lieu thereof "forty thousand dollars ($40,000)."

The SPEAKER. Will the House give unanimous consent to the offering of amendment at this time? Is there objection? The Chair hears none.

On the question,

Will the House agree to the amendment?

The amendment was agreed to.

On the question,

Will the House agree to the bill on third reading as amended?

It was agreed to.

Ordered, that the bill as amended lie over for printing.

BILL ON THIRD READING

Agreeably to order,

The bill having been called up from the postponed calendar by Mr. MARKS.

The House resumed the consideration on third reading of House Bill No. 1785, (Senate Bill No. 428), entitled:

An Act to amend section nine hundred and one of and to add section nine hundred and one-tenth to the act approved the twenty-fourth day of June one thousand nine hundred and thirty-nine (P. L. 872) entitled "An act to consolidate amend and revise the penal laws of the Commonwealth" by limiting the offense of burglary to certain acts committed by night and making entering buildings in the daytime with intent to commit a felony therein or breaking and entering buildings in the daytime a felony

On the question,

Will the House agree to the bill on third reading?

BILL DROPPED FROM CALENDAR

Mr. MARKS. Mr. Speaker, I move that this bill be dropped from the calendar.

The motion was agreed to.

RECESS

The SPEAKER. If there is no objection the Chair is about to declare a recess for fifteen minutes. Is there objection? The Chair hears none and a recess is declared.

AFTER RECESS

The SPEAKER (Elmer Kilroy) IN THE CHAIR.

The SPEAKER. The time of recess having expired the House was called to order.

SENATE MESSAGES

AMENDED SENATE BILL NONCONCURRED IN BY SENATE

The Clerk of the Senate being introduced, informed that the Senate has nonconcurred in the amendments made by the House of Representatives to Senate Bill numbered and entitled as follows:

SENATE BILL No. 594.

An Act to amend the act approved the twenty-fourth day of June one thousand nine hundred and thirty-seven (P. L. 2051) entitled "An act relating to public assistance providing for and regulating assistance to certain classes of persons designated and defined as dependent children aged persons blind persons and other persons requiring relief providing for the administration of this act by the Department of Public Assistance and county boards of assistance hereby created for this purpose authorizing the Department of Public Assistance to cooperate with and to accept and disburse moneys received from the United States Government for assistance to such persons providing for the liquidation of the State Emergency Relief Board Boards of Trustees of the Mothers' Assistance Fund and Boards of Trustees of Pension Fund for the Blind and repealing laws relating to mothers' assistance pensions for the blind old age assistance and the State Emergency Relief Board" as amended by redefining assistance to include work relief providing for the establishment of a Board of Review and Appeal to supervise and regulate work relief projects authorizing the Department of Public assistance with the approval of the Board of Review and Appeal to administer work relief projects subject to certain provisions and conditions making certain acts unlawful and imposing penalties

Mr. ACHTERMAN. Mr. Speaker, I move that the House insist on its amendments non-concurred in by the Senate.

The motion was agreed to.

Ordered, That the Clerk inform the Senate accordingly.

AMENDED SENATE BILL NONCONCURRED IN BY SENATE

The Clerk of the Senate being introduced, informed that the Senate has nonconcurred in the amendments made by the House of Representatives to Senate Bill numbered and entitled as follows:

SENATE BILL No. 653.

An Act regulating and improving the civil service of certain departments and agencies of the Commonwealth vesting in the State Civil Service Commission and a Personnel Director certain powers and duties providing for classification of positions, adoption of compensation schedules and certification of payrolls imposing duties upon certain officers and employes of the Commonwealth, authorizing service to other State departments or agencies and political sub-divisions of the Commonwealth in matters relating to civil service, defining certain crimes and misdemeanors imposing penalties and making an appropriation and repealing certain acts and parts thereof.

Mr. ACHTERMAN. Mr. Speaker, I move that the House insist on its amendments non-concurred in by the Senate.

The motion was agreed to.

Ordered, That the Clerk inform the Senate accordingly.

AMENDED SENATE BILL NONCONCURRED IN BY SENATE

The Clerk of the Senate being introduced, informed that the Senate has nonconcurred in the amendments made by the House of Representatives to Senate Bill numbered and entitled as follows:

SENATE BILL No. 654.

An Act to amend sections two hundred two and four hundred fifty-two of the act, approved the ninth day of April one thousand nine hundred and twenty-nine (P. L. 177), entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments, boards, commissions and officers thereof, including the boards of trustees of State Normal Schools or Teachers Colleges, abolishing, creating, reorganizing or authorizing the reorganization of certain administrative departments, boards and commissions, defining the powers and duties of the Governor and other executive and administrative officers and of the several administrative departments, boards, commissions and officers fixing the salaries of the Governor, Lieutenant-Governor and certain other executive and administrative officers, providing for the appointment of certain administrative officers and of all deputies and other assistants and employes in certain departments, boards and commissions and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments, boards and commissions shall be determined," as amended, in order to establish the State Civil Service Commission as a departmental administrative commission in the Executive Department

Mr. ACHTERMAN. Mr. Speaker, I move that the House insist on its amendments non-concurred in by the Senate.

The motion was agreed to.

Ordered, That the Clerk inform the Senate accordingly.

AMENDED SENATE BILL NONCONCURRED IN BY SENATE

The Clerk of the Senate being introduced, informed that the Senate has nonconcurred in the amendments made by the House of Representatives to Senate Bill numbered and entitled as follows:

SENATE BILL No. 1308.

An Act to amend the act approved the twenty-second day of May one thousand nine hundred thirty-three (P. L. 912) entitled "An act to protect the public health defining and providing for the licensing of bakeries and regulating the inspection maintenance and operation of bakeries and premises stores and shops connected therewith defining and regulating the manufacture sale and offering for sale of bakery products conferring powers on the Department of Agriculture and providing penalties" by redefining "bakery" removing the exception from registration and licensing requirements requiring registered bakery products to show the fact of such registration making it unlawful for any person to sell' offer for sale or have in possession with intent to sell unregistered bakery products or to import bakery products from bakeries not

licensed hereunder and making possession prima facie evidence of intention to sell and imposing additional duties and powers on the Department of Agriculture to establish reasonable trade practices in the operation of bakeries and in the sale of bakery products by bread dealers and licensing bread dealers

Mr. ACHTERMAN. Mr. Speaker, I move that the House insist on its amendments non-concurred in by the Senate.

The motion was agreed to.

Ordered, That the Clerk inform the Senate accordingly.

AMENDED SENATE BILL NONCONCURRED IN BY SENATE

The Clerk of the Senate being introduced, informed that the Senate has nonconcurred in the amendments made by the House of Representatives to Senate Bills numbered and entitled as follows, viz:

SENATE BILL No. 158.

An Act making an appropriation to the Department of Military Affairs for the maintenance and education of children of certain soldiers sailors marines female field clerks yeomen (female) and nurses.

SENATE BILL No. 377.

An Act validating certain proceedings and elections of counties cities boroughs school districts or other municipalities or incorporated districts had and held pursuant to the provisions of an act approved the twentieth day of April one thousand eight hundred seventy-four (P. L. 65) entitled "An act to regulate the manner of increasing the indebtedness of municipalities to provide for the redemption of the same and to impose penalties for the illegal increase thereof" and the amendments and supplements thereto and validating bonds issued or authorized to be issued in pursuance of such proceedings and elections

SENATE BILL No. 618.

An Act to further amend section two of the act approved the third day of May one thousand nine hundred thirty-three (Pamphlet Laws 252) entitled as amended "An act to regulate and restrain the traffic in malt and brewed beverages as herein defined; providing for the licensing of the manufacture, transportation, sale and distribution of such beverages; imposing licenses and permit fees, and providing for collection and distribution thereof; restricting ownership and interest in licensed places; permitting municipalities and townships, by vote of the electors, to prevent the licensing therein of places where such beverages may be sold for consumption on the premises, and regulating elections for this purpose; imposing duties upon the Pennsylvania Liquor Control Board, quarter sessions courts, district attorneys, the Department of Justice, proper authorities of political subdivisions of the State, and election officers providing penalties; and repealing existing acts," by permitting clubs to waive or reduce or pay dues payable by members in military service

SENATE BILL No. 619.

An Act to further amend section two of the act, approved the twenty-ninth day of November, one thousand nine hundred thirty-three (P. L. 15, 1933-34), entitled "An act to regulate and restrain the sale, manufacture, possession, transportation, importation, traffic in, and use of alcohol, and alcoholic and malt or brewed beverages; conferring powers and imposing duties upon the Pennsylvania Liquor Control Board and its agents, the Department of Public Instruction, other officers of the State government, courts, and district attorneys; authorizing the establishment and operation of State stores for the sale of such beverages not for consumption on the premises, and the granting of licenses, subject to local option, to sell such beverages for consumption on and off the premises; forbidding importation or bringing of such beverages into the State except as herein provided; prohibiting certain sales or practices in, connection with, and transactions in such beverages by licensees and others; providing for the forfeiture of certain property making disposition of the receipts from State stores and of fees; and imposing penalties," by permitting clubs to waive or reduce or pay dues payable by members in military service

SENATE BILL No. 254.

An Act authorizing municipalities to file liens against real estate beyond the municipal limits for certain municipal rates-validating liens heretofore filed and providing for the procedure thereon

SENATE BILL No. 269.

An Act providing for the redemption of real property purchased by political subdivisions at tax sales upon the payment of the amount charged against the same and costs by installment payments and prescribing the procedure therfor

SENATE BILL No. 823.

An Act to amend the act, approved the fifteenth day of May, one thousand nine hundred and thirty-three (P. L. 624), entitled "An act relating to the business of banking, and to the exercise of fiduciary powers by corporations, providing for the organization of corporations with fiduciary powers, and of banking corporations, with or without fiduciary powers, including the conversion of National banks into State banks, and for the licensing of private bankers; defining the rights, powers, duties, liabilities, and immunities of such corporations, of existent corporations authorized to engage in a banking business, with or without fiduciary powers of private bankers, and of the officers, directors, trustees, shareholders, attorneys and other employes of all such corporations or private bankers, or of affiliated corporations, associations, or persons; restricting the exercise of banking powers by any other corporation, association, or person, and of fiduciary powers by any other corporation; conferring powers and imposing duties upon the courts, prothonotaries, recorders of deeds, and certain State departments commissions and officers; imposing penalties; and repealing certain acts and parts of acts" as amended by further providing for the eligibility of directors or trustees of incorporated institutions and further providing for the powers liabilities and immunities and limitations upon the powers and liabilities of corporations or persons authorized to engage in a banking or fiduciary business or both and of affiliates of such corporations or persons and of officers directors trustees and employes of such corporations and persons

SENATE BILL No. 908.

An Act to amend section seventeen of the act, approved the seventh day of June, one thousand nine hundred and seventeen (P. L. 415), entitled "An act relating to the qualification jurisdiction, powers, and duties of registers of wills, and regulating proceedings before said registers, and the costs thereof, the effects of their acts, and appeals therefrom," further regulating proceedings before the register of wills and in the orphans' court.

SENATE BILL No. 1102.

An Act to further amend the act approved the eleventh day of March one thousand nine hundred and nine (P. L. 13) entitled "An act for the protection of the public health by prohibiting the sale offering for sale exposing for sale or having in possession with intent to sell of eggs unfit for food as therein defined and prohibiting the use of such eggs in the preparation of food products providing penalties for the violation thereof and providing

for the enforcement thereof" by providing for the licensing by the Department ofAgriculture of persons copartnership associations and corporations engaged in the business of breaking eggs and separating the contents thereof for any purpose regulating the opening of eggs unfit for food and providing for the denaturing of such eggs authorizing the Department of Agriculture to take samples of eggs for the purpose of analysis further regulating the right to sell or otherwise deal with eggs subjected to incubation providing that certain violations of the act shall be punishable in summary proceedings prescribing penalties and repealing certain legislation

SENATE MESSAGES

AMENDED HOUSE BILL RECALLED FROM THE GOVERNOR CONCURRED IN BY SENATE

The Clerk of the Senate being introduced, returned bill from the House of Representatives numbered and entitled as follows:

HOUSE BILL No. 1543.

An Act providing a method for supplying perfecting and recording birth records of certain persons whose births have not heretofore been made a public record or whose record of birth is incomplete or incorrect making such records competent legal evidence prescribing fees and imposing certain duties upon the orphans' court and the Bureau of Vital Statistics of the Department of Health authorizing the orphans' court to appoint masters for the determination of certain questions and requiring counties to pay the compensation of such masters

Said bill having been recalled from the Governor for the purpose of amendment, the vote had on final passage and third reading reconsidered in the House and the bill amended, in amendments the Senate has concurred.

AMENDED HOUSE BILL RECALLED FROM THE GOVERNOR CONCURRED IN BY SENATE

The Clerk of the Senate being introduced, returned bill from the House of Representatives numbered and entitled as follows:

HOUSE BILL No. 90.

An Act providing that whenever the term "Veterans of the Spanish American War" or the term "Spanish American War Veterans" occurs or is referred to in any existing law such term or reference shall be deemed to refer to and include the United Spanish War Veterans Inc.

Said bill having been recalled from the Governor for the purpose of amendment, the vote had on final passage and third reading reconsidered in the House and the bill amended, in amendments the Senate has concurred.

BILLS SIGNED BY SPEAKER

Bills numbered and entitled as follows having been prepared for presentation to the Governor, and the same being correct, the titles were publicly read as follows:

SENATE BILL No. 77.

An Act to further amend section one of the act approved the seventeenth day of June one thousand nine hundred and thirteen (P. L. 507) entitled "An act to provide revenue for State and county purposes and in cities coextensive with counties for city and county purposes imposing taxes upon certain classes of personal property providing for the assessment and collection of the same providing for the duties and compensation of prothonotaries and recorders in connection therewith and modifying existing legislation which provided for raising revenue for State purposes" by exempting assets held by liquidating trustees

SENATE BILL No. 177.

An Act regulating and limiting the rights of slayers in real and personal property and in the benefits from insurance policies arising out of or as a result of the death of the person slain protecting and saving the rights of purchasers and insurers dealing with slayers without notice of the slaying and repealing certain legislation

SENATE BILL No. 178.

An Act to amend paragraph four of subsection (a) of section forty-one of the act approved the seventh day of June one thousand nine hundred seventeen (P. L. 447) entitled as amended "An act relating to the administration and distribution of the estates of decedents and of minors and of trust estates including the appointment bonds rights powers duties liabilities accounts discharge and removal of executors administrators guardians and trustees herein designated as fiduciaries the administration and distribution of the estates of persumed decedents widow's and children's exemptions debts of decedents rents of real estate as assets for payment thereof the lien thereof sales and mortgages of real estate for the payment thereof judgments and executions therefor and the discharge of real estate from the lien thereof contracts of decedents for the sale or purchase of real estate legacies including legacies charged on land the discharge of residuary estates and of real estate from the lien of legacies and other charges the appraisement of real estate devised at a valuation the ascertainment of the curtilage of dwelling houses or other buildings devised the abatement and survival of actions and the substitution of executors and administrators therein the survival of causes of action and suits thereupon by or against fiduciaries investments by fiduciaries the organization of corporations to carry on the business of decedents the audit and review of accounts of fiduciaries refunding bonds transcripts to the court of common pleas of balances due by fiduciaries the rights powers and liabilities of nonresident and foreign fiduciaries the appointment bonds rights powers duties and liabilities of trustees durante absentia the recording and registration of decrees reports and other proceedings and the fees therefor appeals in certain cases and also generally dealing with the jurisdiction powers and procedure of the orphans' court in all matters relating to fiduciaries concerned with the estates of decedents" by validating deeds heretofore accepted by fiduciaries holding mortagages in certain cases

SENATE BILL No. 262.

A Supplement to the act approved the twelfth day of June one thousand nine hundred and thirty-nine (P. L. 335) entitled "An act creating a temporary commission to examine report upon and recommend measures to improve the economic cultural health and living conditions of the urban colored population of the State and making an appropriation of the expenses of such commission" by extending the term of such commission until the next regular session of the General Assembly and making an appropriation

SENATE BILL No. 345.

An Act to amend subsection (a) of section sixteen and sub-section (a) of section twenty-one of the act, approved the seventh day of June, one thousand nine hundred and seventeen (P. L. 415), entitled "An act relating to the qualification, jurisdiction, powers, and duties of registers of wills, and regulating proceedings before said registers, and the costs thereof, the effects of their acts, and appeals therefrom," decreasing the period within which appeals may be taken from decrees of registers of wills probating or refusing to probate wills and from all

judicial acts and proceedings of the several registers including all decisions granting an issue devisavit vel non

SENATE BILL No. 374.

An Act to provide for the settlement of disputes among states with respect to domiciliary death taxes and imposing certain duties upon the Department of Revenue the Attorney General and executors and administrators

SENATE BILL No. 457.

An Act to amend the act approved the twenty-fourth day of June one thousand nine hundred and thirty-seven (P. L. 2051) entitled "An act relating to public assistance providing for an regulating assistance to certain classes of person designated and defined as dependent children aged persons blind persons and other persons requiring relief providing for the administration of this act by the Department of Public Assistance and county boards of assistance hereby created for this purpose authorizing the Department of Public Assistance to cooperate with and to accept and disburse moneys received from the United States Government for assistance to such persons providing for the liquidation of the State Emergency Relief Board Boards of Trustees of the Mothers' Assistance Fund and Boards of Trustees of Pension Fund for the Blind and repealing laws relating to mothers' assistance pensions for the blind old age assistance and the State Emergency Relief Board" as amended by enabling the Department of Public Assistance to take measures to rehabilitate persons receiving assistance

SENATE BILL No. 464.

An Act to amend the act approved the twenty-fourth day of June one thousand nine hundred and thirty-seven (P. L. 2051) entitled "An act relating to public assistance providing for and regulating assistance to certain classes of persons designated and defined as dependent children aged persons blind persons and other persons requiring relief providing for the administration of this act by the Department of Public Assistance and county boards of assistance hereby created for this purpose authorizing the Department of Public Assistance to cooperate with and to accept and disburse moneys received from the United States Government for assistance to such persons providing for the liquidation of the State Emergency Relief Board Boards of Trustees of the Mothers' Assistance Fund and Boards of Trustees of Pension Fund for the Blind and repealing laws relating to Mothers' assistance pensions for the blind old age assistance and the State Emergency Relief Board" as amended by changing the residence requirement for general assistance

SENATE BILL No. 526.

A Supplement to the act approved the first day of June one thousand nine hundred and thirty-three (P. L. 1172) entitled "An act establishing certain streets in boroughs and incorporated towns as State highways and providing for their construction and maintenance at the expense of the Commonwealth" establishing an additional route in the boroughs of South Langhorne Langhorne Manor and Langhorne Bucks County

SENATE BILL No. 656.

A Supplement to the act approved the first day of June one thousand nine hundred and thirty-three (P. L. 1172) entitled "An act establishing certain streets in boroughs and incorporated towns as State highways and providing for their construction and maintenance at the expense of the Commonwealth' 'establishing an additional route in the borough of Sellersville Bucks County

SENATE BILL No. 726.

An Act to provide for two additional law judges of the Court of Common Pleas of the Fifth Judicial District

SENATE BILL No. 801.

An Act to validate and confirm certain contracts heretofore entered into by boards of school directors where there is no evidence of fraud or conspiracy and to authorize ratify confirm and validate payments on such contracts by the school district

SENATE BILL No. 935.

An Act to amend sections six hundred four six hundred five and six hundred seven and to further amend section two thousand four hundred seven of the act approved the ninth day of April one thousand nine hundred and twenty-nine (P. L. 177) entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments boards commissions and officers thereof including the board of trustees of State Normal Schools or Teachers Colleges abolishing creating reorganizing or authorizing the reorganization of certain administrative departments boards and commissions defining the powers and duties of the Governor and other executive and administrative officers and of the several administrative departments boards commissions and officers fixing the salaries of the Governor Lieutenant Governor and certain other executive and administrative officers providing for the appointment of certain administrative officers and of all deputies and other assistants and employes in certain departments boards and commissions and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments boards and commissions shall be determined" by further defining the duties of the Department of Internal Affairs

SENATE BILL No. 1173.

An Act authorizing the Department of Property and Supplies to purchase coal underlying the Cresson State Sanatorium and making an appropriation therefor.

SENATE BILL No. 1297.

An Act to validate and quiet the title to real estate in this Commonwealth conveyed to any person partnership or corporation authorized to hold such real estate by any alderman justice of the peace or magistrate where such alderman justice of the peace or magistrate has made acknowledgment of such conveyance before himself and is now deceased

SENATE BILL No. 158.

An Act making an appropriation to the Department of Military Affairs for the maintenance and education of children of certain soldiers sailors marines female field clerks yeomen (female) and nurses

SENATE BILL No. 377.

An Act validating certain proceedings and elections of counties cities boroughs school districts or other municipalities or incorporated districts had and held pursuant to the provisions of an act approved the twentieth day of April one thousand eight hundred seventy-four (P. L. 65) entitled "An act to regulate the manner of increasing the indebtedness of municipalities to provide for the redemption of the same and to impose penalties for the illegal increase thereof" and the amendments and supplements thereto and validating bonds issued or authorized to be issued in pursuance of such proceedings and elections

SENATE BILL No. 618.

An Act to further amend section two of the act approved the third day of May one thousand nine hundred thirty-three (P. L. 252) entitled as amended "An act to regulate and restrain the traffic in malt and brewed beverages as herein defined providing for the licensing

of the manufacture transportation sale and distribution of such beverages imposing license and permit fees and providing for collection and distribution thereof restricting ownership and interest in licensed places permitting municipalities and townships by vote of the electors to prevent the licensing therein of places where such beverages may be sold for consumption on the premises and regulating elections for this purpose imposing duties upon the Pennsylvania Liquor Control Board quarter sessions courts attorneys the Department of Justice proper authorities of political subdivisions of the State and election officers providing penalties and repealing existing acts" by permitting clubs to waive or reduce or pay dues payable by members in military service

SENATE BILL No. 619.

An Act to further amend section two of the act approved the twenty-ninth day of November one thousand nine hundred thirty-three (P. L. 15 1933-34) entitled "An act to regulate and restrain the sale manufacture possession transportation importation traffic in and use of alcohol and alcoholic and malt or brewed beverages conferring powers and imposing duties upon the Pennsylvania Liquor Control Board and its agents the Department of Public Instruction other officers of the State government courts and district attorneys authorizing the establishment and operation of State stores for the sale of such beverages not for consumption on the premises and the granting of licenses subject to local option to sell such beverages for consumption on and off the premises forbidding importation or bringing of such beverages into the State except as herein provided prohibiting certain sales or practices in connection with and transactions in such beverages by licensees and others providing for the forfeiture of certain property making disposition of the receipts from State stores and of fees and imposing penalties" by permitting clubs to waive or reduce or pay dues payable by members in military service

SENATE BILL No. 254.

An Act authorizing municipalities to file liens against real estate beyond the municipal limits for certain municipal rates validating liens heretofore filed and providing for the procedure thereon

SENATE BILL No. 269.

An Act providing for the redemption of real property purchased by political subdivisions at tax sales upon the payment of the amount charged against the same and costs by installment payments and prescribing the procedure thereof

SENATE BILL No. 823.

An Act to amend the act approved the fifteenth day of May one thousand nine hundred and thirty-three (P. L. 624), entitled "An act relating to the business of banking and to the exercise of fiduciary powers by corporations providing for the organization of corporations with fiduciary powers and of banking corporations with or without fiduciary powers including the conversion of National banks into State banks and for the licensing of private bankers defining the rights powers duties liabilities and immunities of such corporations of existent corporations authorized to engage in a banking business with or without fiduciary powers of private bankers and of the officers directors trustees shareholders attorneys and other employes of all such corporations or private bankers or of affiliated corporations associations or persons restricting the exercise of banking powers by any other corporation association or person and of fiduciary powers by any other corporation conferring powers and imposing duties upon the courts prothonotaries recorders of deeds and certain State departments commissions and officers imposing penalties and repealing certain acts and parts of acts" as amended by further providing for the eligibility of directors or trustee of incorporated institutions and further providing for the powers liabilities and immunities and limitations upon the powers and liabilities of corporations or persons authorized to engage in a banking or fiduciary business or both and of affiliates of such corporations or persons and of officers directors trustees and employes of such corporations and persons

SENATE BILL No. 908.

An Act to amend section seventeen of the act approved the seventh day of June one thousand nine hundred and seventeen (P. L. 415) entitled "An act relating to the qualification jurisdiction powers and duties of registers of wills and regulating proceedings before said registers and the costs thereof the effects of their acts and appeals therefrom" further regulating proceedings before the register of wills and in the orphans' court

SENATE BILL No. 1102.

An Act to further amend the act approved the eleventh day of March one thousand nine hundred and nine (P. L. 13) entitled "An act for the protection of the public health by prohibiting the sale offering for sale exposing for sale or having in possession with intent to sell of eggs unfit for food as therein defined and prohibiting the use of such eggs in the preparation of food products providing penalties for the violation thereof and providing for the enforcement thereof" by providing for the licensing by the Department of Agriculture of persons copartnerships associations and corporations engaged in the business of breaking eggs and separating the contents thereof for any purpose regulating the opening of eggs unfit for food and providing for the denaturing of such eggs authorizing the Department of Agriculture to take samples of eggs for the purpose of analysis further regulating the right to sell or otherwise deal with eggs subjected to incubation providing that certain violations of the act shall be punishable in summary proceedings prescribing penalties and repealing certain legislation

Whereupon,

The SPEAKER, in the presence of the House, signed the same.

SENATE MESSAGE

The Clerk of the Senate being introduced, informed that the Senate has insisted upon its amendments, nonconcurred in by the House of Representatives, to House Bill No. 943, entitled:

An Act to reenact and amend section 441 of the act approved the second day of May one thousand nine hundred twenty-nine (P. L. 1278) entitled "An act relating to counties of the second third fourth fifth sixth seventh and eighth classes and revising amending and consolidating the laws relating thereto" by authorizing boards of county commissioners to appropriate county moneys for the support of charitable hospitals

Mr. ACHTERMAN. Mr. Speaker, I move that the House insist upon its non-concurrence in the amendments made and insisted upon by the Senate and that a Committee of Conference be appointed.

The motion was agreed to.

APPOINTMENT OF COMMITTEE OF CONFERENCE ON HOUSE BILL No. 943

The SPEAKER. The Chair appoints as a Committee of Conference on said bill, Messrs. Paul A. Brunner, Boies and Haines.

Ordered, That the Clerk inform the Senate accordingly.

RECONSIDERATION OF VOTE

Mr. MELCHIORRE. Mr. Speaker, I move that the vote by which House Bill No. 1856, (Senate Bill No. 1047), Printer's No. 399, entitled:

An Act to further amend the act approved the seventh day of May one thousand nine hundred twenty-three (P. L. 151) entitled "An act defining and regulating the business of dry cleaning and dyeing providing for the maintenance construction and inspection of dry cleaning and dyeing buildings and establishments providing for enforcing the act and penalties for violation thereof" providing for the administration and enforcement of said act by the Department of Labor and Industry exempting from certain provisions of said act certain plants and systems exclusively using a petroleum solvent having a flash point of one hundred and forty degrees Fahrenheit and empowering the Department of Labor and Industry to make alter amend and repeal rules and regulations

on page 9 of today's calendar, was ordered to be transcribed for a third reading, be reconsidered.

Mr. LEVY. Mr. Speaker, I second the motion.

The SPEAKER. How did the gentleman from Philadelphia, Mr. Melchoirre vote to transcribe the bill for third reading.

Mr. MELCHOIRRE. Mr. Speaker, I voted with the majority.

The SPEAKER. How did the gentleman from Philadelphia, Mr. Levy, vote to transcribe the bill for third reading.

Mr. LEVY. Mr. Speaker, I voted with the majority.

The motion was agreed to.

Mr. MELCHIORRE. Mr. Speaker, I move that the vote by which this bill passed second reading, be reconsidered.

Mr. LEVY. Mr. Speaker, I second the motion.

The motion was agreed to.

Mr. MELCHIORRE. Mr. Speaker, I move that the vote by which the title was agreed to be reconsidered.

Mr. LEVY. Mr. Speaker, I second the motion.

The motion was agreed to.

Mr. MELCHIORRE. Mr. Speaker, I move that the vote by which the various sections were agreed to be reconsidered.

Mr. LEVY. Mr. Speaker, I second the motion.

The motion was agreed to.

The first section was read.

On the question recurring,

Will the House agree to the section?

Mr. MELCHIORRE. Mr. Speaker, I desire to offer the following amendments.

The amendments were read by the Clerk as follows:

Amend Section 1, page 2, line 22, by inserting after the word "product" the following: "having a flash point of less than one hundred and forty degrees Fahrenheit closed cup tester."

Amend Section 1, page 7, by inserting after line 2, the following: "Section 6 Nothing contained in the preceding sections of this act shall be construed to apply to any dry cleaning or dry dyeing plants or systems exclusively using a petroleum solvent having a flash point of 140 degrees Fahrenheit or above (closed cup tester) which are completely equipped in the process of manufacture and employ only closed containers provided that such plants and systems shall conform in all other respects to the regulations of the Department of Labor and Industry for safeguarding employes in dry cleaning and dry dyeing plants."

Amend Section 1, page 7, line 13, by striking out before the word "The" the following: "Section 5.1".

Amend Section 1, page 7, line 18, by striking out the figure "6" and inserting in lieu thereof: "7".

Amend Section 1, page 8, by striking out the figure "7" and inserting in lieu thereof "8".

Amend Section 1, page 8, line 14, by striking out the figure "8" and inserting in lieu thereof: "9".

Amend Section 1, page 9, line 12, by striking out the figure "9" and inserting in lieu thereof: "10".

Amend Section 1, page 9, by inserting after line 25 the following: "All acts and parts of acts inconsistent with this act are hereby repealed."

The amendments were agreed to.

The section was agreed to as amended.

The title was read.

On the question,

Will the House agree to the title?

Mr. MELCHIORRE. Mr. Speaker, I desire to offer the following amendment.

The amendment was read by the Clerk as follows:

Amend title, page 1, line 10 of the title by inserting after the word "Industry" the following: "exempting from certain provisions of said act certain plants and systems exclusively using a petroleum solvent having a flash point of one hundred and forty degrees Fahrenheit and empowering the Department of Labor and Industry".

The amendment was agreed to.

The title was agreed to as amended.

And said bill having been read at length the second time and agreed to as amended.

Ordered, To be transcribed for a third reading.

PERMISSION GRANTED COMMITTEE TO MEET DURING SESSION

Mr. REUBEN E. COHEN asked and obtained permission for the Committee on Judiciary Special to meet during the session of the House.

SENATE MESSAGE

HOUSE BILL CONCURRED IN BY SENATE

The Clerk of the Senate being introduced, returned bill from the House of Representatives numbered and entitled as follows:

HOUSE BILL No. 909.

An Act to further amend section three hundred three of and to add section three hundred seven of the act approved the twenty-fifth day of November one thousand nine hundred and thirty-three (P. L. 15 1933-34) entitled as amended "An act to regulate and restrain the sale manufacture possession transportation importation traffic in and use of alcohol and alcoholic and malt or brewed beverages conferring powers and imposing duties upon the Pennsylvania Liquor Control Board and its agents the Department of Public Instruction other officers of the State government courts and district attorneys authorizing the esablishment and operation of State stores for the sale of such beverages not for consumption on the premises and the granting of licenses subject to local option to sell such beverages for consumption on and off the premises forbidding importation or bringing of such beverages into the State except as herein provided prohibiting certain sales or practices in connection with and transactions in such beverages by licensees and others providing for the forfeiture of certain property making disposition of the receipts from State stores and of fees and imposing penalties" by providing for the appointment of assistant man-

agers in Pennsylvania Liquor Stores and by establishing minimum salaries for certain employes of the Pennsylvania Liquor Control Board working in Pennsylvania Liquor Stores

With the information that the Senate has passed the same without amendment.

ADJOURNMENT

Mr. PRESLEY N. JONES. Mr. Speaker, I move that this House do now adjourn until Saturday, July 12, 1941, at 11 a. m.

The motion was agreed to, and (at 3:28 a. m.) the House adjourned.

COMMONWEALTH OF PENNSYLVANIA

Legislative Journal.

Session 1941. 135th of the General Assembly.

Vol. 25. HARRISBURG, PA., SATURDAY, JULY 12, 1941. No. 86.

SENATE

SATURDAY, July 12, 1941

The Senate met at 1:00 o'clock, p. m., E. S. T.

The PRESIDENT (Lieutenant-Governor Samuel S. Lewis) in the Chair.

PRAYER

The Chaplain, Rev. BURLEIGH A. PETERS, offered the following prayer:

Our Heavenly Father, in this session of this Senate, we do earnestly thank Thee for the privilege and responsibility of representative service throughout this session. Thou hast, for the most part, kept us in health and strength and maintained the right and proper use of our faculties.

Like Pilate of old we may say: "What is written is written," but should it be wrong we are grateful that it is not like the law of the Medes and Persians, unchangeable.

As we are now about ready to adjourn this Senate, we pray Thy continued blessing upon our Presiding Officer, the Lieutenant-Governor, as he has dealt so fairly and impartially throughout this session, upon the officers of the Senate, the Senators themselves and upon all employes who have done their part well in the functioning of the work from day to day.

Direct the Governor of the Commonwealth and the several officers associated with him in the affairs of State.

Lead our nation, O God, according to Thy will through the elected executives of our nation and withal guide, guard and keep us as a people close to Thee always. We pray in the name of Thy Son, Jesus Christ, our Lord. Amen.

JOURNAL APPROVED

The PRESIDENT. A quorum of the Senate being present the Clerk will read the Journal of the preceding session.

The Clerk proceeded to read the Journal of the preceding session, when, on motion of Mr. TAYLOR and Mr. WADE, the further reading was dispensed with, and the Journal was approved.

PRESENTATION TO HON. FREDERICK T. GELDER

Mr. EDMONDS. Mr. President, I desire to claim a few minutes in the interests of friendship, and I hope the Chair will give me recognition on that score.

The PRESIDENT. The gentleman from Montgomery may proceed.

Mr. EDMONDS. Mr. President, at the last session of the General Assembly, 1939-1941, the President Pro Tempore of the Senate was the Honorable Frederick T. Gelder. He left us, but is still continuing in the service of the State, and it is the desire of those who served with him in the State Senate, regardless of party affiliation—for both parties are included in this matter—to take a few minutes to express to him our regard and appreciaion of his service as a statesman, our repect for him as a man, and our love for him as a friend.

I first became acquainted with Senator Gelder in 1921, when we both entered the House of Representatives. Together we served there for, I think, two or three terms, and then he was promoted to the Senate, and after that he had the experience of fifteen or eighteen years in this body. Those who served with him pay tribute first to his common sense, second, to his unflinching patriotism, and third to his even temper, which made it possible to discuss questions with him, questions of the greatest interest and appropriateness to our public work, and yet questions in which there was never any bitterness, and now that the fortunes of war have made him an ex-Senator, it seems to us he ought to carry with him some permanent souvenir of his service in the Senate and, therefore, there has been secured this beautiful tea service from Hoover of Harrisburg, which is as yet incomplete because there is a tea and a waste pot to go with it, and those two will be supplied as soon as the store can furnish the goods.

In presenting them to Senator Gelder, I want to say also it gives greater gratification to his friends in the Senate to know that Mrs. Gelder is here today and is able to enjoy with him this occasion.

Senator Gelder, on behalf of your colleagues in the last General Assembly, who served under your leadership and direction as President Pro Tempore, I take pleasure in presenting you with this permanent sign of appreciation and affection of your colleagues, with the strong hope that you may have many, many years of happy useful life in which to enjoy this tea service.

Mr. SHAPIRO. Mr. President, frequently during the sessions I have wondered whether our presence here can be counted as on the right side of the ledger or on the wrong side, and when I wonder about these things, I am happy to say that occasionally there comes a time when I feel we are accomplishing something, when we realize that during the years of Senator Gelder's activities on the floor of this Senate there have been bitter political disputes, bitter political controversies, to the point where

no one could believe it were at all possible that after the battle there could be calmness, fairness and decency; however, we found that there was, and it is my firm conviction that a great deal of the calmness that came after the storm was due to the character, the ability, the fairness and the decency of the then President Pro Tempore, and even before he was President Pro Tempore, and it is because in fights of that kind, bitter as they may be, that when they were ended, we asserted our human instincts and became friendly and decent to one another again, that I have a great faith, an abiding faith in the strength of this democracy, which gives me courage to go on through times that are trying to anyone. I can say, notwithstanding the fact that there has been added an annoying touch to make us a little more resentful to this than we should be, by having purchased it from a man whose name brings back unpleasant memories to Democrats, and notwithstanding the fact that this gentleman has been an untiring servant of the Republican party and notwithstanding the fact he occupies a position which the Democrats would like to occupy themselves; notwithstanding all those things and because of his character, his fairness, and the love and respect he has taught us to have for him, we join with you Republicans in presenting this to him and wishing him and his good wife long life and happiness.

The PRESIDENT. Senator Gelder, I know that your former colleagues will be glad to have you say a few words to them, and I would suggest that you make use of the microphone.

Mr. GELDER. Mr. President, members of the Senate, and friends, this is the first opportunity I have had to talk to the Senate through a microphone and I am a little loathe to stand too close to it for fear that you will think I have palpitation of the heart, for just at this moment I want to say to you that I do have a strange feeling in my heart that makes utterance difficult.

In life, as on the stage, the players come and go; in life as on the stage the play goes on. As I look about this Chamer, I find Senator Edmonds, with whom I first started my legislative career in the House in 1921, Senator Lanius on the Democratic side, and Senator Woodward on the Republican side, who were here to greet me when I first came to the Senate sixteen years ago. During those sixteen years a great part of my life has been spent within these walls. I have come to know a great many men in Pennsylvania who served here in the State Senate, and a great many other men who were here as employes of the Senate, as representatives of the press, and as members of that fourth group which in my judgment is just as essential to a legislative body as the rest of the membership, nothwithstanding sometimes they are compelled to listen to hard words, and that is the lobby. All the members of the Legislature ask of a lobby is that they put all their cards on the table so that the members of the Ligislature can know just how legislation is going to affect them, or those they represent. I want to say, after sixteen years of service that I have had with as fine a lot of men as I have ever known, that those men who have represented Pennsylvania here have done so with an integrity and vision that I think perhaps stands higher than in any other group with which I have ever been associated.

During each session of the Legislature the Republicans and the Democrats have had their differences, which always have been differences of opinion, differences as to what each felt was best for Pennsylvania, but during every two year session that we have had, something has come forth for the welfare of Pennsylvania.

I want to say to you that it is an honor to serve in this body, an honor that I have always appreciated, and the sixteen years I spent here will always be the red letter era of my career.

In my hand here I hold a little token (a watch) that was given to me the week I was sworn in as a Pennsylvania State Senator. It was given to me by a group of my friends back home. I have always cherished it and I shall place this gift you are giving me here today in my mind alongside of that other gift, because it is a gift from a fine lot of friends, a fine lot of upstanding citizens, a fine lot of state officials. I am particularly happy, because the gift is one that I know Mrs. Gelder will appreciate, enjoy and use, as well as myself. You know, we do not always remember just what these legislative wives have to put up with, because we are here serving the state while they very often are back home, although I am glad to note in this present session a larger group of ladies have come down to keep company with their husbands, the Senators, than ever before. However, they are usually back home while the rest of us are carrying on.

In conclusion, I want to wish for all of you health, prosperity and contentment, and assure you I shall always appreciate not only the intrinsic value, but far more than that the thought behind your giving of this gift to me. Thank you.

Mr. EDMONDS. Mr. President, may I suggest also that the privilege of the floor be extended to Mrs. Frederick T. Gelder.

The PRESIDENT. That will be a pleasure.

Mrs. GELDER. All I can say is thank you for such a lovely gift. I am sure we appreciate it.

NOMINATIONS BY THE GOVERNOR

NOTARIES PUBLIC

The Secretary to the Governor being introduced, presented in writing from His Excellency, the Governor of the Commonwealth, nominations for appointment as Notaries Public.

CONSIDERATION OF NOTARIES PUBLIC

Mr. JAMES. Mr. President, I move that the Senate do now proceed to the consideration of nominations for appointments as Notaries Public, sent to the Senate, July 12, 1941, by His Excellency, the Governor of the Commonwealth.

Mr. EALY. Mr. President, I second the motion.

The motion was agreed to.

The nominations were read as follows:

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, July 12, 1941.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following persons for appointment as Notaries Public, for terms of four years to compute from the date of confirmation:

ALLEGHENY COUNTY

Miss Eileen V. Boyd, Swissvale.
Miss Elizabeth McBurney, Bridgeville.
S. W. Turnbull, Braddock.

ERIE COUNTY

C. F. Spanbauer, Millcreek Twp., 2519 West 12th Street, Erie.

JEFFERSON COUNTY

Roy P. Thursh, Oliver Twp., Coolspring.

PHILADELPHIA COUNTY

Mrs. Maude F. Kalbach, Phila., 5815 N. Mascher St.
Mrs. Anna S. MacDonald, Phila., Edward Bok Vocational School Office, 8th and Mifflin Streets.
Charles A. Smith, Phila., 445 Diamond Street.

SCHUYLKILL COUNTY

Miss Kathryn B. Toppy, Cass Twp., R. D. 2, Pottsville.

YORK COUNTY

Edward A. Brown, York.
Miss Helen L. Rebert, York.

LEHIGH COUNTY

Miss Marian E. Ernst, Allentown.
George W. Stieber, Allentown.

ARTHUR H. JAMES.

NOMINATIONS FOR NOTARIES PUBLIC

A motion was made by Mr. JAMES and Mr. EALY,

That the Senate do advise and consent to said nominations.

On the question,

Will the Senate agree to the motion?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—48

Barr,	DiSilvestro,	Lanius,	Stiefel,
Bartlett,	Ealy,	Letzler,	Tallman,
Becker,	Edmonds,	Mallery,	Taylor,
Carr,	Farrell,	McCreesh,	Thomas,
Cavalcante,	Frey,	McGinnis,	Tyler,
Chapman,	Geltz,	McQuiddy,	Wade,
Coleman,	Haluska,	Miller,	Walker,
Cox,	Heyburn,	Reed,	Watkins,
Crider,	Homsher,	Ruth,	Wilson, H. I.,
Crowe,	James,	Shapiro,	Wilson T. B.,
Deitrick,	Jaspan,	Snowden,	Woodward,
Dent,	Kephart,	Stevenson,	Ziesenheim,

NAYS—0

Two-thirds of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Governor be informed accordingly.

HOUSE MESSAGES

HOUSE BILL FOR CONCURRENCE

The Clerk of the House of Representatives being introduced presented for concurrence bill of the House, as follows:

House Bill No. 1813, (Senate Bill No. 1345), entitled:

An Act to amend section seven of the act, approved the third day of May, one thousand nine hundred and thirty-three (P. L. 242) entitled "Beauty Culture Law," permitting beauty culture schools, in certain cases, to charge for materials used by students in giving treatments to the public.

Which was committeed to the Committee on Public Health.

HOUSE CONCURS IN SENATE BILL No. 1300

He also returned to the Senate, Senate Bill No. 1300, entitled:

An Act to amend sections 410 and 411 of the act approved the third day of June, one thousand nine hundred and thirty-seven, (P. L. 1225), entitled "An act concerning game and other wild birds and wild animals and amending revising consolidating and changing the law relating thereto," by eliminating the requirement that owners make available open public hunting areas contiguous to regulated shooting grounds and changing shooting restrictions on regulated shooting grounds.

with the information that the House has passed the same without amendments.

HOUSE CONCURS IN SENATE BILL No. 1283

He also returned to the Senate, Senate Bill No. 1283, entitled:

A Supplement to the act, approved the twenty-second day of June, one thousand nine hundred and thirty-one (P. L. 594) entitled "An act establishing certain township roads as State highways; authorizing their construction maintenance and improvement under certain conditions and restrictions; limiting the obligation of the Commonwealth in the construction of certain structures located on such highways; conferring certain powers upon the Department of Highways and local authorities, persons, associations and corporations for sharing the cost of the maintenance and construction of such highways and making an appropriation to carry out the provisions of said act," establishing an additional route in the County of Warren.

with the information that the House has passed the same without amendments.

HOUSE CONCURS IN SENATE BILL No. 1055

He also returned to the Senate, Senate Bill No. 1055, entitled:

An Act to amend sections five, six, thirty-one, thirty-two and thirty-nine of the act, approved the twenty-fifth day of May, one thousand nine hundred and thirty-seven (P. L. 849) entitled "An act to provide for the permanent personal registration of electors in cities of the third class as a condition of their right to vote at elections and primaries, and their enrollment as members of political parties as a further condition of their right to vote at primaries; prescribing certain procedure for the conduct of elections and primaries and the challenge and proof of qualications of electors; and prescribing the powers and duties of citizens, parties, political bodies, registration commissions, commissioners, registrars, inspectors of registration and other appointees of registration commissions, county election boards, election officers, municipal officers, department and bureaus, police officers, courts, judges, prothonotaries, sheriffs, county commissioners, peace officers, county treasurers, county controllers, registrars of vital statistics, certain public utility corporations, real estate brokers, notaries, agents, and boards of school directors; imposing penalties; and repealing existing legislation," extending the powers and duties of the registration commission and further regulating the check-up of electors and the cancellation of their registrations by the commissions.

with the information that the House has passed the same without amendments.

HOUSE CONCURS IN SENATE BILL No. 1054

He also returned to the Senate, Senate Bill No. 1054, entitled:

An Act to amend sections four, five, thirty, thirty-one and thirty-eight of the act, approved the twenty-ninth day of April, one thousand nine hundred thirty-seven (P. L. 487), entitled "An act to provide for the permanent personal registration of electors in boroughs, towns, and townships as a condition of their right to vote at elections and primaries, and their enrollment as members of political parties as a further condition of their right to vote at primaries; prescribing certain procedure for the conduct of elections and primaries and the challenge and proof of qualifications of electors; requiring the county commissioners of the various counties to act as a registration commission therefor; and prescribing the powers and duties of citizens, parties, political bodies, registration commissions, commissioners, registrars, inspectors of registration and other appointees of registration commissions, county election boards, election officers, municipal officers, departments and bureaus, police officers, courts, judges, prothonotaries, sheriffs, county commissioners, peace officers, county treasurers, county controllers, registrars of vital statistics, certain public utility corporations, real estate brokers, rental agents, and boards of school directors; and imposing penalties," extending the powers and duties of the registration commission and further regulating the check-up of electors and the cancellation of their registrations by the commission.

with the information that the House has passed the same without amendments.

HOUSE CONCURS IN SENATE BILL No. 1041

He also returned to the Senate, Senate Bill No. 1041, entitled:

An Act to amend the title and section one of the act, approved the twenty-first day of May, one thousand nine hundred and twenty-three (P. L. 295), entitled "An act authorizing and empowering counties of the second class in this Commonwealth to acquire by lease, purchase, or condemnation proceedings any land within the county for the purpose of establishing and maintaining airdromes or aviation landing fields; providing for the procedure in case of condemnation, and the extent of title acquired; authorizing the lease by the county of portions of said land to individuals or corporations upon such terms as may be fixed, and the lease thereof to the Government of the United States upon nominal rental; authorizing and empowering the county to use land now owned by it for such purposes; and authorizing joint operation by said county and any city within the county of airdromes or aviation landing fields, where such city is authorized to establish and maintain the same," by extending the provisions of such act to all counties of this Commonwealth.

with the information that the House has passed the same without amendments.

HOUSE INSISTS UPON ITS AMENDMENTS NON-CONCURRED IN BY THE SENATE TO HOUSE BILL No. 803.

He also presented communication from the House of Representatives informing the Senate that the House insists upon its amendments non-concurred in by the Senate to House Bill No. 803, entitled:

An Act to amend section six hundred and forty-three of the act, approved the twenty-fourth day of June, one thousand nine hundred and thirty-nine (P. L. 872), entitled "The Penal Code," prohibiting selling, giving away or permitting or employing minors under eighteen to sing, dance, act or exhibit in dance houses, concert saloons, theatres, places of entertainment, tap rooms, clubs, cafes, restaurants or eating houses, where or connected with which, wines or spirituous or malt liquors are sold or given away

SENATE INSISTS UPON ITS NON-CONCURRENCE IN AMENDMENTS BY THE HOUSE TO HOUSE BILL No. 803.

Mr. EALY. Mr. President, I move that the Senate insist upon its non-concurrence in the amendments made by the House to the foregoing bill.

Mr. MILLER. Mr. President, I second the motion.

The motion was agreed to.

Ordered, That the Clerk inform the House of Representatives accordingly.

HOUSE INSISTS UPON ITS NON-CONCURRENCE IN AMENDMENTS TO HOUSE BILL No. 957 AND APPOINTS COMMITTEE OF CONFERENCE.

He also informed the Senate that the House insists on its non-concurrence in Senate amendemnts to House Bill No. 957, entitled:

An Act to amend the act approved the fourth day of June one thousand nine hundred and thirty-seven (P. L. 1625) entitled "An act providing for the creation maintenance and operation of a county employes' retirement system in counties of the third class and imposing certain charges on counties," by defining "Average Salary" and further defining "County Employe" and "Retirement Allowance"; further regulating retirement funds and allowances and the payment of retirement allowances and refunds in case of withdrawal or death of members; validating certain contributions; providing for further admissions to the system and protecting rights heretofore vested.

and has appointed Messrs. Weiss, Lesko and Lloyd Wood as a Committee of Conference to confer with a similar committee of the Senate (if the Senate shall appoint such committee) to consider the differences existing between the two houses in relation to said bill.

HOUSE INSISTS UPON ITS NON-CONCURRENCE IN AMENDMENTS TO HOUSE BILL No. 943 AND APPOINTS COMMITTEE OF CONFERENCE.

He also informed the Senate that the House insists on its non-concurrence in Senate amendemnts to House Bill No. 943, entitled:

An Act to reenact and amend section 441 of the act approved the second day of May one thousand nine hundred twenty-nine (P. L. 1278), entitled "General County Law," by authorizing boards of county commissioners to appropriate county moneys for the support of charitable hospitals

and has appointed Messrs. P. Brunner, Boise and Haines as a Committee of Conference to confer with a similar committee of the Senate (if the Senate shall appoint such committee) to consider the differences existing between the two houses in relation to said bill.

HOUSE CONCURS IN AMENDMENTS TO HOUSE BILL No. 708

He also presented communication from the House of

Representatives informing the Senate that the House has concurred in amendments made by the Senate to House Bill No. 708, entitled:

An Act enabling city, county, poor, institution district, ward, school, borough, and township tax collectors, their executors and administrators, if they are deceased, or either surety or sureties, to collect taxes for the payment of which they have become personally liable, without having collected the same by the expiration of the authority of their respective warrants, or by the expiration of their terms of office; extending the time for the collection of the same for a period of two years from the passage of this act; and validating collections and proceedings for collections made or commenced without previous authority.

HOUSE CONCURS IN AMENDMENTS TO HOUSE BILL No. 602

He also presented communication from the House of Representatives informing the Senate that the House has concurred in amendments made by the Senate to House Bill No. 602, entitled:

An Act denying recognition as a political party for all purposes to any group of persons advocating the overthrow of the government.

HOUSE CONCURS IN AMENDMENTS TO HOUSE BILL No. 955

He also presented communication from the House of Representatives informing the Senate that the House has concurred in amendments made by the Senate to House Bill No. 955, entitled:

An Act to amend section ninety-five of the act, approved the second day of May, one thousand nine hundred and twenty-five (P. L. 448), entitled "Fish Law of 1925," further regulating use of nets in boundary lakes.

HOUSE CONCURS IN AMENDMENTS TO HOUSE BILL No. 1418

He also presented communication from the House of Representatives informing the Senate that the House has concurred in amendments made by the Senate to House Bill No. 1418, entitled:

An Act making an appropriation to the Department of Welfare, for the maintenance of certain homes.

HOUSE CONCURS IN AMENDMENTS TO HOUSE BILL No. 1023

He also presented communication from the House of Representatives informing the Senate that the House has concurred in amendments made by the Senate to House Bill No. 1023, entitled:

An Act prohibiting employers from directly or indirectly offering for sale selling procuring for sale having in possession or under control for sale to employes or others any merchandise not produced by employers or not handled in the regular course of employer's business providing exceptions thereto declaring such prohibited sales to be unfair competition and repealing prior inconsistent legislation

HOUSE CONCURS IN AMENDMENTS TO HOUSE BILL No. 437

He also presented communication from the House of Representatives informing the Senate that the House has concurred in amendments made by the Senate to House Bill No. 437, entitled:

An Act authorizing the Department of Property and Supplies to acquire by purchase, gift, lease or condemnation on behalf of the Commonwealth of Pennsylvania, ten acres of land adjacent to the Daniel Boone Homestead, or so much thereof as may be necessary to properly honor the pioneer, Daniel Boone, on the spot where he was born; providing for the control, management, supervision, improvement, preservation and maintenance thereof; authorizing the Pennsylvania Historical Commission to make and enforce rules and regulations for the preservation and visitation thereof; and making an appropriation.

SENATE BILL No. 1044 RETURNED WITH AMENDMENTS

He also returned to the Senate, Senate Bill No. 1044, entitled:

An Act to further amend section eleven and section seventeen of the act approved the twenty-seventh day of June one thousand nine hundred twenty-three (P. L. 858), entitled "An act establishing a State employes' retirement system, and creating a retirement board for the administration thereof; establishing certain funds from contributions by the Commonwealth and contributing State employes; defining the uses and purposes thereof, and the manner of payments therefrom, and providing for the guaranty by the Commonwealth of certain of said funds; imposing powers and duties upon the heads of departments in which State employes serve; excepting annuities, allowances, returns, benefits and rights from taxation and judicial process; and providing penalties" by permitting a member to borrow from his or her funds under certain provisions and regulating exemption from execution.

with the information that the House has passed the same with amendments, in which the concurrence of the Senate is requested.

Mr. EALY. Mr. President, I move that Rule 21, which requires amended bills to be noted on the calendar, be in this case dispensed with, and that the Senate proceed to the consideration of the amendments made by the House of Representatives to the foregoing bill.

Mr. MILLER. Mr. President, I second the motion.

The motion was agreed to.

SENATE INSISTS UPON ITS NON-CONCURRENCE IN AMENDMENTS BY THE HOUSE TO SENATE BILL No. 1044

Mr. EALY. Mr. President, I move that the Senate insist upon its non-concurrence in the amendments made by the House to Senate Bill No. 1044.

Mr. MILLER. Mr. President, I second the motion.

The motion was agreed to.

Ordered, That the Clerk inform the House of Representatives accordingly.

HOUSE INSISTS ON ITS AMENDMENTS NON-CONCURRED IN BY THE SENATE TO SENATE BILL No. 594

He also presented a communication from the House, informing the Senate that the House insists on its amendments non-concurred in by the Senate to Senate Bill No. 594, entitled:

An Act to amend the act, approved the twenty-fourth day of June, one thousand nine hundred and thirty-seven (P. L. 2051), entitled "An act relating to public assistance; providing for and regulating assistance to certain classes

of persons designated and defined as dependent children, aged persons, blind persons and other persons requiring relief; providing for the administration of this act by the Department of Public Assistance and county boards of assistance hereby created for this purpose; authorizing the Department of Public Assistance to cooperate with, and to accept and disburse moneys received from, the United States Government for assistance to such persons; providing for the liquidation of the State Emergency Relief Board, Boards of Trustees of the Mothers' Assistance Fund, and Boards of Trustees of Pension Fund for the Blind; and repealing laws relating to mothers' assistance, pensions for the blind, old age assistance, and the State Emergency Relief Board," as amended by redefining assistance to include work relief, and authorizing the Department of Public Assistance, with the approval of the Governor, to administer work relief projects.

SENATE INSISTS UPON ITS NON-CONCURRENCE IN AMENDMENTS BY THE HOUSE TO SENATE BILL No. 594

Mr. EALY. Mr. President, I move that the Senate insist on its non-concurrence in the amendments made by the House to Senate Bill No. 594.

Mr. MILLER. Mr. President, I second the motion.

The motion was agreed to.

Ordered, That the Clerk inform the House of Representatives accordingly.

HOUSE INSISTS ON ITS AMENDMENTS NON-CONCURRED IN BY THE SENATE TO SENATE BILL No. 654

He also presented communication from the House, informing the Senate that the House insists on its amendments non-concurred in by the Senate to Senate Bill No. 654, entitled:

An Act to amend sections two hundred two and four hundred fifty-two of the act, approved the ninth day of April one thousand nine hundred and twenty-nine (P. L. 177), entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments, boards, commissions and officers thereof, including the boards of trustees of State Normal Schools or Teachers Colleges, abolishing, creating, reorganizing or authorizing the reorganization of certain administrative departments, boards and commissions, defining the powers and duties of the Governor and other executive and administrative officers and of the several administrative departments, boards, commissions and officers fixing the salaries of the Governor Lieutenant-Governor and certain other executive and administrative officers, providing for the appointment of certain administrative officers and of all deputies and other assistants and employes in certain departments, boards and commissions and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments, boards and commissions shall be determined," as amended, in order to establish the State Civil Service Commission as a departmental administrative commission in the Executive Department

SENATE INSISTS ON ITS NON-CONCURRENCE IN AMENDMENTS BY THE HOUSE TO SENATE BILL No. 654

Mr. EALY Mr. President, I move that the Senate insist on its non-concurrence in the amendments made by the House to Senate Bill No. 654.

Mr. WATKINS. Mr. President, I second the motion.

The motion was agreed to.

Ordered, That the Clerk inform the House of Representatives accordingly.

HOUSE INSISTS ON ITS AMENDMENTS NON-CONCURRED IN BY THE SENATE TO SENATE BILL No. 1029

He also informed the Senate, that the House insists on its amendments non-concurred in by the Senate to Senate Bill No. 1029, entitled:

An Act creating a Joint Legislative Committee for the purpose of making a thorough study and investigation of the State Employes Retirement System; providing for its appointment; authorizing the employment of necessary clerks and assistants; authorizing the subpoenaing of witnesses and records and making an appropriation.

COMMUNICATION BE LAID ON THE TABLE

Mr. EALY. Mr. President, I understand this is a bill sponsored by Senator Edmonds and Senator Wade relating to an investigation of the retirement system. I move that the communication from the House, informing the Senate that it insists on its amendment to the foregoing bill, be laid on the table.

Mr. THOMAS. Mr. President, I second the motion.

The motion was agreed to.

Ordered, That the Clerk inform the House of Representatives accordingly.

HOUSE INSISTS ON ITS AMENDMENTS NON-CONCURRED IN BY THE SENATE TO SENATE BILL No. 1308

He also informed the Senate, that the House insists on its amendments non-concurred in by the Senate to Senate Bill No. 1308, entitled:

An Act to further amend the first paragraph of section three of the act, approved the twenty-second day of May, one thousand nine hundred thirty-three (P. L. 912) entitled "An act to protect the public health; defining and providing for the licensing of bakeries, and regulating the inspection, maintenance, and operation of bakeries and premises, stores and shops connected therewith; defining and regulating the manufacture, sale and offering for sale of bakery products; conferring powers on the Department of Agriculture; and providing penalties," by extending the exception from registration and licensing requirements.

SENATE INSISTS ON ITS NON-CONCURRENCE IN THE AMENDMENTS MADE BY THE HOUSE TO SENATE BILL No. 1308

Mr. EALY. Mr. President, I move that the Senate insist on its non-concurrence in the amendments made by the House to the foregoing bill.

Mr. LETZLER. Mr. President, I second the motion.

The motion was agreed to.

Ordered, That the Clerk inform the House of Representatives accordingly.

APPOINTMENT OF CONFERENCE COMMITTEE ON SENATE BILL No. 703, (HOUSE BILL No. 803)

Mr. EALY. Mr. President, I move that a Committee of Conference be appointed to confer with a similar committee of the House of Representatives (if the House shall appoint such a committee) to consider the differ-

ences existing between the two houses in relation to said bill.

Mr. GELTZ. Mr. President, I second the motion.

The motion was agreed to.

The PRESIDENT. The President Pro Tempore appoints Messrs. Letzer, Kephart, and DiSilvestro to be said committee on the part of the Senate, and directs that the Clerk inform the House of Representatives accordingly.

APPOINTMENT OF CONFERENCE COMMITTEE ON SENATE BILL No. 1109, (HOUSE BILL No. 957)

Mr. EALY. Mr. President, I move that a Committee of Conference be appointed to confer with a similar committee of the House of Representatives (if the House shall appoint such a committee) to consider the differences existing between the two houses in relation to said bill.

Mr. GELTZ. Mr. President, I second the motion.

The motion was agreed to.

The PRESIDENT. The President Pro Tempore appoints Messrs. Watkins, Miller, and Cox to be said committee on the part of the Senate, and that the Clerk inform the House of Representatives accordingly.

APPOINTMENT OF CONFERENCE COMMITTEE ON SENATE BILL No. 1044, (HOUSE BILL No. 1817)

Mr. EALY. Mr. President, I move that a Committee of Conference be appointed to confer with a similar committee of the House of Representatives (if the House shall appoint such a committee) to consider the differences existing between the two houses in relation to said bill.

Mr. GELTZ. Mr. President, I second the motion.

The motion was agreed to.

The PRESIDENT. The President Pro Tempore appoints Messrs. Crowe, Wade, and Cavalcante to be said committee on the part of the Senate, and that the Clerk inform the House of Representatives accordingly.

APPOINTMENT OF CONFERENCE COMMITTEE ON SENATE BILL No. 594, (HOUSE BILL No. 1844)

Mr. EALY. Mr. President, I move that a Committee of Conference be appointed to confer with a similar committee of the House of Representatives (if the House shall appoint such a committee) to consider the differences existing between the two houses in relation to said bill.

Mr. GELTZ. Mr. President, I second the motion.

The motion was agreed to.

The PRESIDENT. The President Pro Tempore appoints Messrs. Heyburn, Geltz and Shapiro to be said committee on the part of the Senate, and that the Clerk inform the House of Representatives accordingly.

APPOINTMENT OF CONFERENCE COMMITTEE ON SENATE BILL No. 653, (HOUSE BILL No. 1956)

Mr. EALY. Mr. President, I move that a Committee of Conference be appointed to confer with a similar committee of the House of Representatives (if the House shall appoint such a committee) to consider the differences existing between the two houses in relation to said bill.

Mr. GELTZ. Mr. President, I second the motion.

The motion was agreed to.

The PRESIDENT. The President Pro Tempore appoints Messrs. Tallman, Walker, and Ruth to be said committee on the part of the Senate, and that the Clerk inform the House of Representatives accordingly.

APPOINTMENT OF CONFERENCE COMMITTEE ON SENATE BILL No. 654, (HOUSE BILL No. 937)

Mr. EALY. Mr. President, I move that a Committee of Conference be appointed to confer with a similar committee of the House of Representatives (if the House shall appoint such a committee) to consider the differences existing between the two houses in relation to said bill.

Mr. GELTZ. Mr. President, I second the motion.

The motion was agreed to.

The PRESIDENT. The President Pro Tempore appoints Messrs. Tallman, Walker, and Ruth to be said committee on the part of the Senate, and that the Clerk inform the House of Representatives accordingly.

APPOINTMENT OF CONFERENCE COMMITTEE ON SENATE BILL No. 1308, (HOUSE BILL No. 1983)

Mr. EALY. Mr. President, I move that a Committee of Conference be appointed to confer with a similar committee of the House of Representatives (if the House shall appoint such a committee) to consider the differences existing between the two houses in relation to said bill.

Mr. GELTZ. Mr. President, I second the motion.

The motion was agreed to.

The PRESIDENT. The President Pro Tempore appoints Messrs. Heyburn, Homsher, and Cox to be said committee on the part of the Senate, and that the Clerk inform the House of Representatives accordingly.

HOUSE INSISTS UPON ITS AMENDMENTS NON-CONCURRED IN BY THE SENATE TO SENATE BILL No. 51, AND APPOINTS COMMITTEE OF CONFERENCE

The Clerk of the House of Representatives being introduced presented communication from the House of Representatives informing the Senate that the House insists upon its amendments non-concurred in by the Senate to Senate Bill No. 51, entitled:

An Act authorizing and empowering school districts to furnish food, including milk to undernourished and poor school children in their districts.

and has appointed Messrs. O'Neill, Bradley, and McSurdy as a Committee of Conference to confer with a similar committee of the Senate (already appointed) to consider the differences existing between the two houses in relation to said bill.

SENATE BILL No. 1313, RETURNED WITH AMENDMENTS

He also returned to the Senate, Senate Bill No. 1313, entitled:

A Supplement to the act, approved the twenty-seventh day of June, one thousand nine hundred thirty-nine (Appropriation Acts page sixty), entitled "An act to provide for the ordinary expenses of the Executive, Legislative and Judicial Departments of the Commonwealth, interest on the public debt, and the support of the public schools for two years beginning June first, one thousand nine hundred and thirty-nine; and for the payment of bills incurred and remaining unpaid at the close of the fiscal year ending May thirty-first, one thousand nine hundred and thirty-nine," providing for deficiencies in certain appropriations made by the act for the fiscal biennium ending May thirty-first, one thousand nine hundred forty-one.

with the information that the House has passed the same with amendments, in which the concurrence of the Senate is requested.

BILL LAID ON TABLE

Mr. EALY. Mr. President, I move that Senate Bill No. 1313, (House Bill No. 1977), be laid on the table.

Mr. MILLER. I second the motion.

It was agreed to.

SENATE BILL No. 145 RETURNED WITH AMENDMENTS

He also returned to the Senate, Senate Bill No. 145, entitled:

An Act to amend further section fourteen of an act, approved the seventh day of August, one thousand nine hundred thirty-six (P. L. 106), entitled "An act relating to flood control; prescribing the powers and duties of the Water and Power Resources Board of the Department of Forests and Waters in relation to the creation of flood control districts, adoption of plans for flood control works, and improvements, carrying into effect of such plans, assistance, aid and cooperation with public and private agencies and the Federal Government in Federal flood control works and improvements, and entering into compacts and agreements with other states for flood control works and improvements; conferring the power of eminent domain; providing for the setting off of benefits; imposing certain charges upon the Commonwealth; providing for appeals; and conferring certain powers on municipalities, counties, and townships, and the Department of Highways." as re-enacted and amended, by conferring additional powers on the Department of Highways.

with the information that the House has passed the same with amendments, in which the concurrence of the Senate is requested.

Mr. EALY. Mr. President, I move that Rule 21, which requires amended bills to be noted on the calendar, be in this case dispensed with, and that the Senate proceed to the consideration of the amendments made by the House of Representatives to the foregoing bill.

Mr. EDMONDS. Mr. President, I second the motion.

The motion was agreed to.

SENATE CONCUR IN AMENDMENTS BY THE HOUSE TO SENATE BILL No. 145

Mr. EALY. This is a bill relating to flood control, sponsored by Senator Snowden.

I move that the Senate do now concur in the amendments made by the House to Senate Bill No. 145.

Mr. EDMONDS. Mr. President, I second the motion.

The motion was agreed to.

Ordered, That the Clerk inform the House of Representatives accordingly.

SENATE BILL No. 205 RETURNED WITH AMENDMENTS

He also returned to the Senate, Senate Bill No. 205, entitled:

An Act making an appropriation to the Trustees of the Pennsylvania State College for the use of the School of Mineral Industries for research and investigation of problems affecting mineral industries.

with the information that the House has passed the same with amendments, in which the concurrence of the Senate is requested.

Mr. EALY. Mr. President, I move that Rule 21, which requires amended bills to be noted on the calendar, be in this case dispensed with, and that the Senate proceed to the consideration of the amendments made by the House of Representatives to the foregoing bill.

Mr. CROWE. Mr. President, I second the motion.

The motion was agreed to.

SENATE NON-CONCURS IN AMENDMENTS BY THE HOUSE TO SENATE BILL No. 205

Mr. EALY. Mr. President, I move that the Senate non-concur in the amendments made by the House to Senate Bill No. 205.

Mr. CROWE. Mr. President, I second the motion.

On the question,

Will the Senate agree to the motion?

It was agreed to.

Ordered, That the Clerk inform the House of Representatives accordingly.

SENATE BILL No. 399 RETURNED WITH AMENDMENTS

He also returned to the Senate, Senate Bill No. 399, entitled:

An Act making an appropriation to the Treasury Department for the use of the Board of Finance and Revenue in granting refunds of "store and theatre" tax.

with the information that the House has passed the same with amendments, in which the concurrence of the Senate is requested.

Mr. EALY. Mr. President, I move that Rule 21, which requires amended bills to be noted on the calendar, be in this case dispensed with, and that the Senate proceed to the consideration of the amendments made by the House of Representatives to the foregoing bill.

Mr. EDMONDS. Mr. President, I second the motion.

The motion was agreed to.

SENATE CONCURS IN AMENDMENTS BY THE HOUSE TO SENATE BILL No. 399

Mr. EALY. Mr. President, I move that the Senate do now concur in the amendments made by the House to Senate Bill No. 399.

Mr. COLEMAN. Mr. President, I second the motion.

On the question,

Will the Senate agree to the motion?

Mr. EALY. Mr. President, this bill was introduced by the gentleman from Lackawanna and provides for refunds for payments to those who paid store and theatre

taxes. The only amendment by the House was to change the repayment from the General Fund to the State school fund in which the money was. I think it is a proper amendment and one with which I agree.

And the question recurring,

Will the Senate agree to the motion?

It was agreed to.

Ordered, That the Clerk inform the House of Representatives accordingly.

SENATE BILL No. 545 RETURNED WITH AMENDMENTS

He also returned to the Senate, Senate Bill No. 545, entitled:

An Act relating to the summoning and service of jurors (except grand jurors) in the civil and criminal courts of the several counties of the Commonwealth except cities of the first class.

with the information that the House has passed the same with amendments, in which the concurrence of the Senate is requested.

Mr. EALY. Mr. President, I move that Rule 21, which requires amended bills to be noted on the calendar, be in this case dispensed with, and that the Senate proceed to the consideration of the amendments made by the House of Representatives to the foregoing bill.

Mr. REED. Mr. President, I second the motion.

The motion was agreed to.

Mr. EALY. Mr. President, this is a bill sponsored by the gentleman from Washington, Senator Reed, relating to service of jurors. The House took out second class counties, eliminating second class counties from the bill. I believe first class counties were eliminated in the Senate. The Senator from Washington desires that we concur in the amendments.

SENATE CONCURS IN HOUSE AMENDMENTS TO SENATE BILL No. 545

Mr. EALY. Mr. President, I now move that the Senate concur in the amendments.

Mr. REED. I second the motion, Mr. President.

On the question,

Will the Senate agree to the motion?

It was agreed to.

Ordered, That the Clerk inform the House of Representatives accordingly.

RECALL RESOLUTIONS

Mr. EALY. As I understand, Mr. President, we are about to consider a list of twenty-one bills recalled from the Governor. The House asks us to concur in resolutions returning them without amendment.

Mr. COLEMAN. Mr. President, I desire to interrogate the gentleman from Somerset.

The PRESIDENT. Will the gentleman from Somerset permit himself to be interrogated?

Mr. EALY. I will, Mr. President.

Mr. COLEMAN. Did I understand, Mr. President, the gentleman from Somerset to say that the House is asking that we concur in returning twenty-one bills to the Governor?

Mr. EALY. As I understand the statement of the Chair and from the desk, either last week or the week before the House passed resolutions, in which the Senate concurred, recalling twenty-one bills from the Governor. Now the House has prepared twenty-one resolutions proposing to return those bills to the Governor without amendment, in which the concurrence of the Senate is requested.

Mr. COLEMAN. Mr. President, I would like to suggest that it has been my observation and my experience in the General Assembly that all bills go to the Department of Justice after having passed the House and the Senate, for examination by its attorneys, and every now and again, notwithstanding that the General Assembly gives the bills close scrutiny and attention, errors are found which render a bill doubtful constitutionality, or which impair the legality of the bill. I am just wondering, in connection with these twenty-one bills which it is proposed to return to the Governor by means of these recall resolutions, if we are not jeopardizing passage of some of those bills which may be important. It is my information that the Department of Justice asked for certain changes in the bills in order to have the Governor sign them.

However, Mr. President, after explanation by the Minority Floor Leader, I withdraw my objection.

HOUSE MESSAGES

RESOLUTION RETURNING TO THE GOVERNOR HOUSE BILL No. 1722 (PRINTER'S No. 836)

He also presented extract from the Journal of the House of Representatives, which was twice read as follows, considered and agreed to:

In the House of Representatives, July 12, 1941.

Resolved (if the Senate concur), That House Bill No. 1722, (Printer's No. 836), entitled:

An Act authorizing the Department of Property and Supplies with the approval of the Governor and the Board of Trustees of Warren State Hospital to acquire a certain tract of land for the use of said hospital and making an appropriation therefor

be returned to the Governor without amendment.

Ordered, That the Clerk inform the House of Representatives accordingly.

RESOLUTION RETURNING TO THE GOVERNOR HOUSE BILL No. 1659, (PRINTER'S No. 775)

He also presented extract from the Journal of the House of Representatives, which was twice read as follows, considered and agreed to:

In the House of Representatives, July 12, 1941.

Resolved (if the Senate concur), That House Bill No. 1659, (Printer's No. 775), entitled:

An Act making an appropriation to the Department of Revenue for the payment of accounts settled against the Commonwealth and that department in favor of certain persons, associations and corporations.

be returned to the Governor without amendment.

Ordered, That the Clerk inform the House of Representatives accordingly.

RESOLUTION RETURNING TO THE GOVERNOR HOUSE BILL No. 1591, (PRINTER'S No. 634)

He also presented extract from the Journal of the House of Representatives, which was twice read as follows, considered and agreed to:

In the House of Representatives, July 12, 1941.

Resolved (if the Senate concur), That House Bill No. 1591, (Printer's No. 634), entitled:

An Act making an appropriation to the Pennsylvania Museum and School of Industrial Art, Philadelphia.

be returned to the Governor without amendment.

Ordered, That the Clerk inform the House of Representatives accordingly.

RESOLUTION RETURNING TO THE GOVERNOR HOUSE BILL No. 1590, (PRINTER'S No. 572)

He also presented extract from the Journal of the House of Representatives, which was twice read as follows, considered and agreed to:

In the House of Representatives, July 12, 1941.

Resolved (if the Senate concur), That House Bill No. 1590, (Printer's No. 572), entitled:

An Act making an appropriation to the Board of Trustees of the Philadelphia Museum, Philadelphia.

be returned to the Governor without amendment.

Ordered, That the Clerk inform the House of Representatives accordingly.

RESOLUTION RETURNING TO THE GOVERNOR HOUSE BILL No. 1334, (PRINTER'S No. 588)

He also presented extract from the Journal of the House of Representatives, which was twice read as follows, considered and agreed to:

In the House of Representatives, July 12, 1941.

Resolved (if the Senate concur), That House Bill No. 1334, (Printer's No. 588), entitled:

An Act making an appropriation to the Department of Property and Supplies for the payment of claims arising in connection with the erection and construction of the Eastern State Penitentiary at Graterford.

be returned to the Governor without amendment.

Ordered, That the Clerk inform the House of Representatives accordingly.

RESOLUTION RETURNING TO THE GOVERNOR HOUSE BILL No. 1321, (PRINTER'S No. 602)

He also presented extract from the Journal of the House of Representatives, which was twice read as follows, considered and agreed to:

In the House of Representatives, July 12, 1941.

Resolved (if the Senate concur), That House Bill No. 1321, (Printer's No. 602), entitled:

An Act making an appropriation to the Department of Property and Supplies for payment of balances due certain contractors for additions and alterations at the Harrisburg State Hospital.

be returned to the Governor without amendment.

Ordered, That the Clerk inform the House of Representatives accordingly.

RESOLUTION RETURNING TO THE GOVERNOR HOUSE BILL No. 1203, (PRINTER'S No. 612)

He also presented extract from the Journal of the House of Representatives, which was twice read as follows, considered and agreed to:

In the House of Representatives, July 12, 1941.

Resolved (if the Senate concur), That House Bill No. 1203, (Printer's No. 612), entitled:

An Act making an appropriation to the Jefferson Medical College, of Philadelphia, Pennsylvania, for medical education.

be returned to the Governor without amendment.

Ordered, That the Clerk inform the House of Representatives accordingly.

RESOLUTION RETURNING TO THE GOVERNOR HOUSE BILL No. 1106, (PRINTER'S No. 1046)

He also presented extract from the Journal of the House of Representatives, which was twice read as follows, considered and agreed to:

In the House of Representatives, July 12, 1941.

Resolved (if the Senate concur), That House Bill No. 1106, (Printer's No. 1046), entitled:

An Act making an appropriation to the Women's Medical College of Pennsylvania located at East Falls Philadelphia Pennsylvania.

be returned to the Governor without amendment.

Ordered, That the Clerk inform the House of Representatives accordingly.

RESOLUTION RETURNING TO THE GOVERNOR HOUSE BILL No. 1083, (PRINTER'S No. 614)

He also presented extract from the Journal of the House of Representatives, which was twice read as follows, considered and agreed to:

In the House of Representatives, July 12, 1941.

Resolved (if the Senate concur), That House Bill No. 1083, (Printer's No. 614), entitled:

An Act making an appropriation to the Trustees of Temple University at Philadelphia, Pennsylvania.

be returned to the Governor without amendment.

Ordered, That the Clerk inform the House of Representatives accordingly.

RESOLUTION RETURNING TO THE GOVERNOR HOUSE BILL No. 1068, (PRINTER'S No. 592)

He also presented extract from the Journal of the House of Representatives, which was twice read as follows, considered and agreed to:

In the House of Representatives, July 12, 1941.

Resolved (if the Senate concur), That House Bill No. 1068, (Printer's No. 592), entitled:

An Act making an appropriation to the Trustees of the University of Pennsylvania.

be returned to the Governor without amendment.

Ordered, That the Clerk inform the House of Representatives accordingly.

RESOLUTION RETURNING TO THE GOVERNOR HOUSE BILL No. 1066, (PRINTER'S No. 978)

He also presented extract from the Journal of the House of Representatives, which was twice read as follows, considered and agreed to:

In the House of Representatives, July 12, 1941.

Resolved (if the Senate concur), That House Bill No. 1066, (Printer's No. 978), entitled:

An Act making an appropriation to the Trustees of the Hahnemann Medical College and Hospital of Philadelphia, Pennsylvania.

be returned to the Governor without amendment.

Ordered, That the Clerk inform the House of Representatives accordingly.

RESOLUTION RETURNING TO THE GOVERNOR HOUSE BILL No. 1065, (PRINTER'S No. 599)

He also presented extract from the Journal of the House of Representatives, which was twice read as follows, considered and agreed to:

In the House of Representatives, July 12, 1941.

Resolved (if the Senate concur), That House Bill No. 1065, (Printer's No. 599), entitled:

An Act making an appropriation to the National Farm School, at Doylestown, Pennsylvania.

be returned to the Governor without amendment.

Ordered, That the Clerk inform the House of Representatives accordingly.

RESOLUTION RETURNING TO THE GOVERNOR HOUSE BILL No. 1003, (PRINTER'S No. 591)

He also presented extract from the Journal of the House of Representatives, which was twice read as follows, considered and agreed to:

In the House of Representatives, July 12, 1941.

Resolved (if the Senate concur), That House Bill No. 1003, (Printer's No. 591), entitled:

An Act making an appropriation to the Moore Institute of Art, Science and Industry formerly Philadelphia School of Design for Women at Philadelphia, Pennsylvania

be returned to the Governor without amendment.

Ordered, That the Clerk inform the House of Representatives accordingly.

RESOLUTION RETURNING TO THE GOVERNOR HOUSE BILL No. 650, (PRINTER'S No. 164)

He also presented extract from the Journal of the House of Representatives, which was twice read as follows, considered and agreed to:

In the House of Representatives, July 12, 1941.

Resolved (if the Senate concur), That House Bill No. 650, (Printer's No. 164), entitled:

An Act to amend section seven of the act approved the twenty-second day of June, one thousand nine hundred and thirty-one (P. L. 720), entitled "City State Highway Law," as last amended, by providing for the changing of width, lines, location or grades of streets in cities of the second class, second class A and third class, by the Department of Highways without the consent of the city in which said street is located; relieving the city from liability for damages in such cases; and imposing liability for damages upon the Commonwealth of Pennsylvania.

be returned to the Governor without amendment.

Ordered, That the Clerk inform the House of Representatives accordingly.

RESOLUTION RETURNING TO THE GOVERNOR HOUSE BILL No. 611, (PRINTER'S No. 773)

He also presented extract from the Journal of the House of Representatives, which was twice read as follows, considered and agreed to:

In the House of Representatives, July 12, 1941.

Resolved (if the Senate concur), That House Bill No. 611, (Printer's No. 773), entitled:

An Act providing for the acquisition by the Department of Forests and Waters, in the name of the Commonwealth, of certain lands in Luzerne, Sullivan, and Wyoming Counties, for use of as a State Park; making an appropriation for said acquisition; providing for the management of said property by said department and defining the uses to which the property shall be put.

be returned to the Governor without amendment.

Ordered, That the Clerk inform the House of Representatives accordingly.

RESOLUTION RETURNING TO THE GOVERNOR HOUSE BILL No. 502, (PRINTER'S No. 783)

He also presented extract from the Journal of the House of Representatives, which was twice read as follows, considered and agreed to:

In the House of Representatives, July 12, 1941.

Resolved (if the Senate concur), That House Bill No. 502, (Printer's No. 783), entitled:

An Act authorizing the Department of Property and Supplies with advice and approval of the Pennsylvania Historical Commission to acquire on behalf of the Commonwealth of Pennsylvania, certain land which is the site of an old fortress known as Old Garrison in the City of Franklin, Venango County, or so much thereof as may be necessary as a historical memorial; providing for the control, management, supervision and improvement thereof; authorizing the Pennsylvania Historical Commission in cooperation with other agencies to make and enforce rules and regulations for the preservation and visitation thereof; authorizing the Pennsylvania Historical Commission to cooperate with the Daughters of the American Revolution and interested patriotic societies in providing funds for a restoration of Old Garrison; and making an appropriation.

be returned to the Governor without amendment.

Ordered, That the Clerk inform the House of Representatives accordingly.

RESOLUTION RETURNING TO THE GOVERNOR HOUSE BILL No. 614, (PRINTER'S No. 616)

He also presented extract from the Journal of the House of Representatives, which was twice read as follows, considered and agreed to:

In the House of Representatives, July 12, 1941.

Resolved (if the Senate concur), That House Bill No. 614, (Printer's No. 616), entitled:

An Act making an appropriation to the Downingtown Industrial and Agricultural School, Downingtown, Pennsylvania.

be returned to the Governor without amendment.

Ordered, That the Clerk inform the House of Representatives accordingly.

RESOLUTION RETURNING TO THE GOVERNOR HOUSE BILL No. 581, (PRINTER'S No. 976)

He also presented extract from the Journal of the House of Representatives, which was twice read as follows, considered and agreed to:

In the House of Representatives, July 12, 1941.

Resolved (if the Senate concur), That House Bill No. 581, (Printer's No. 976), entitled:

An Act making an appropriation to the Department of Agriculture for laboratory research in the prevention of the transmission and in the cure of mastitis in cattle.

be returned to the Governor without amendment.

Ordered, That the Clerk inform the House of Representatives accordingly.

RESOLUTION RETURNING TO THE GOVERNOR HOUSE BILL No. 404, (PRINTER'S No. 1059)

He also presented extract from the Journal of the House of Representatives, which was twice read as follows, considered and agreed to:

In the House of Representatives, July 12, 1941.

Resolved (if the Senate concur), That House Bill No. 404, (Printer's No. 1059), entitled:

An Act relating to marriage and amending, revising, consolidating and changing the law relating thereto.

be returned to the Governor without amendment.

Ordered, That the Clerk inform the House of Representatives accordingly.

RESOLUTION RETURNING TO THE GOVERNOR HOUSE BILL No. 351, (PRINTER'S No. 600)

He also presented extract from the Journal of the House of Representatives, which was twice read as follows, considered and agreed to:

In the House of Representatives, July 12, 1941.

Resolved (if the Senate concur), That House Bill No. 351, (Printer's No. 600), entitled:

Making an appropriation to the Johnson Industrial School of Scranton, Pennsylvania.

be returned to the Governor without amendment.

Ordered, That the Clerk inform the House of Representatives accordingly.

RESOLUTION RETURNING TO THE GOVERNOR HOUSE BILL No. 305, (PRINTER'S No. 737)

He also presented extract from the Journal of the House of Representatives, which was twice read as follows, considered and agreed to:

In the House of Representatives, July 12, 1941.

Resolved (if the Senate concur), That House Bill No. 305, (Printer's No. 737), entitled:

An Act making an appropriation to the Elwyn Training School, at Elwyn, in the County of Delaware, Commonwealth of Pennsylvania; and prescribing certain conditions upon which the appropriation will be available to the school.

be returned to the Governor without amendment.

Ordered, That the Clerk inform the House of Representatives accordingly.

RESOLUTION RETURNING TO THE GOVERNOR HOUSE BILL No. 281, (PRINTER'S No. 586)

He also presented extract from the Journal of the House of Representatives, which was twice read as follows, considered and agreed to:

In the House of Representatives, July 12, 1941.

Resolved (if the Senate concur), That House Bill No. 281, (Printer's No. 586), entitled:

An Act making an appropriation to the Department of Labor and Industry, for the rehabilitation of the deaf and hard of hearing and for the purpose of matching additional federal funds.

be returned to the Governor without amendment.

Ordered, That the Clerk inform the House of Representatives accordingly.

RESOLUTION RETURNING TO THE GOVERNOR HOUSE BILL No. 389, (PRINTER'S No. 339)

He also presented extract from the Journal of the House of Representatives, which was twice read as follows, considered and agreed to:

In the House of Representatives, July 12, 1941.

Resolved (if the Senate concur), That House Bill No. 389, (Printer's No. 339), entitled:

An Act authorizing the Department of Property and Supplies, with the approval of the Governor and the Board of Trustees of the Farview State Hospital, to acquire a certain tract of land for the use of said hospital; and making an appropriation therefor.

be returned to the Governor without amendment.

Ordered, That the Clerk inform the House of Representatives accordingly.

RESOLUTION RETURNING TO THE GOVERNOR HOUSE BILL No. 291, (PRINTER'S No. 1047)

He also presented extract from the Journal of the House of Representatives, which was twice read as follows, considered and agreed to:

In the House of Representatives, July 12, 1941.

Resolved (if the Senate concur), That House Bill No. 291, (Printer's No. 1047), entitled:

An Act making appropriations for aid to free public nonsectarian county libraries, and for the purchase and transportation of books.

be returned to the Governor without amendment.

Ordered, That the Clerk inform the House of Representatives accordingly.

RESOLUTION RETURNING TO THE GOVERNOR HOUSE BILL No. 280, (PRINTER'S No. 583)

He also presented extract from the Journal of the House of Representatives, which was twice read as follows, considered and agreed to:

In the House of Representatives, July 12, 1941.

Resolved (if the Senate concur), That House Bill No. 280, (Printer's No. 583), entitled:

An Act making an appropriation to the Trustees of the College of Lincoln University, Chester County.

be returned to the Governor without amendment.

Ordered, That the Clerk inform the House of Representatives accordingly.

RESOLUTION RETURNING TO THE GOVERNOR HOUSE BILL No. 267, (PRINTER'S No. 713)

He also presented extract from the Journal of the House of Representatives, which was twice read as follows, considered and agreed to:

In the House of Representatives, July 12, 1941.

Resolved (if the Senate concur), That House Bill No. 267, (Printer's No. 713), entitled:

An Act making an appropriation to aid certain school districts.

be returned to the Governor without amendment.

Ordered, That the Clerk inform the House of Representatives accordingly.

RESOLUTION RETURNING TO THE GOVERNOR HOUSE BILL No. 107, (PRINTER'S No. 742)

He also presented extract from the Journal of the House of Representatives, which was twice read as follows, considered and agreed to:

In the House of Representatives, July 12, 1941.

Resolved (if the Senate concur), That House Bill No. 107, (Printer's No. 742), entitled:

An Act to amend section eleven of the act, approved the twenty-seventh day of April, one thousand nine hundred and twenty-seven (P. L. 395), entitled "An act empowering the Department of Highways to acquire certain toll bridges within the Commonwealth; providing the procedure therefor; providing for the reimbursement of the Commonwealth from tolls and charges; and making an appropriation," as amended, by providing that such toll bridges heretofore or hereafter acquired by the Department of Highways shall be free bridges from the effective date of this act or from the date they are so acquired.

be returned to the Governor without amendment.

Ordered, That the Clerk inform the House of Representatives accordingly.

RESOLUTION RETURNING TO THE GOVERNOR HOUSE BILL No. 727, (PRINTER'S No. 821)

He also presented extract from the Journal of the House of Representatives, which was twice read as follows, considered and agreed to:

In the House of Representatives, July 12, 1941.

Resolved (if the Senate concur), That House Bill No. 727, (Printer's No. 821), entitled:

A Supplement to the act, approved the twenty-second day of June, one thousand nine hundred and thirty-one (P. L. 594), entitled "Rural State Highway Law," establishing an additional route in the County of Northumberland.

be returned to the Governor without amendment.

Ordered, That the Clerk inform the House of Representatives accordingly.

BILLS SIGNED

The PRESIDENT (Lieutenant-Governor Samuel S. Lewis) announced that the Chief Clerk having reported that the following bills had passed both houses of the General Assembly and the same being correct, the titles were publicly read as follows:

House Bill No. 90, entitled:

An Act providing for the correction of the designation and title of all organizations of veterans of the Spanish American War in all present legislation affecting veterans by designating such organizations as United Spanish War Veterans, Inc.

House Bill No. 437, entitled:

An Act authorizing the Department of Property and Supplies to acquire by purchase, gift, lease or condemnation, on behalf of the Commonwealth of Pennsylvania, ten acres of land adjacent to the Daniel Boone Homestead, or so much thereof as may be necessary to properly honor the pioneer, Daniel Boone, on the spot where he was born; providing for the control, management, supervision, improvement, preservation and maintenance thereof; authorizing the Pennsylvania Historical Commission to make and enforce rules and regulations for the preservation and visitation thereof; and making an appropriation.

House Bill No. 602, entitled.

An Act denying recognition as a political party for all purposes to any group of persons advocating the overthrow of the government.

House Bill No. 708, entitled:

An Act enabling city, county, poor, institution district, ward, school, borough, and township tax collectors, their executors and administrators, if they are deceased, or either surety or sureties, to collect taxes for the payment of which they have become personally liable without having collected the same by the expiration of the authority of their respective warrants, or by the expiration of their terms of office; extending the time for the collection of the same for a period of two years from the passage of this act; and validating collections and proceedings for collections made or commenced without previous authority.

House Bill No. 909, entitled:

An Act to further amend section three hundred three of and to add section three hundred seven to the act, ap-

proved the twenty-ninth day of November, one thousand nine hundred and thirty-three (P. L. 15, 1933-34), entitled as amended "Pennsylvania Liquor Control Act," by providing for the appointment of assistant managers in Pennsylvania Liquor Stores; and by establishing minimum salaries for certain employes of the Pennsylvania Liquor Control Board working in Pennsylvania Liquor Stores.

House Bill No. 955, entitled:

An Act to amend section ninety-five of the act, approved the second day of May, one thousand nine hundred and twenty-five (P. L. 448), entitled "Fish Law of 1925," further regulating use of nets in boundary lakes.

House Bill No. 1023, entitled:

An Act prohibiting employers from directly or indirectly offering for sale selling procuring for sale having in possession or under control for sale to employes or others any merchandise not produced by employers or not handled in the regular course of employer's business providing exceptions thereto declaring such prohibited sales to be unfair competition and repealing prior inconsistent legislation.

House Bill No. 1418, entitled:

An Act making an appropriation to the Department of Welfare, for the maintenance of certain homes.

House Bill No. 1543, entitled:

An Act providing a method for supplying, perfecting and recording birth records of certain persons whose births have not heretofore been made a public record, or whose record of birth is incomplete or incorrect; making such records competent legal evidence; prescribing fees; and imposing certain duties upon the orphans' court.

Senate Bill No. 1098, entitled:

An Act relating to the sale, transfer, assignment and pledge of choses in action and requiring the assignor of accounts receivable and choses in action to make appropriate record of the fact of such assignment, and prescribing penalties for failure to do so.

Whereupon,

The PRESIDENT (Lieutenant-Governor Samuel S. Lewis) in the presence of the Senate signed the same.

HOUSE MESSAGES

HOUSE RECOMMITS REPORT OF COMMITTEE OF CONFERENCE ON SENATE BILL No. 561

The Clerk of the House of Representatives being introduced informed the Senate, that the House of Representatives has recommitted the Report of the Committee of Conference on Senate Bill No. 561, entitled:

An Act to amend the act approved the thirtieth day of March, one thousand nine hundred thirty-seven (P. L. 115), entitled "An act to provide for the permanent personal registration of electors in cities of the first class as a condition of their right to vote at elections and primaries, and their enrollment as members of political parties as a further condition of their right to vote at primaries, prescribing certain procedure for the conduct of elections and primaries and the challenge and proof of qualifications of electors and prescribing the powers and duties of citizens, parties, bodies of electors, registration commissions, commissioners, registrars, inspectors of registration and other appointees of registration, commission, election officers, municipal officers, departments and bureaus, police officers, courts, judges, prothonotaries, sheriffs, county commissioners, peace officers, county treasurers, county controllers, registrars of vital statistics, real estate brokers, rental agents, certain public service companies, persons, firms and corporations operating vehicles for moving furniture and household goods and boards of school directors and imposing penalties," as amended by amplifying and changing the powers and duties of the commission, its employes and commissioners, further regulating and changing the provisions of said act, relating to the appointment and removal of registrars and the powers, privileges, rights and duties of registrars, watchers, election officers, and electors, revising and changing the provisions of said act, relating to the times places and manner of registering electors and their enrollment as members of political parties, change of party enrollment, cancellation of registrations, preparation and distribution of street lists, appeals to the commission and to courts and the procedure thereon; providing for appeals by the commission to appellate courts, changing certain provisions of said act, relating to removal notices providing for the manner of reckoning time, imposing additional duties on certain city officers, clarifying and coordinating certain provisions of said act and imposing additional penalties.

SENATE RECOMMITS REPORT OF COMMITTEE OF CONFERENCE ON SENATE BILL No. 561

Mr. FARRELL. Mr. President, I move that the Report of the Committee of Conference on Senate Bill No. 561, be recommitted to the Senate Committee of Conference.

Mr. STIEFEL. Mr. President, I second the motion.

The motion was agreed to.

HOUSE INSISTS UPON ITS AMENDMENTS NON-CONCURRED IN BY THE SENATE TO SENATE BILL No. 298

He also presented communication from the House of Representatives informing the Senate that the House insists upon its amendments non-concurred in by the Senate to Senate Bill No. 298, entitled:

An Act making an appropriation out of the Motor License Fund to the Department of Highways for allocation to and expenditure in cities, boroughs towns and townships of the Commonwealth for maintenance, construction, reconstruction resurfacing, or improvement of municipal roads, highways and bridges, during the calendar years one thousand nine hundred forty-two and one thousand nine hundred forty-three, permitting the use of the funds for maintenance and repair of municipal roads, highways and bridges under certain conditions; and providing for the method of payment to such political subdivisions.

SENATE INSISTS UPON ITS NON-CONCURRENCE IN AMENDMENTS BY THE HOUSE TO SENATE BILL No. 298.

Mr. EALY. Mr. President, I move that the Senate insists upon its non-concurrence in the amendments made by the House to Senate Bill No. 298.

Mr. TAYLOR. Mr. President, I second the motion.

The motion was agreed to.

QUESTION OF PERSONAL PRIVILEGE

Mr. THOMAS B. WILSON. Mr. President, I rise on a question of personal privilege.

The PRESIDENT. The gentleman from McKean will proceed.

Mr. THOMAS B. WILSON. Mr. President, the Senate

this day is honored by the presence of an old member of the Senate and an old member of the House with whom many members of this Senate served with pleasure. I refer to the Honorable George B. Williams, of Wellsboro, who formerly represented my Senatorial district in the Senate, and for many years he represented his county in the House of Representatives. To his many colleagues, friends and admirers in the Senate I just want to say the Senate is honored by his presence and I desire to express my happiness that he has visited us, and I know I am joined by the rest of the members of the Senate in wishing him well and expressing the hope that he visits us often.

PERMISSION TO ADDRESS SENATE

Mr. LETZLER. Mr. President, I ask permission to address the Senate.

The PRESIDENT. The gentleman from Clearfield will proceed.

Mr. LETZLER. Mr. President, we are looking forward to a long period of preparation for national defense. In this preparation we must insure an adequate supply of the materials that are necessary in the program of production and required for the building of an adequate defense. The Senate and the House have passed a bill appropriating fifty thousand dollars to the Bureau of Mineral Industries at the Pennsylvania State College for the purpose of conducting a program of research to determine the possibility of obtaining alumium from the vast deposits of clay that we have in Pennsylvania.

I have a report entitled "Problems Relating to Alumium Production in Pennsylvania," prepared by Doctor W. M. Meyers of the Bureau of Mineral Industries at the Pennsylvania State College, which I think contains information of interest and value. I want to make the subject matter available to the members of the Senate and I am therefore asking that it be printed in the Journal.

The PRESIDENT. If there is no objection the report will be spread on the Journal.

Problems Related to Aluminum Production in Pennsylvania

By

Dr. W. M. Myers

Assistant Professor of Mineral Economics and Technology, School of Mineral Industries, The Pennsylvania State College

July 8, 1941.

Aluminum was a rare and precious metal until 1886. The reduction of the oxide to metallic form was an expensive operation and could only be carried out commercially by the use of metallic sodium. Aluminum therefore sold for $12.00 per pound. In 1886 Hall developed the process which has become the standard for the production of aluminum. This consists of the electrolysis of aluminum oxide in a bath of fused cryolite. This process was possible due to the development of the dynamo around 1875 which supplied electrical energy, and the availability of cryolite, a rare mineral which is found in commercial quantities only in Greenland and was being shipped into the United States for use in the production of soda. Hall therefore was fortunate in having this rare mineral at his disposal. Improvements in technology have been followed by a constantly decreased price so that aluminum is now sold for 17 cents per pound.

The Raw Materials

The production of one ton of aluminum requires approximately the following:

Bauxite	4 to 5 tons
Coal	4 tons
Caustic soda	1 ton
Electricity	3 to 4 horsepower years
Cryolite	
Carbon electrodes	

Bauxite is produced in the United States and imported from foreign sources. In 1939 domestic production was:

	Long Tons
Arkansas	361,256
Alabama and Georgia	14,045
Imports	520,179

The United States is therefore far from self-sufficient. Most of the imports come from Dutch and British Guiana in South America. Bauxite is widely distributed in Europe. France, Hungary, Yugoslavia, and Italy all produce more than the United States. Their reserves are undoubtedly greater. Germany leads the world in the production of metallic aluminum, using imported ores. This position has been maintained from at least 1938. German production rose from 37,000 metric tons in 1934 to 165,000 in 1938. Areas now under German control have a producing capacity several times that of the United States.

Aluminum Resources

Aluminum is the most abundant metal. It forms 8.07% of the earth's crust as compared to 5.06% for iron, the next most abundant metal. The possibility of producing cheap and abundant aluminum has therefore always been of interest. The difficulty has been that the existing technology requires nearly pure aluminum oxide which can only be derived commercially from bauxite. Aluminum locked up in enormous quantities in such silicates as clay, feldspar, leucite, and alusite, and many other minerals has not been made available, except to a limited degree.

Aluminum from Silicates

The problem of the utilization of aluminum silicates for ore has been investigated for years. Technically, it is possible. Commercially, it has not been able to compete with processes based on bauxite. At the present time interest in this problem is acute due to the soaring demands for aluminum and the expansion in aluminum producing capacity which will result. Successful solution is admittedly remote and substantial expenditures have been made by private interests for research without satisfactory results.

Since 1934 the German government has stimulated the aluminum industry in every way possible. As part of this program three general processes have been developed for utilization of clays: (1) alkaline processes such as the Bayer wet process (chiefly restricted to bauxites). (2) Acid decomposition with the formation of aluminum salts and their subsequent consession to alumina. (3) Electric furnace reduction to form ferro-silicon and fused aluminum oxide. The alkaline processes are not satisfactory for clays on account of high consumption of alkali by silica, unless there is a large market for alkali silicates. The acid processes involve the use of a number

of different acids. The Goldschmidt "ST" process consists essentially of treating clay with sulphur dioxide under pressure and forming aluminum sulfite which will decompose to alumina and sulphur dioxide on heating. A plant operating on this basis was in operation late in 1938 with a capacity of 8000 tons of alumina per year. Several smelting processes exist. In one method clay is reduced by coke in the electric blast furnace to form an aluminum-iron-silicon alloy which is then treated with a sulplur compound giving aluminum sulfide and ferro-silicon.

It is noteworthy that in Germany the bulk of the aluminum output comes from works supplied with electricity generated from steam power. In this connection the great coal resources of Pennsylvania may play a vital role in aluminum production here.

Russia is reported to be experimenting with kaolin, a very pure clay, to produce silumin, (an alloy containing 87% aluminum and 13% silicon). They are reported to be considering the use of Kyanite, another silicate of aluminum.

Argentine has been interested in the production of aluminum sulphate from clay.

Sweden has been experimenting with the use of andalusite, a silicate of aluminum, as a source of aluminum.

It is evident from the above notes that the problem has received wide-spread attention and with little success except in Germany where clays have been used with some success under the spur of the desire for self-sufficiency.

Aluminum Recovery a Mineral Industries Project

The winning of aluminum from the impure clays of Pennsylvania is a major project which requires the services of nearly all departments of the School of Mineral Industries. The geologist and mineralogist are needed to determine the extent and the characteristic minerals of each clay deposit which is to be studied. On the basis of this information a choice of beneficiation procedure can be made. The mining engineer and the ceramist are needed for colloid control in all wet processing and beneficiation methods and also for control of the heat treatment in acid or other decomposition processes. The fuel technologist can help because coke or other coal products may be needed for reduction of the oxides at high temperatures and also because steam power may be indicated (as in Germany) as the chief source of electricity. The metallurgist should study the production of aluminum-iron-silicon alloys as well as their subsequent treatment.

In many phases of this work, members of the staff of the School of Mineral Industries already have a background of several years' experience.

Raw Materials in Pennsylvania

Aluminum exists in Pennsylvania in very large tonnages in the various clays, shales, and rocks distributed over the Commonwealth. However, we do not know how much of the material would be suitable for use due to the presence of impurities and other characteristics.

Production of white kaolin in Pennsylvania runs about 50,000 tons per year as compared with 10 times this amount in Georgia. Moreover many of the Pennsylvania kaolins are high in silica and low in alumina.

In the production of fire clay, Pennsylvania leads the country with tonnage varying from one half to three quarters of a million tons annually. The aluminum oxide content of these clays lies commonly between 25 to 35 per cent. This material is now in great demand in the manufacture of refractories and it has the added disadvantage of high cost of production as much of it is obtained by underground mining.

Common clays, that is, those used in the manufacture of brick and comman tile are available in large tonnages. These clays are impure, of rather low alumina content and would require beneficiation before use.

Possible Methods of Aluminum Recovery

The first step in the winning of aluminum from Pennsylvania clays should be the "extracting and refining of aluminum silicate" itself in the impure deposits. For example, one "white clay" deposit carries a large amount of silica sand as an impurity. If this were removed the aluminum oxide content would be doubled. In other cases, iron sulfide or calcite may be impurities. The logical procedure in such cases is some method of beneficiation such as sedimentation or froth flotation, and this type of work has been in progress in the Department of Ceramics for several years. These studies would be continued and amplified.

In parallel with the beneficiation studies, work should be done to determine the efficiency of various known processes of converting clay to aluminum oxide, which then can be used as a substitute for bauxite in the Hall cryolite process of electrode position. Several processes have been used in Germany and elsewhere, and the best one or two can be selected for tests with Pennsylvania materials.

At the same time some smelting or direct reduction process for producing aluminum-silicon or other aluminum alloys should be studied. Here again the most promising methods for study can probably be determined on the basis of existing knowledge. The experience of mineralogists, fuel technologists and non ferrous metallurgists will be indispensable.

It is quite evident that it will require considerable time and money to obtain a practical and economic solution to the problem of winning aluminum from Pennsylvania clays. It is reasonable to assume, however, that the possibilities of so doing can be indicated fairly clearly under the provisions of the Letzler Senate Bill No. 1306.

Superior Position of Pennsylvania

The Commonwealth of Pennsylvania possesses certain unusual qualifications for such an undertaking. There are adequate supplies of skilled and technical labor, coal and coke for the production of electrical energy or reduction of ores, and fabricating industries within the State.

An exceptionally good geographical location assures good transportation facilities, close association with the most highly industrialized areas in the United States as well as with the most densely populated consuming areas of the country.

PERMISSION TO ADDRESS SENATE

Mr. MALLERY. Mr. President, I ask permission to address the Senate.

The PRESIDENT. The gentleman from Blair will proceed.

Mr. MALLERY. Secretary of Revenue Wm. J. Hamilton, Jr. today made the following statement, on House Bill No. 1365.

"I am unalterably opposed to the change which House amendments would make to the suspension and revocation provisions of The Motor Vehicle Code. These have now passed the Senate, and if they ever become law, they will undo most of the work we have accomplished in Highway Safety.

"The particular section of the bill I consider so vicious, is 617.1. This would be added to the Code. Under it, the Secretary of Revenue could issue Limited Licenses to persons whose operating privileges have been revoked, and would be compelled to issue Limited Licenses to persons whose operating privileges have been suspended.

"This simply means that the Secretary of Revenue could put back on the roads to operate business vehicles, without any period of suspension or revocation, persons who have been convicted as drunken drivers; hit and run drivers; dope addicts and felons, including highwaymen, who use motor vehicles to commit their crimes; and even murderers. I don't want this authority, and I don't believe any succeeding Secretary of Revenue will want it.

"In cases of so-called minor infractions such as speeding or reckless driving, the Secretary would be required under the proposed law, to issue limited licenses for business vehicles.

"As an instance, a salesman or any other business or professional man who uses an automobile for business, could constantly fly over Pennsylvania roads at 80 or 90 miles an hour, and while he might be subject to arrest from time to time, the Secretary could not take away his operating privileges so long as his business required the use of a car. That man could continue to be a menace upon our highways and a flagrant violator of the Motor Vehicle Laws.

"We are proud of Pennsylvania's Highway Safety record which shows this State's highway fatality rate to be 13 per cent under that of the Nation. We struggle daily to better it. But we are appalled at what can happen if there is any relaxation of the suspension and revocation laws.

"I am amazed that these provisions should have been put in the Motor Vehicle Bill, and I want to make it clear I am one hundred per cent against such iniquitous legislation."

Mr. President, I wish further briefly to state that ever since I have been a member of this body, if there is any one thing that I have been especially interested in, it has been an endeavor to prevent accidents and deaths on our highways. At two sessions of the Legislature I introduced a highway prevention act and early this session I had a bill prepared which I regret I did not introduce, but I did not, after consulting with the Secretary of Highways, because he assured me that highway safety prevention was one of the things that was uppermost in his mind and that he felt that he was doing a splendid job and was doing everything humanly possible to prevent accidents and deaths on our highways.

COMMITTEE OF CONFERENCE APPOINTED ON SENATE BILL No. 298

Whereupon,

A motion was made by Mr. EALY and Mr. TAYLOR,

That the Senate insist upon its amendments to the foregoing bill, non-concurred in by the House of Representatives, and appoint a Committee of Conference to confer with a similar committee of the House of Representatives (if the House should appoint such a committee) to consider the differences existing between the two Houses in relation to said bill.

Which was agreed to.

Ordered, That Messrs. Mallery, Snowden and Coleman be said committee on the part of the Senate, and that the Clerk inform the House of Representatives accordingly.

PERMISSION TO ADDRESS SENATE

Mr. CROWE. Mr. President, I intend to introduce a resolution at this time but first I should like to make a brief statement.

The PRESIDENT. The gentleman from Monroe will proceed.

Mr. CROWE. Mr. President, during the last two weeks there has come to my attention, through the sportsmen of northwestern Pennsylvania, information that the Lehigh Navigation and Coal Company proposes to lease forty thousand acres of land, mainly in the Poconos of northwestern Pennsylvania, to a club, with the idea of leasing hunting and fishing privileges on these lands and commercialize hunting and fishing to an extent which will practically kill it in the Poconos. I want to protest against this procedure. These lands were originally purchased by the coal company on speculation years ago, with the thought they might contain coal underneath. When there was no coal found they lumbered off the land, and the land was used by the public for hunting and stocked by the Pennsylvania Game and Fish Commission and the citizens of northwestern Pennsylvania were allowed to hunt there.

If this happens it will mean that those lands that have been stocked with game and fish will be closed to the public. Citizens of Philadelphia who know very little about hunting and fishing, but who will be able to buy a membership in this club for twenty-five dollars, will come up from Philadelphia with all kinds of contraptions, perhaps even machine guns, and mow down the game and deplete the rivers and streams of fish.

On account of this, and in protest of this, and in view of the fact that the days of the Legislative session are coming to an end and there is no time for legislation, I present the following resolution and move its immediate adoption.

Mr. MUNDY. Mr. President, I join with my colleague from Monroe, Senator Crowe, in urging immediate adoption of the resolution.

RESOLUTION PROTESTING STOCKING OF STREAMS WITH GAME AND FISH WHICH CANNOT BE USED BY ALL LICENSED HUNTERS

Mr. CROWE. Mr. President, I ask unanimous consent to offer a resolution at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. CROWE offered the following resolution which was twice read, considered and agreed to:

In the Senate, July 12, 1941.

The Lehigh Navigation and Coal Company has recently leased approximately forty thousand acres of land in the Pocono Mountains in Carbon, Luzerne and Monroe Counties to an organization known as the Split Rock Club with offices in Philadelphia.

In letters and circulars mailed to many persons in the Commonwealth and adjoining states, officers of the Club are describing the value of the tract as a hunting and fishing haven in order to acquire a large membership.

The Commonwealth has recently stocked lands adjacent to this tract with wild game and has planted fish in the waters of the Lehigh River which flows through the property leased by the Split Rock Club and it is the game and fish provided by the Commonwealth that will make the tract an inviting place to members of the Club.

It is fitting and proper that the Commonwealth should make hunting and fishing more enjoyable for its citizens when they can equally profit from its bounty but the stocking of lands and streams with game and fish which will make adjacent lands a profitable business venture for private interests is against public policy and fair dealing; therefore be it

Resolved, That the Senate of the Commonwealth of Pennsylvania hereby protests against the continuance by the Commonwealth if the stocking of our public lands and streams with game and fish which will benefit only the few who can afford membership in Clubs owning or leasing large tracts of land and that moneys contributed by sportsmen throughout the Commonwealth shall be used only for the replenishing of game and fish for the enjoyment of all licensed hunters and fishermen; and be it further

Resolved, That a copy of this resolution shall be transmitted by the Secretary of the Senate to the Governor, to the Secretary of the Department of Forests and Waters, to the Executive Director of the Game Commission and to the Commissioner of Fisheries.

Ordered, That the Clerk present the same to the House of Representatives for concurrence.

REPORT OF COMMITTEE ON HOUSE BILL No. 551

Mr. STEVENSON. Mr. President, I am directed by the Committee of Conference to report on House Bill No. 551, entitled:

An Act to amend the act, approved the twenty-seventh day of June, one thousand nine hundred thirty-nine (Appropriation Acts, page 60), entitled, "An act to provide for the ordinary expenses of the Executive, Legislative, and Judicial Departments of the Commonwealth, interest on the public debt, and the support of the Public schools for two years beginning June first, one thousand nine hundred and thirty-nine; and for the payment of bills incurred and remaining unpaid at the close of the fiscal year ending May thirty-first, one thousand nine hundred and thirty-nine," providing for a deficiency in the appropriation to the Department of Property and Supplies for the fiscal biennium ending May thirty-first, one thousand nine hundred forty-one; providing for payment out of revenues of the fiscal biennial period beginning June first, one thousand nine hundred forty-one; and preventing lapsing.

The report will lie over for printing.

RE-REPORT OF CONFERENCE COMMITTEE ON SENATE BILL No. 561 ADOPTED BY THE SENATE

Mr. FARRELL. Mr. President, I am directed by the Committee of Conference to make a re-report on Senate Bill No. 561, as amended, entitled:

An Act to amend the act approved the thirtieth day of March one thousand nine hundred thirty-seven (P. L. 115) entitled "An act to provide for the permanent personal registration of electors in cities of the first class as a condition of their right to vote at elections and primaries and their enrollment as members of political parties as a further condition of their right to vote at primaries prescribing certain procedure for the conduct of elections and primaries and the challenge and proof of qualifications of electors and prescribing the powers and duties of citizens parties bodies of electors and registration commission commissioners registrars inspectors of registration and other appointees of registration commission election officers municipal officers departments and bureaus police officers courts judges prothonotaries sheriffs county commissioners peace officers county treasurers county controllers registrars of vital statistics real estate brokers rental agents certain public service companies persons firms and corporations operating vehicles for moving furniture and household goods and boards of school directors and imposing penalties" as amended by amplfying and changing the powers and duties of the commission its employes and commissioners further regulating and changing the provisions of said act relating to the appointment and removal of registrars and the powers privileges rights and duties of registrars watchers election officers and electors revising and changing the provisions of said act relating to the times places and manner of registering electors and their enrollment as members of political parties change of party enrollment cancellation of registrations preparation and distribution of street lists appeals to the commission and to courts and the procedure thereon providing for appeals by the commission to appellate courts changing certain provisions of said act relating to removal notices providing for the manner of reckoning time imposing additional duties on certain city officers clarifying and coordinating certain provisions of said act and imposing additional penalties.

The report will be printed for the use of the Senate.

CONFERENCE COMMITTEE REPORT ON HOUSE BILL No. 803

Mr. KEPHART. Mr. President, I am directed by the Committee of Conference to submit the following report on House Bill No. 803, entitled:

An Act to amend section six hundred and forty-three of the act, approved the twenty-fourth day of June, one thousand nine hundred and thirty-nine (P. L. 872), entitled "The Penal Code," prohibiting selling, giving away or permitting or employing minors under eighteen to sing, dance, act or exhibit in dance houses, concert saloons, theatres, places of entertainment, tap rooms, clubs, cafes, restaurants or eating houses, where or connected with which, wines or spirituous or malt liquors are sold or given away.

The PRESIDENT. The report will be laid on the table.

CALENDAR

BILLS ON CONCURRENCE IN HOUSE AMENDMENTS RECALLED FROM THE GOVERNOR

Agreeably to order,

The Senate resumed the consideration of Senate Bill No. 921, (House Bill No. 892), entitled:

An Act authorizing a commission to study recreational facilities available in first class cities imposing powers and duties on said commission; and making an appropriation.

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Will the Senate concur in the same?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—44

Barr,	DiSilvestro,	Mallery,	Stiefel,
Bartlett,	Ealy,	McCreesh,	Tallman,
Becker,	Edmonds,	McGinnis,	Taylor,
Carr,	Farrell,	McQuiddy,	Thomas,
Chapman,	Frey,	Miller,	Tyler,
Coleman,	Geltz,	Mundy,	Wade,
Cox,	Heyburn,	Ruth,	Walker,
Crider,	Homsher,	Scarlett,	Watkins,
Crowe,	James,	Shapiro,	Wilson, H. I.,
Deitrick,	Kephart,	Snowden,	Woodward,
Dent,	Letzler,	Stevenson,	Ziesenheim,

NAYS—4

Cavalcante,	Haluska,	Lanius,	Reed,

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk inform the House of Representatives accordingly.

Agreeably to order,

The Senate resumed the consideration of Senate Bill No. 1153, (House Bill No. 1513, entitled:

An Act to further amend section three of the act approved the twenty-second day of June one thousand nine hundred thirty-five (P. L. 414) entitled as amended "An act to provide revenue for State purposes imposing taxes upon certain classes of personal property providing for the assessment collection and lien of the same and the distribution of the proceeds thereof imposing duties on executors administrators registers of wills recorders of deeds prothonotaries and court clerks and on persons copartnerships associations banks national banks trust companies and other corporations receiving deposits of money and on certain corporations and limited partnerships conferring powers and imposing duties on certain State officers and departments imposing penalties and making an appropriation" by exempting assets held by liquidating trustees exempting casualty insurance corporations not having capital stock imposing the tax upon personal property held and managed in this Commonwealth owned held or possessed by residents as trustees agents or attorneys-in-fact jointly with one or more trustees agents or attorneys-in-fact domiciled in another state and imposing the tax upon equitable interests of residents in personal property held and managed in another state where the legal title to such personal property is held by more than one trustee agent or attorney-in-fact one or more of whom are dimiciled in another state and one or more of whom are domiciled within this Commonwealth.

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Will the Senate concur in the same?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—48

Barr,	Ealy,	Letzler,	Stevenson,
Bartlett,	Edmonds,	Mallery,	Stiefel,
Becker,	Farrell,	McCreesh,	Tallman,
Carr,	Frey,	McGinnis,	Taylor,
Chapman,	Geltz,	McQuiddy,	Thomas,
Coleman,	Haluska,	Miller,	Tyler
Cox,	Heyburn,	Mundy,	Wade,
Crider,	Homsher,	Reed,	Walker,
Crowe,	James,	Ruth,	Watkins,
Deitrick,	Jaspan,	Scarlett,	Wilson, H. I.,
Dent,	Kephart,	Shapiro,	Wilson, T. B.,
DiSilvestro,	Lanius,	Snowden,	Woodward,

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk inform the House of Representatives accordingly.

REPORT OF COMMITTEE OF CONFERENCE ON SENATE BILL No. 24 ADOPTED

Mr. CELTZ. Mr. President, I move that the Senate do now proceed to the consideration of the Report of the Conference Committee on Senate Bill No. 24.

Mr. MILLER. Mr. President, I second the motion.

The motion was agreed to.

The report was read as follows:

REPORT OF THE COMMITTEE OF CONFERENCE ON SENATE BILL No. 24

To the Members of the Senate and House of Representatives:

We, the undersigned, Committee of Conference on the part of the Senate and House of Representatives for the purpose of considering Senate Bill No. 24, entitled:

"An Act defining and prohibiting unfair sales; providing remedies for violations thereof; and establishing penalties therefor."

Respectfully submit the following bill as our report:

JOHN M. WALKER
J. FRED THOMAS
JOHN H. DENT
(Committee on the Part of the Senate.)

REUBEN E. COHEN
GEORGE J. SARRAF
DAVID P. REESE, JR.
(Committee on the part of the House of Representatives.)

An Act defining and prohibiting unfair sales providing remedies for violations thereof and establishing penalties therefor

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Whereas The practice of selling certain items of merchandise at cost or less than cost in order to attract patronage is generally a form of deceptive advertising and an unfair method of competition in commerce and

Whereas Such practice causes commercial dislocations misleads the consumer works back against the farmer directly burdens and obstructs commerce and diverts business from dealers who maintain a fair price policy and

Whereas Bankruptcies among merchants who fail because of the competition of those who use such methods result in unemployment disruption of leases and nonpayment of taxes and loans and contribute to the inevitable train of undesirable consequences including economic depression now therefore

Section 1 This act shall be known and designated and may be cited as the "Unfair Sales Act"

Section 2 (1) When used in this act the term "cost to the retailer" shall mean the invoice cost of the merchandise to the retailer or the replacement cost of the merchandise to the retailer whichever is lower less all trade discounts except customary discounts for cash advertising allowances promotional allowances display allowances and any other allowances for services rendered and any other commission or remuneration received for services performed on behalf of any governmental agencies to which shall be added (a) freight charges not otherwise included in the invoice or the replacement cost of the merchandise (b) a mark-up to cover in part the cost of

doing business which mark-up in the absence of proof of a lesser cost shall be not less than four per cent of the total cost at retail outlet

(2) When used in this act the term "cost to the wholesaler" shall mean the invoice cost of the merchandise to the wholesaler or the replacement cost of the merchandise to the wholesaler whichever is lower less all trade discounts except customary discounts for cash advertising allowances promotional allowances display allowances and any other allowances for services rendered and any other commission or remuneration received for services performed on behalf of any governmental agencies to which shall be added (a) freight charges not otherwise included in the invoice or the replacement cost of the merchandise and (b) a mark-up to cover in part the cost of doing business which mark-up in the absence of proof of a lesser cost shall be not less than two per cent of the total cost at the wholesale establishment

(3) Where two or more items are advertised offered for sale or sold at a combined price the price of each item named shall be governed by the provisions of subsection (1) or (2) of section two respectively

(5) The terms "sell at retail" "sales at retail" and "retail sale" shall mean and include any transfer for a valuable consideration made in the ordinary course of trade or in the usual prosecution of the seller's business of title to merchandise to the purchaser for consumption for use other than resale or further processing or manufacturing The above terms shall include any transfer of such merchandise where title is retained by the seller as security for the payment of such purchase price

(6) The terms "sell at wholesale" "sale at wholesale" and "wholesale sales" shall mean and include any transfer for a valuable consideration made in the ordinary course of trade or the usual prosecution of the seller's business of title to merchandise to the purchaser for purposes of resale or further processing or manufacturing The above terms shall include any such transfer of merchandise where title is retained by the seller as security for the payment of the purchase price.

(7) The term "retailer" shall mean and include every person partnership corporation or association other than a manufacturer (not operating a retail business or trade) engaged in the business of making sales at retail or performing the retail function within this state Provided That in the case of a person partnership corporation or association other than a manufacturer (not operating a retail business or trade) engaged in the business of making sales both at retail and at wholesale such terms shall be applied only to the retail portion of such business

(8) The term "wholesaler" shall mean and include every person partnership corporation or association other than a manufacturer (not operating a retail business or trade) engaged in the business of making sales at wholesale or performing the wholesale function of supplying any retailer or retail outlet with merchandise for retail sale within this state Provided That in the case of a person partnership corporation or association other than a manufacturer (not operating a retail business or trade) engaged in the business of making sales both at wholesale and retail such terms shall be applied only to the wholesale portion of such business

(9) Every person partnership corporation or association other than a manufacturer (not operating a retail business or trade) engaged in the business of making sales at retail as defined in this act within this state which in addition to such business shall purchase merchandise for sale at retail from manufacturers packers processors growers or producers thereof without resort to a wholesaler as such shall be taken deemed and construed for the purpose of this act to be engaged in business both as a wholesaler and retailer as defined in this act and as such shall be subject to both the retail and wholesale mark-up provisions of this act

Section 3 It is hereby declared that advertisement offer to sell or sale of any merchandise either by retailers or wholesalers at less than cost as defined in this act with the intent of unfairly diverting trade from or otherwise injuring a competitor or with the result of deceiving any purchaser or prospective purchaser substantially lessening competition unreasonably restraining trade or tending to create a monopoly in any line of commerce is an unfair method of competition contrary to public policy and in contravention of the policy of this act

Section 4 Any retailer who shall in contravention of the policy of this act advertise offer to sell or sell at retail any item of merchandise at less than cost to the retailer as defined in this act or any wholesaler who shall in contravention of the policy of this act advertise offer to sell or sell at wholesale any item of merchandise at less than cost to the wholesaler as defined in this act or any person partnership corporation or association engaged in business both as a wholesaler and retailer as defined in this act who shall in contravention of the policy of this act advertise offer to sell or sell any item of merchandise at less than cost subject to both the retail and wholesale mark-ups provided by this act shall be guilty of a misdemeanor and upon conviction thereof be sentenced to pay a fine of not less than fifty dollars ($50) nor more than two hundred dollars ($200) and costs of prosecution and in default thereof shall undergo imprisonment for not more than thirty (30) days Each advertisement offer to sell or sale shall constitute a separate violation of the provisions of this act and shall subject the offender to the penalties hereby prescribed Proof of any such advertisement offer to sell or sale by any retailer or wholesaler in contravention of the policy of this act shall be prima facie evidence of a violation of this act

Section 5 In addition to the penalties provided in this act the courts of this state are hereby invested with jurisdiction to prevent and restrain violations of this act and any person partnership corporation or association shall be entitled to sue for and have injunctive relief in any court of competent jurisdiction against any loss or injury by reason of a violation of this act

Section 6 The provisions of this act shall not apply to sales at retail or sales at wholesale (a) where merchandise is sold in bona fide clearance sales if advertised marked and sold as such (b) where perishable merchandise must be sold promptly in order to forestall loss (c) where merchandise is imperfect or damaged or is being discontinued and is advertised marked and sold as such (d) where merchandise is sold upon the final liquidation of any business (e) where merchandise is sold for charitable purposes or to relief agencies (f) where merchandise is sold on contract to departments of the government or governmental institutions (g) when the price of merchandise is made in good faith to meet competition (h) where merchandise is sold by any officer acting under the order or direction of any court (i) where tools equipment and materials used by employes in their trade or business or appliances and products which are used therein and are or may be beneficial to the safety health and working conditions of such employes are sold to employes of the seller

Section 7 If any section sentence clause or provision of this act shall for any reason be held invalid or unconstitutional the validity of the remaining parts hereof shall not be affected thereby

Section 8 All acts and parts of acts inconsistent with the provisions of this act are hereby repealed

Section 9 The provisions of this act shall become effective sixty (60) days after final enactment

On the question,

Will the Senate agree to the report?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—48

Barr,	DiSilvestro,	Lanius,	Snowden,
Bartlett,	Ealy,	Letzler,	Stevenson,
Becker,	Edmonds,	Mallery,	Stiefel.
Carr,	Farrell,	McCreesh,	Tallman,

Cavalcante,	Frey,	McGinnis,	Taylor,
Chapman,	Geltz,	McQuiddy,	Thomas,
Coleman,	Haluska,	Miller,	Tyler,
Cox,	Heyburn,	Mundy,	Wade,
Crider,	Homsher,	Reed,	Walker,
Crowe,	James,	Ruth,	Watkins,
Deitrick,	Jaspan,	Scarlett,	Wilson, H. I.,
Dent,	Kephart,	Shapiro,	Woodward,

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk inform the House of Representatives accordingly.

SENATE BILL No. 561

Mr. GELTZ. Mr. President, the gentleman from Philadelphia, Mr. Farrell, a short time ago on behalf of the Committee on Conference on Senate Bill No. 561, submitted an amended report of the Conference Committee which report will be noted on tomorrow's Calendar. Therefore no action will be taken on the report now before us.

CONFERENCE COMMITTEE REPORT ON SENATE BILL No. 1036 (HOUSE BILL No. 1526), ADOPTED

Mr. GELTZ. Mr. President, I move that the Senate do now proceed to the consideration to the report of the Conference Committee on Senate Bill No. 1036, (House Bill No. 1526).

Mr. BECKER. Mr. President, I second the motion.

The motion was agreed to.

The report was read as follows:

REPORT OF THE COMMITTEE OF CONFERENCE ON HOUSE BILL No. 1526

To the Members of the Senate and House of Representatives:

We, the undersigned Committee of Conference on the part of the Senate and House of Representativs for the purpose of considering House Bill No. 1526, entitled:

"An Act to amend section two hundred seven of the act, approved the twenty-fourth day of June, one thousand nine hundred and thirty-one (P. L. 1206), entitled 'An act concerning townships of the first class; amending, revising consolidating, and changing the law relating thereto,' further prescribing method by which second class townships may be classified as first class townships; and providing for the costs and holding of special elections for that purpose."

Respectfully submit the following bill as our report:

FRANKLIN S. EDMONDS,
JOHN M. WALKER,
(Committee on the part of the Senate.)
THOMAS J. HEATHERINGTON,
CLARENCE O. WILLIAMS,
RONALD L. THOMPSON,
(Committee on the part of the House of Representatives.)

An Act to amend section two hundred seven of the act approved the twenty-fourth day of June one thousand nine hundred and thirty-one (P. L. 1206) entitled "An act concerning townships of the first class amending revising consolidating and changing the law relating thereto" further prescribing method by which second class townships may be classified as first class townships and providing for the costs and holding of special elections for that purpose

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1. Section two hundred seven of the act approved the twenty-fourth day of June one thousand nine hundred and thirty-one (P. L. 1206) entitled "An act concerning townships of the first class amending revising consolidating and changing the law relating thereto" is hereby amended to read as follows

Section 207 Submission of Question to Voters At the first general or municipal election occurring or at a special election held at least ninety days after the ascertainment by special enrollment or from the United States census including the United States census of one thousand nine hundred and thirty and each subsequent census that any township of the second class has a population of at least three hundred inhabitants to the square mile and after the filing of a petition signed by at least five per centum of the registered voters of the township has been filed in the quarter sessions court the question whether such township of the second class shall become a township of the first class shall be submitted to the voters of the township and the county commissioners shall cause to be printed on separate ballots to be used in such township at such election a proper question framed in accordance with the election laws of the Commonwealth A special election for such purpose shall be held on a day to be fixed by the court of quarter sessions of the county upon petition signed by at least five per centum of the registered voters of the township The costs and expenses of such a special election shall be paid by the petitioners as the court may direct

Section 2 This act shall become effective immediately upon final enactment

On the question,

Will the Senate agree to the report?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—48

Barr,	DiSilvestro,	Lanius,	Snowden,
Bartlett,	Ealy,	Letzler,	Stevenson,
Becker,	Edmonds,	Mallery,	Stiefel,
Carr,	Farrell,	McCreesh,	Tallman,
Cavalcante,	Frey,	McGinnis,	Taylor,
Chapman,	Geltz,	McQuiddy,	Thomas,
Coleman,	Haluska,	Miller,	Tyler,
Cox,	Heyburn,	Mundy,	Wade,
Crider,	Homsher,	Reed,	Walker,
Crowe,	James,	Ruth,	Watkins,
Deitrick,	Jaspan,	Scarlett,	Wilson, H. I.,
Dent,	Kephart,	Shapiro,	Woodward,

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk inform the House of Representatives accordingly.

POINT OF INFORMATION

Mr. DENT. Mr. President, I rise on a point of information.

The PRESIDENT. The gentleman from Westmoreland will state his point of information.

Mr. DENT. Mr. President, as a matter of information concerning this conference report, is there anything the matter when we find in connection with a report of a committee on the part of the Senate that only two of the three members sign the report? I just want to know whether the minority member had some other ideas.

Mr. EDMONDS. Mr. President, he was absent. I did not know the report was presented without his signa-

ture, but I understand he concurred. My recollection is when the report was presented for our signatures he concurred.

Mr. DENT. That is all I want to know, Mr. President.

REPORT OF THE COMMITTEE OF CONFERENCE ON HOUSE BILL No. 1466, (SENATE BILL No. 1231)

To the Members of the Senate and House of Representatives:

We, the undersigned, Committee of Conference on the part of the Senate and House of Representatives for the purpose of considering House Bill No. 1466, entitled:

"An act to amend the act approved the third day of June, one thousand nine hundred and thirty-seven (P. L. 1333), entitled 'An act concerning elections, including general, municipal, special and primary elections, the nomination of candidates, primary and election expenses, and election contests; * * *' by changing the procedure for and regulating voting in elections by persons in actual military service; conferring powers and imposing duties upon the Secretary of the Commonwealth, courts, county boards of elections and county commissioners; providing for reimbursement of counties for actual expenses incurred for canvassing the vote of electors in actual military service." Respectfully submit the following bill as our report:

ROBERT M. MILLER
PAUL M. CRIDER
J. K. McQUIDDY
(Committee on the part of the Senate.)

H. J. MAXWELL
MARTIN C. MIHM
GEORGE T. WEINGARTNER
(Committee on the part of the House of Representatives.)

An Act to amend the act approved the third day of June one thousand nine hundred and thirty-seven (P. L. 1333), entitled "An act concerning elections including general municipal special and primary elections the nomination of candidates primary and election expenses and election contests creating and defining membership of county boards of elections imposing duties upon the Secretary of the Commonwealth courts county boards of elections county commissioners imposing penalties for violation of the act and codifying revising and consolidating the laws relating thereto and repealing certain acts and parts of acts relating to elections" by changing the procedure for and regulating voting in elections by persons in actual military service conferring powers and imposing duties upon the Secretary of the Commonwealth courts county boards of elections and county commissioners providing for reimbursement of counties for actual expenses incurred for canvassing the vote of electors in actual military service

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section one hundred two of the act approved the third day of June one thousand nine hundred and thirty-seven (P. L. 1333), entitled "An act concerning elections including general municipal special and primary elections the nomination of candidates primary and election expenses and election contests creating and defining membership of county boards of elections imposing duties upon the Secretary of the Commonwealth courts county boards of elections county commissioners imposing penalties for violation of the act and codifying revising and consolidating the laws relating thereto and repealing certain acts and parts of acts relating to elections" is hereby amended to read as follows

Section 102 Definitions The following words when used in this act shall have the following meanings unless otherwise clearly apparent from the context

(a) The word "candidate" shall unless the context otherwise requires include both candidates for nomination and election.

(b) The word "county" shall mean any county of this Commonwealth

(c) The words "county board" or "board" shall mean the county board of elections of any county herein provided for

(d) The words "district election board" or "election board" shall mean the election officers required to conduct primaries and elections in any election district in accordance with the provisions of this act

(e) The words "district register" shall mean the cards containing all or any part of the registry list of qualified electors of the same election district as prepared by the registration commissions

(f) The word "election" shall mean any general municipal special or primary election unless otherwise specified

(g) The words "election district" shall mean a district division or precinct established in accordance with the provisions of this act within which all qualified electors vote at one polling place

(h) The words "general election" shall mean the election which the Constitution of this Commonwealth requires to be held in even-numbered years

(i) The words "independent nomination" shall mean the selection by an independent political body in accordace with the provisions of this act of a candidate for a public office authorized to be voted for at an election

(j) The words "municipal election" shall mean the election which the Constitution of this Commonwealth requires to be held in odd-numbered years

(k) The word "nomination" shall mean the selection in accordance with the provisions of this act of a candidate for a public office authorized to be voted for at an election

(l) The words "November election" shall mean either the general or municipal election or both according to the context

(m) The word "oath" shall include affirmation and the word "swear" shall include affirm

(n) The word "party" shall mean a political party as defined in section 801 of this act

(o) The words "party nomination" shall mean the selection by a political party in accordance with the provisions of this act of a candidate for a public office authorized to be voted for at an election

(p) The words "political body" shall mean an inpendent body of electors as defined in section 801 of this act

(q) The words "polling place" shall mean the room provided in each election district for voting at a primary or election

(r) The words "primary" or "primary election" shall mean any election held for the purpose of electing party officers and nominating candidates for public offices to be voted for at an election

(s) The words "public office" shall include every public office to which persons can be elected by a vote of the electors under the laws of this State

(t) The words "qualified elector" shall mean any person who shall possess all of the qualifications for voting now or hereafter prescribed by the Constitution of this Commonwealth or who being otherwise qualified by continued residence in his election district shall obtain such qualifications before the next ensuing election

(u) The words "registered and enrolled member of a political party" shall mean any qualified elector who shall be registered according to political designation in accordance with the provisions of the registration acts

(v) The words "special election" shall mean any election other than a regular general municipal or primary election

(w) "Electors in actual military service" shall mean qualified electors of this Commonwealth who are or may be by enlistment enrollment or draft in the military or

naval service of the United States or any branch or unit thereof or in the military service of the Commonwealth

Section 2 Section three hundred and five of said act is hereby amended to read as follows

Section 305 Expenses of County Boards and of Primaries and Elections to Be Paid by County Expenses of Special Elections Boards to Be Provided with Offices

(a) The county commissioners or other appropriating authorities of the County shall appropriate annually and from time to time to the county board of elections of such county the funds that shall be necessary for the maintenance and operation of the board and for the conduct of primaries and elections in such county including the payment of the compensation of the employes of the board custodians election officers and other assistants and employes herein provided for and the fees of witnesses as herein provided for the purchase or printing under contracts made by the board of all ballots and other primary and election supplies required by this act or which the board shall consider necessary to carry out the provisions of this act for the purchase under contracts made by the board and maintenance of voting machines when adopted as herein provided and of all other primary and election equipment required by this act or which the board shall consider necessary to carry out the provisions of this act for the publication of notices authorized by this act under contracts made by the board and for all other necessary expenses hereunder Provided however That bonds or other evidences of indebtedness payable not later than ten years from their dates of issuance may be issued by the county commissioners or other appropriating authorities of the county in accordance with the provisions of law relating to the increase of indebtedness of such county to meet all or any part of the cost of voting machines

1 The county shall be liable for the expenses of holding special elections for any city borough township school district or other municipality or incorporated district contained therein which is held on the day of any general municipal or primary election and on any special question which is required by law to be or which is at the discretion of the county board as hereinafter provided printed on the regular ballot after the list of the candidates or on the same voting machine as the list of candidates

2 Any city borough township school district or other municipality or incorporated district contained in any county holding a special election as authorized by law on the question of increase of indebtedness or any other question to be voted on by the electors of such subdivision which special election is held on the day of any general municipal or primary election and which is required by law to be conducted or at the discretion of the county board as hereinafter provided is conducted by special ballots for such question shall be liable to the county for the expenses necessarily incurred in the printing of such special ballots

3 If any other day than the day of any general municipal or primary election be fixed by the corporate authorities of any municipality school district or incorporated district for the holding of a special election on the question of increase of indebtedness or any other question as authorized by law such municipality school district or incorporated district shall be liable for and pay the entire expense of holding such election including the cost of printing ballots and supplies pay of election officers the rental of polling places and the cost of canvassing and computing the votes cast

(b) The county commissioners or other appropriating authorities of the county shall provide the county board with suitable and adequate offices at the county seat properly furnished for keeping its records holding its public sessions and otherwise performing its public duties and shall also provide such branch offices for the board in cities other than the county seat as may be necessary

(c) The Commonwealth shall reimburse each county for election expenses incurred at every election for the preparation handling and mailing of ballots for electors in actual military service in the sum of forty-three cents for each ballot mailed to an elector in actual military service in such manner as is now or may hereafter be provided by law

Each county board of elections shall file in the Department of State not later than thirty days after every election on a form prescribed by the Department of State a satement of the number of ballots mailed in such manner as is now or may hereafter be provided by law to electors in actual military service upon the written application of each such elector Such applications shall be preserved by each county board of elections until reimbursement is made as herein provided subject to inspection or production in the Department of State if demanded by the Department of State

The Department of State shall ascertain and fix the amount due as herein provided to each county for election expenses incurred for the preparation handling and mailing of ballots to electors in actual military service and by requisition in the usual course shall provide for payment of such amounts so found due from moneys appropriated to the Department of State for such purpose or shall prorate the moneys so appropriated among the several counties to be reimbursed if the amount so appropriated shall not be sufficient for the payment in full to each county of the amount found to be due

Section 3 Article thirteen of said act is hereby repealed absolutely

Section 4 Said act is hereby amended by adding thereto a new article thirteen to read as follows

Article XIII

Voting By Persons In Actual Military Service

Section 1301 Qualified Electors in Actual Military Service Whenever any of the qualified electors of this Commonwealth shall be in any actual military service and as such absent from their place of residence on the days appointed by law for holding any election within this State or on the days for holding special elections to fill vacancies such electors shall be entitled at such times to exercise the right of suffrage as fully as if they were present at their usual places of election in the manner prescribed in this article and whether at the time of voting such electors shall be within the limits of this State or not

Section 1302 Ballots Ballots for use by electors in actual military service under the provisions of this article shall be prepared sufficiently in advance by the county boards of election and shall be by such boards distributed as hereinafter provided to the electors in actual military service entitled to vote at any election Such ballots shall be in substantially the form prescribed by article ten of this act for ballots to be used at the same elections within this Commonwealth but in cases where there is not time in the opinion of the county boards of elections to print on said ballots the names of the various candidates for district county and local offices the ballots shall contain blank spaces only under the titles of such offices in which the voters may insert the names of the candidates for whom they desire to vote and in such cases the county boards of elections shall furnish to the elector in actual military service a sufficient number of printed lists containing the names of all the candidates who have been regularly nominated under the provisions of this act for the use of the elector in preparing his ballot

Section 1303 Duties of County Boards In the case of any election at which votes are cast by electors in actual military service under the provisions of this article it shall be the duty of each county board of elections to withhold the completion of the computation of the returns of the county until the second Friday after such election within which period all votes cast by electors of the county in actual military service as provided in this article shall be added to and included in its com-

putation of the returns of such election but not afterwards

Section 1304 Manner of Voting by Electors in Actual Military Service Electors mentioned in section one thousand three hundred and one shall have the right to apply not less than thirty (30) days and not more than fifty (50) days before any election for a "military ballot" The application shall be in writing signed by the applicant in his own hand and addresed to the county board of elections of the county wherein the applicant is registered to vote and shall state the county and the city borough or township and the precise ward or election district in or the street and number at which the applicant is registered to vote If the application is for a ballot for a primary election it shall also state the political party in which the applicant is enrolled

Section 1305 Ballots and Envelopes for Electors in Actual Military Service The County boards of elections shall prepare and upon request deliver to the said electors in actual military service a ballot by registered mail with return receipt required in an envelope addressed to each such elector at the address furnished by the elector in his application for a military ballot Such ballots shall be prepared and printed in the same form as the ballots provided for by section one thousand three hundred and two of this act but shall have in addition printed stamped or endorsed thereon the words "Military Ballot" The county boards of elections shall also provide and deliver as aforesaid three envelopes for each military ballot of such size and shape that will permit the placing of one within the other On the first shall be printed stamped or endorsed only the words "Military Ballot" On the second shall be printed the affidavit of the elector together with the jurat of the officer in whose presence the ballot is marked and before whom the affidavit is made such affidavit and jurat to be in form prescribed by the Secretary of the Commonwealth On the third shall be placed the name and address of the county board of elections of the proper county All military ballots and envelopes shall be mailed at least fifteen (15) days before the election involved to the electors requesting them

Each county board of elections shall print and post in a conspicuous public place at its office a list setting forth the name present location the local voting district or ward of every elector to whom a military ballot has been sent This list shall be posted at least ten (10) days before the primary or election involved and shall also set forth the total number of military ballots prepared by the county board of elections Copies of such list shall be furnished upon request to the county chairman of each political party and political body

Section 1306 Voting by Electors in Actual Military Service Any such elector may make application within the time prescribed by section one thousand three hundred and four to the county boards of elections for a "Military Ballot" At any time after receiving such military ballot but on or before the day of the election such elector in actual military service may appear before any commissioned officer of the military or naval forces either within or without the Commonwealth or before any officer of this or any other state or territory of the United States authorized to administer oaths and mark such ballot under the scrutiny of such officer in the following manner The voter shall first display the ballot to such officer as evidence that the same is unmarked and shall then proceed to mark the ballot in the presence of such officer but in such manner that such officer is unable to see how the same is marked and then fold the ballot enclose and securely seal the same in the envelope on which is printed stamped or endorsed "Military Ballot" This envelope shall then be placed in the one on which is printed the affidavit of the elector and the jurat of the officer before whom the elector appears and such envelope sealed in like manner by the elector The elector shall then make out subscribe and swear to the affidavit printed on the face of such envelope and the jurat shall be subscribed by the officer before whom the affidavit was taken Such ballot and envelope shall then be securely sealed in the third envelope which the elector shall send by mail to the county board of elections of the proper county with postage prepaid

Section 1307 Receipt and Counting of Military Ballots The county board of elections upon receipt of such third envelope shall safely keep the same in their office until they meet to canvass the vote of such election under the provisions of this act

At such time the members of the county board of elections may in person dispose of military ballots in the manner hereinafter set forth or they may designate a sufficient number of clerks to perform such duties When it is determined that clerks shall be appointed the total number shall in every case be in multiples of three each member of the county board of elections shall appoint an equal number thereof

Watchers appointed in the manner prescribed by and subject to the restrictions imposed by section four hundred and seventeen of this act insofar as applicable shall be permitted to be present whenever any of the envelopes containing military ballots are opened and whenever any such ballots are counted and recorded

In disposing of military ballots the county board of elections or the clerks designated as aforesaid shall first examine the third envelope and set aside unopened all such envelopes which bear a post mark later than the date of the particular election day involved The envelopes thus set aside shall be retained for a period of one year and then destroyed unopened

They shall then open the third envelopes not thus set aside and after examining the affidavit and jurat shall compare the signature of such absent voter with his signature upon any register or other record in their possession If the county board is satisfied that the signatures correspond that the affidavit and jurat are sufficient and that the voter has been duly registered as provided by law they shall announce the name of the elector and shall give any person present an opportunity to challenge the same in like manner and for the same causes as such elector could have been challenged had he presented himself in his own district to cast his vote If there are no challenges they shall open the second envelope in such manner as not to destroy the affidavit and jurat printed thereon which envelope shall be kept in their office for a period of one year thereafter All envelopes on which are printed stamped or endorsed the words "Military Ballat" and containing the ballots shall be put into one depository at one time and said depository well shaken and the envelopes containing the ballots mixed before any ballot is taken therefrom The county board shall then break the seals of such envelopes and record the said ballots in the same manner as district election officers are required to record votes under the provisions of this act In like manner all military ballots received prior to completion of the computation of the returns of the county shall be counted and recorded and upon completion of the computation of the returns of the county the votes cast upon the military ballots shall then be added to the votes cast within the county city borough incorporated town township ward or election district as designated on each ballot Military ballots shall be safely kept by the county board of elections for a period of one year

Section 5 This act shall become effective immediately upon final enactment

On the question,

Will the Senate agree to the report?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—48

Barr,	Ealy,	Letzler,	Stevenson,
Bartlett,	Edmonds,	Mallery,	Stiefel,
Becker,	Farrell,	McCreesh,	Tallman,

Cavalcante,	Frey,	McGinnis,	Taylor,
Chapman,	Geltz,	McQuiddy,	Thomas,
Coleman,	Haluska,	Miller,	Tyler,
Cox,	Heyburn,	Mundy,	Wade,
Crider,	Homsher,	Reed,	Walker,
Crowe,	James,	Ruth,	Watkins,
Deitrick,	Jaspan,	Scarlett,	Wilson, H. I.,
Dent,	Kephart,	Shapiro,	Wilson, T. B.,
DiSilvestro,	Lanius,	Snowden,	Ziesenhelm,

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk inform the House of Representatives accordingly.

REPORT OF CONFERENCE COMMITTEE ON SENATE BILL No. 1232, (HOUSE BILL No. 1467), ADOPTED

Mr. GELTZ. Mr. President, I move that the Senate do now proceed to the consideration of the Report of the Committee of Conference on Senate Bill No. 1232, (House Bill No. 1467).

Mr. THOMAS B. WILSON. Mr. President, I second the motion.

The motion was agreed to.

The report was read as follows:

REPORT OF THE COMMITTEE OF CONFERENCE ON HOUSE BILL No. 1467

To the Members of the Senate and House of Representatives:

We, the undersigned, Committee of Conference on the part of the Senate and House of Representatives for the purpose of considering House Bill No. 1467, entitled:

"An Act to amend the act, approved the first day of June, one thousand nine hundred thirty-seven (P. L. 1132), entitled 'An act to provide for the permanent personal registration of electors in cities of the second class A as a condition of their right to vote at elections and primaries, and their enrollment as members of political parties as a further condition of their right to vote at primaries; * * *' as amended, by requiring and providing for the registration of persons in military service to entitle them to vote at any election."

Respectfully submit the following bill as our report:

ROBERT M. MILLER
PAUL M. CRIDER
J. K. McQUIDDY
(Committee on the part of the Senate.)

H. J. MAXWELL
MARTIN C. MIHM
GEORGE T. WEINGARTNER
(Committee on the part of the House of Representatives.)

An Act to amend the act approved the first day of June one thousand nine hundred thirty-seven (P. L. 1132) entitled "An act to provide for the permanent personal registration of electors in cities of the second class A as a condition of their right to vote at elections and primaries and their enrollment as members of political parties as a further condition of their right to vote at primaries prescribing certain procedure for the conduct of elections and primaries and the challenge and proof of qualifications of electors and prescribing the powers and duties of citizens parties political bodies and registration commissions commissioners registrars inspectors of registration and other appointees of registration commission county election boards election officers municipal officers departments and bureaus police officers courts judges prothonotaries sheriffs county commissioners peace officers county treasurers county controllers registrars of vital statistics certain public utility corporations real estate brokers rental agents and boards of school directors and imposing penalties" as amended by requiring and providing for the registration of persons in military service to entitle them to vote at any election

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section three of the act approved the first day of June one thousand nine hundred thirty-seven (P. L. 1132) entitled "An act to provide for the permanent personal registration of electors in cities of the second class A as a conditions of their right to vote at elections and primaries and their enrollment as members of political parties as a further condition of their right to vote at primaries prescribing certain procedure for the conduct of elections and primaries and the challenge and proof of qualifications of electors and prescribing the powers and duties of citizens parties political bodies registration commissions commissioners registrars inspectors of registration and other appointees of registration commissions county election boards election officers municipal officers departments and bureaus police officers courts judges prothonotaries sheriffs county commissioners peace officers county treasurers county controllers registrars of vital statistics certain public utility corporations real estate brokers rental agents and boards of school directors and imposing penalties" is hereby amended by adding thereto a new subsection (u) to read as follows

(u) "Persons in military service" shall mean qualified electors of this Commonwealth who are or may be by enlistment enrollment or draft in actual military or naval service of the United States or any branch or unit thereof or in the military service of the Commonwealth

Section 2 Subsection (a) of section eighteen of the said act is hereby amended to read as follows

Section 18 Registration Cards Preparation and Distribution

(a) For the purpose of registering the qualified electors of each city the commission shall prepare registration cards serially numbered in duplicate and containing spaces for entering the information required by section nineteen and nineteen and one-tenth of this act and either the following affidavit or the affidavit prescribed in section nineteen and one-tenth as the case may be

Registration Affidavit

State of Pennsylvania }
County of } ss:

I hereby swear or affirm that I am a citizen of the United States that on the day of the next election I shall be at least twenty-one years of age and shall have resided in the State of Pennsylvania for one year (or having previously been a qualified elector or a native born citizen of the State and having removed and returned then six months) next preceding said election and in the election district two months that I am legally qualified to vote that I have read (or have had read to me) the foregoing statements made in connection with my registration and that they are true and correct

Subscribed and sworn to before me this .....
.....day of .....19 .....
Signature of Voter

.....
Signature of Registrar

Section 3 The said act is amended by adding after section nineteen a new section nineteen and one-tenth to read as follows

Section 19.1 Manner of Registration by Persons in Military Service A person in military service may in addition to any other method herein provided also be registered in the following manner

(a) He may make application to the commission for a registration card

(b) The registration card shall require the statement of and shall provide sufficient space for the following information (1) The surname of the applicant (2) His Christian name or names (3) His occupation if any on the date of entering military service (4) The street or road and number if any of his residence on the date of entering military service (5) If his residence was a portion only of a house the location or number of the room or rooms apartment flat or floor which he occupied (6) The date his residence began at the place at which he resided on the date of entering military service (7) His residence address when he last registered and the year of such registration (8) The sex of the applicant (9) The color of the applicant (10) The state or territory of the United States or the foreign country where he was born (11) The date when place where and the court by which naturalized and the number of the naturalization certificate (12) If not naturalized personally the name of father mother or husband through whom naturalized (13) Whether he is unable by reason of illiteracy to read the names on the ballot or voting machine labels (14) Whether he has a physical disability which will render him unable to see or mark the ballot or operate the voting machine or to enter the voting compartment or voting machine booth without assistance and if so his declaration of that fact and his statement of the exact nature of such disability (15) The designation of the political party of the elector for the purpose of voting at primaries (16) The affidavit of registration as hereinafter prescribed which shall be signed by the elector attested by the signature of the superior officer of the applicant or the judge of any court of record of the United States or by any state or territory thereof and dated by such superior officer or judge (17) The height of the applicant in feet and inches (18) The color of his hair (19) The color of his eyes (20) The date of his birth Each registration card for registration by persons in military service shall also have a sufficient number of spaces thereon for the insertion by the commission but not by the applicant of the ward and election district if any in which the applicant resided on the date of entering military service and to which he may from time to time remove after leaving military service together with his street address in each such ward and district and the other data required to be given upon such removal (21) The data of each election and primary at which the applicant votes after registration the number and letter if any of the stub of the ballot issued to him or his number in the order of admission to the voting machines and (22) The signature or initials of the election officer who enters the record of voting on the card

(c) In addition the foregoing registration card shall contain the following affidavit

Registration Affidavit

I hereby swear or affirm that I am a citizen of the United States that on the day of the next election I shall be at least twenty-one years of age and shall have resided in the Commonwealth of Pennsylvania for one year (or having previously been a qualified elector or a native born citizen of the Commonwealth and having removed and returned then six months) and in the election district two months that I am now in actual military service under a requisition of the President of the United States or by the authority of the Commonwealth of Pennsylvania that the military naval or air unit in which I am commissioned or enrolled is .....
with rank of .....now located at .....that I am legally qualified to vote that I have read (or have had read to me) the foregoing statements made in connection with me registration and that they are true and correct

.....
Signature of applicant for registration
Sworn to and subscribed before me this
.....day of .....19....
.....
Signature of superior officer or judge of any court of record of the United States or any state or territory thereof and a statement of official position

(d) Upon written application by any person in military service to the registration commission having jurisdiction in the city in which the applicant resided on the date of entering military service a registration card in the form herein prescribed in duplicate shall be mailed postage prepaid to the applicant at the address given in such application Such person shall thereupon supply the information required on the registration card in duplicate and shall take the affidavit thereto in duplicate in the presence of his superior officer or of any judge of a court of record of the United States or any state or territory thereof and shall mail the same in duplicate postage prepaid to the registration commission from which it was procured

(e) Registration in this manner by persons in military service may be made at any time Provided however That if any registration card is received by any registration commission from any person in military service at any time when registration by personal appearance in the manner provided in section eighteen of this act could not be made under the provisions of section sixteen of this act such application shall be retained by the commission until the beginning of the next period during which such registration by personal appearance could be made and at such time the applicant if otherwise entitled shall be duly registered

(f) The status of any person in military service with respect to residence shall remain the same as it was when such person entered military service Provided however That if at the time of entering military service any person shall not have resided in Pennsylvania or in a particular election district thereof for a sufficient time to have been entitled to be registered but by continued residence would have become so entitled he shall be entitled to be registered at such time as he would have been so entitled had he not entered military service and had continued to reside where he then resided

(g) Registration cards returned by persons in military service to any registration commission shall be examined by a member of the commission or any clerk or registrar at a time and place when personal registrations are being received and such member of the commission clerk or register shall announce in the hearing of all present the name of the person in military service who has thus offered to register and the address of his residence on the date of entering military service The right of such person in military service to be registered shall not be subject to challenge for any reason other than failure to have mailed the commission a properly completed registration card If the commission finds the registration card not properly completed it shall reject it in the manner hereinafter provided

Section 4 Section twenty-three of the said act is hereby amended to read as follows

Section 23 Incomplete or Rejected Applications to Be Recorded The registrar commissioner or clerk shall record on registration cards the surname Christian name or names and street and number of residence of each person who applies for registration whether or not the application is accepted Whenever the applicant is rejected after a portion of the record has been filled in the registration card or cards shall be marked "Applicant Rejected" and the registrar commissioner or clerk shall note thereon the reason for the rejection and shall sign his name thereto The registrar commissioner or clerk shall forthwith personally notify the applicant if his application for registration is rejected Provided however That if the registration card was received by mail from a person in military service notice of rejection shall be by mail All such cards shall be returned to the commission and shall be preserved for a period of two years

Section 5 Subsection (a) of section twenty-nine of the said act is hereby amended to read as follows

Section 29 Change of Enrollment of Political Party Cancellation of Party Enrollment Persons Suffering Disability After Registration to Have Fact Recorded Cancellation (a) At any time prior to the fifteenth day next preceding a primary or an election excepting the thirty days next following each election and the five days next following each primary any person who desires to change the enrollment of his political designation or who although registered has not hitherto enrolled as a member of a party may appear before a registrar commissioner or clerk and state in writing over his signature the political party in which he desires to be enrolled and the registrar commissioner or clerk shall cause the enrollment of the elector's political designation to be made or altered accordingly in the general and district registers In such cases the signature of the elector shall be verified by comparison with his signature on the general and district registers before the change of enrollment is made If any elector desiring to change his party enrollment is unable to sign his application he shall make his mark thereto in the presence of the registrar commissioner or clerk and shall produce such other evidence as may be necessary to establish his identity When an elector has applied for a change in the enrollment of his political designation as provided herein the registrar commissioner or clerk shall upon request stamp or mark the change so made on the elector's card attesting his registration. Any person in military service who desires to change his party enrollment shall be permitted to do so by addressing to the commission a signed written application under oath taken and subscribed to before any commissioned officer of the military or naval forces either within or without the Commonwealth or before any officer of this or any other state or territory of the United States authorized to administer oaths The application shall be sent by the applicant by registered mail return receipt required and shall also contain a statement that such person is at the time of making the application absent from his residence in military service If upon examination the signature appears authentic and the application conform to the provisions of this section the enrollment shall be changed in accordance with the application

Section 6 Section thirty-one of the said act is hereby amended to read as follows

Section 31 Check-up of Registers

(a) At any time prior to the thirtieth day next preceding an election or primary the commission may send by mail to any elector whose name appears in any district register a notice setting forth the elector's name and address as it shall appear in the register and requesting him in case of any error to present the notice on or before the tenth day next ensuing at the office of the commission and secure the correction of the error and warning the elector that any discrepancy between his actual name and address and his name and address as recorded in the original register will constitute ground for challenging his vote Such notice shall contain on the outside a request to the postmaster to return it within five days if it cannot be delivered to the adressee at the address given thereon

(b) At any time prior to the thirtieth day next preceding an election or primary the commission may cause a check-up to be made by postmen of the United States Post Office of any elector whose name appears in any district register

(c) At least once in each four years the commission shall conduct a check-up of each registered elector in the city by either of the methods provided for in subsections (a) and (b) above

(d) Upon the return by the post office of any such notice which it has been unable to deliver at the given address because the addressee cannot be found there or upon report by the post office that any registered elector does not reside at the address given on his registration card the commission shall direct an authorized employe to visit in person the address of the elector and if he shall find that the elector does not reside at the address he shall leave at such address the notice prescribed by section thirty-two of this act and the commission shall at the expiration of the time specified in such notice cancel the registration of such person unless he personally appears and proves his qualifications as an elector Provided however That the registration of any person in military service shall not be cancelled by reason of the failure of such person to reside at the address appearing upon the district register if such person did reside at such address on the date of entering military service

Section 7 Section thirty-seven of the said act is hereby amended by adding thereto a new subsection (h) to read as follows

(h) Persons in military service shall be entitled to vote if duly registered in a manner provided by this act Persons in military service and by reason thereof absent from their places of residence on the day of any election shall be entitled to vote in such manner as may now or hereafter be provided by law unaffected by the provisions of this section insofar as they relate to the manner of voting

Section 8 This act shall become effective immediately upon final enactment

On the question,

Will the Senate agree to the report?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—48

Barr,	Ealy,	Letzler,	Stevenson,
Bartlett,	Edmonds,	Mallery,	Stiefel,
Becker,	Farrell,	McCreesh,	Tallman,
Cavalcante,	Frey,	McGinnis,	Taylor,
Chapman,	Geltz,	McQuiddy,	Thomas,
Coleman,	Haluska,	Miller,	Tyler,
Cox,	Heyburn,	Mundy,	Wade,
Crider,	Homsher,	Reed,	Walker,
Crowe,	James,	Ruth,	Watkins,
Deitrick,	Jaspan,	Scarlett,	Wilson, H. I.,
Dent,	Kephart,	Shapiro,	Wilson, T. B.,
DiSilvestro,	Lanius,	Snowden,	Ziesenheim,

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk inform the House of Representatives accordingly.

REPORT OF COMMITTEE OF CONFERENCE ADOPTED ON SENATE BILL No. 1265, (HOUSE BILL No. 1465)

Mr. GELTZ. Mr. President, I move that the Senate do now proceed to the consideration of the Report of the Committee of Conference on Senate Bill No. 1265, (House Bill No. 1465).

Mr. WADE. Mr. President, I second the motion.

The motion was agreed to.

The report was read as follows:

REPORT OF THE COMMITTEE OF CONFERENCE ON HOUSE BILL No. 1465

To the Members of the Senate and House of Representatives:

We, the undersigned, Committee of Conference on the part of the Senate and House of Representatives for the purpose of considering House Bill No. 1465, entitled:

"An act to amend the act, approved the twenty-ninth day of April, one thousand nine hundred thirty-seven

(P. L. 487), entitled 'An act to provide for the permanent personal registration of electors in boroughs, towns and townships as a condition of their right to vote at elections and primaries and their enrollment as members of political parties as a further condition of their right to vote at primaries; * * *' as amended, by requiring and providing for the registration of persons in military service before they shall be entitled to vote at any election."

Respectfully submit the following bill as our report:

ROBERT M. MILLER
PAUL M. CRIDER
J. K. McQUIDDY
(Committee on the part of the Senate.)

H. J. MAXWELL
MARTIN C. MIHM
GEORGE T. WEINGARTNER
(Committee on the part of the House of Representatives.)

An Act to amend the act approved the twenty-ninth day of April one thousand nine hundred thirty-seven (P. L. 487) entitled "An act to provide for the permanent personal registration of electors in boroughs towns and townships as a condition of their right to vote at elections and primaries and their enrollment as members of political parties as a further condition of their right to vote at primaries prescribing certain procedure for the conduct of elections and primaries and the challenge and proof of qualifications of electors requiring the county commissioners of the various counties to act as a registration commission therefor and prescribing the powers and duties of citizens parties political bodies registration commissions commissioners registrars inspectors of registration and other appointees of registration commissions county election boards election officers municipal officers departments and bureaus police officers courts judges prothonotaries sheriffs county commissioners peace officers county treasurers county controllers registrars of vital statistics certain public utility corporations real estate brokers rental agents and boards of school directors and imposing penalties" as amended by requiring and providing for the registration of persons in military service before they shall be entitled to vote at any election

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section two of the act approved the twenty-ninth day of April one thousand nine hundred thirty-seven (P. L. 487) entitled "An act to provide for the permanent personal registration of electors in boroughs towns and townships as a condition of their right to vote at elections and primaries and their enrollment as members of political parties as a further condition of their right to vote at primaries prescribing certain procedure for the conduct of elections and primaries and the challenge and proof of qualifications of electors requiring the county commissioners of the various counties to act as a registration commission therefor and prescribing the powers and duties of citizens parties political bodies registration commissions commissioners registrars inspectors of registration and other appointees of registration commissions county election boards election officers municipal officers department and bureaus police officers courts judges prothonotaries sheriffs county commissioners peace officers county treasurers county controllers registrars of vital statistics certain public utility corporations real estate brokers rental agents and boards of school directors and imposing penalties" is hereby amended to read as follows

Section 2 Definitions (a) The word "Commission" shall mean any registration commission having jurisdiction in boroughs towns and townships

(b) "Commissioner" shall mean a county commissioner acting as a member of the registration commission

(c) "Oath" shall include affirmation and "Swear" shall include affirm

(d) "Election" shall mean any general special municipal or primary election unless otherwise specified

(e) "General election" shall mean the election which the Constitution of this Commonwealth requires to be held in even-numbered years

(f) "Municipal election" shall mean the election which the Constitution of this Commonwealth requires to be held in odd-numbered years

(g) "Primary election" shall mean any election for the nomination of candidates

(h) "November election" shall mean either the general or the municipal election or both according to the context

(i) "Party" shall mean any party or political body one of whose candidates at the general election next preceding the primary polled in each of at least ten counties of the State not less than two per centum of the largest entire vote cast in each of said counties for any elected candidate and polled a total vote in the State equal to at least two per centum of the largest entire vote cast in the State for any elected candidate or any party or political body one of whose candidates at either the general or municipal election preceding the primary polled at least five per centum of the largest entire vote cast for any elected candidate in any county containing therein any borough town or township

(j) "Political body" shall mean any political body not recognized as a political party which has filed proper nomination papers as required by law

(k) "Qualified elector" shall mean any person who shall possess all of the qualifications for voting now or hereafter prescribed by the Constitution of this Commonwealth or who being otherwise qualified by continued residence in his election district shall obtain such qualifications before the next ensuing election

(l) "Register" shall mean the cards containing or to contain all or any part of the registry list of qualified electors prepared or to be prepared by the registration commissions as hereinafter provided

(m) "County" shall mean any county of this Commonwealth

(n) "Public office" shall mean and include any National State judicial county city borough town township school district poor district ward or election office or employment requiring any person elected or appointed thereto to render any public service for a fixed fee or compensation except the office of notary public or commissioner of deeds

(o) Wherever a term in the masculine form is used in this act it shall refer alike to men and women

(p) "District" shall mean any election district or precinct of a borough town or township

(q) All references to police officers clerks secretaries courts judges prothonotaries county treasurers county controllers county commissioners sheriffs peace officers registrars of vital statistics boards of school districts and other officials of counties boroughs towns townships and school districts where not otherwise specified shall refer only to those of any borough town or township or to those of any county within which such borough town or township is located or to any school district containing contained in or coextensive with any borough town or township

(r) "County election board" or "county board" shall mean the county board of elections of any county as now or hereafter provided for by the election laws of this Commonwealth

(s) In determining or reckoning any period of time mentioned in this act the day upon which the act is done paper filed or notice given shall be excluded from and the date of the primary election hearing or other subsequent event as the case may be shall be included in the calculation or reckoning Provided however That if the last day upon which any act may be done paper filed or notice given shall fall on a Sunday or a legal holiday the next following ordinary business day shall be considered as the last day for said purpose

(t) "Persons in military service" shall mean qualified

electors of this Commonwealth who are or may be by enlistment enrollment or draft in actual military or naval service of the United States or any branch or unit thereof or in the military service of the Commonwealth

Section 2 Subsection (a) of section seventeen of the said act is hereby amended to read as follows

Section 17 Registration Cards Preparation and Distribution

(a) For the purpose of registering the qualified electors of each borough town or township the commission shall prepare registration cards serially numbered in duplicate and containing spaces for entering the information required by section eighteen and section eighteen and one-tenth of this act and either the following affidavit or the affidavit prescribed in section eighteen and one-tenth as the case may be

Registration Affidavit

State of Pennsylvania }
County of } ss

I hereby swear or affirm that I am a citizen of the United States that on the day of the next election I shall be at least twenty-one years of age and shall have resided in the State of Pennsylvania for one year (or having previously been a qualified elector or a native born citizen of the State and having removed and returned then six months) next preceding said election and in the election district two months that I am legally qualified to vote that I have read (or have had read to me, the foregoing statements made in connection with my registration and that they are true and correct

Subscribed and sworn to before me this ..... day of ..... 19....

.....
Signature of Voter

.....
Signature of Registrar

Section 3 The said act is amended by adding after section eighteen a new section eighteen and one-tenth to read as follows

Section 18.1 Manner of Registration by Persons in Military Service A person in military service may in addition to any other method herein provided also be registered in the following manner

(a) He may make application to the commission for a registration card

(b) The registration card shall require the statement of and shall provide sufficient space for the following information (1) The surname of the applicant (2) His Christian name or names (3) His occupation if any on the date of entering military service (4) The street or road and number if any of his residence on the date of entering military service (5) If his residence was a portion only of a house the location or number of the room or rooms apartment flat or floor which he occupied (6) The date his residence began at the place at which he resided on the date of entering military service (7) His residence address when he last registered and the year of such registration (8) The sex of the applicant (9) The color of the applicant (10) The state or territory of the United States or the foreign country where he was born (11) The date when place where and the court by which naturalized and the number of the naturalization certificate (12) If not naturalized personally the name of father mother or husband through whom naturalized (13) Whether he is unable by reason of illiteracy to read the names on the ballot or voting machine labels (14) whether he has a physical disability which will render him unable to see or mark the ballot or operate the voting machine or to enter the voting compartment or voting machine booth without assistance and if so his declaration of that fact and his statement of the exact nature of such disability (15) The designation of the political party of the elector for the purpose of voting at primaries (16) The affidavit of registration as hereinafter prescribed which shall be signed by the elector attested by the signature of the superior officer of the applicant or the judge of any court of record of the United States or of any state or territory thereof and dated by such superior officer or judge (17) The height of the applicant in feet and inches (18) The color of his hair (19) The color of his eyes (20) The date of his birth Each registration card for registration by persons in military service shall also have a sufficient number of spaces thereon for the insertion by the commission but not by the applicant of the borough town township ward and election district if any in which the applicant resided on the date of entering military service and to which he may from time to time remove after leaving military service together with his street address in each borough town or township and the other data required to be given upon such removal (21) The date of each election and primary at which the applicant votes after registration the number and letter if any of the stub of the ballot issued to him or his number in the order of admission to the voting machines and (22) The signature or initials of the election officer who enters the record of voting on the card

(c) In addition the foregoing registration card shall contain the following affidavit

Registration Affidavit

I hereby swear or affirm that I am a citizen of the United States that on the day of the next election I shall be at least twenty-one years of age and shall have resided in the Commonwealth of Pennsylvania for one year (or having previously been a qualified elector or a native born citizen of the Commonwealth and having removed and returned then six months) and in the election district two months that I am now in actual military service under a requisition of the President of the United States or by the authority of the Commonwealth of Pennsylvania that the military naval or air unit in which I am enrolled or commissioned is ..... with the rank of ..... now located at ..... that I am legally qualified to vote that I have read (or have had read to me) the foregoing statements made in connection with my registration and that they are true and correct

.....
Signature of applicant for registration

Sworn to and subscribed before me this ..... day of ..... 19....

.....
Signature of superior officer or judge of any court of record of the United States or any state or territory thereof and statement of official position

(d) Upon written application by any person in military service to the registration commission having jurisdiction in the borough town or township in which the applicant last resided on the date of entering military service a registration card in the form herein prescribed in duplicate shall be mailed postage prepaid to the applicant at the address given in such application Such person shall thereupon supply the information required on the registration card in duplicate and shall take the affidavit thereto in duplicate in the presence of his superior officer or of any judge of a court of record of the United States or any state or territory thereof and shall mail the same in duplicate postage prepaid to the registration commission from which it was procured

(e) Registration in this manner by persons in military service may be made at any time Provided however That if any registration card is received by any registration commission from any person in military service at any time when registration by personal appearance in the manner provided in section eighteen of this act could not be made under the provisions of section sixteen of this act such application shall be retained by the commission until the beginning of the next period during which such registration by personal appearance could be made and at such time the applicant if otherwise entitled shall be duly registered

(f) The status of any person in military service with respect to residence shall remain the same as it was when such person entered military service Provided however

That if at the time of entering military service any person shall not have resided in Pennsylvania or in a particular election district thereof for a sufficient time to have been entitled to be registered but by continued residence would have become so entitled he shall be entitled to be registered at such time as he would have been so entitled had he not entered military service and had continued to reside where he then resided

(g) Registration cards returned by persons in military service to any registration commission shall be examined by a member of the commission or any clerk or registrar at a time and place when personal registrations are being received and such member of the commission clerk or registrar shall announce in the hearing of all present the name of the person in military service who has thus offered to register and the address of his residence on the date of entering military service The right of such person in military service to be registered shall not be subject to challenge for any reason other than failure to have mailed the commission a properly completed registration card If the commission finds the registration card not properly completed it shall reject it in the manner hereinafter provided

Section 4 Section twenty-two of the said act is hereby amended to read as follows

Section 22 Incomplete or Rejected Applications to Be Recorded The registrar commissioner or clerk shall record on registration cards the surname Christian name or names and street and number of residence of each person who applies for registration whether or not the application is accepted Whenever the applicant is rejected after a portion of the record has been filled in the registration card or cards shall be marked "Applicant Rejected" and the registrar commissioner or clerk shall note thereon the reason for the rejection and shall sign his name thereto The registrar commissioner or clerk shall forthwith personally notify the applicant if his application for registration is rejected Provided however That if the registration card was received by mail from a person in military service notice of rejection shall be by mail All such cards shall be returned to the commission and shall be preserved for a period of two years

Section 5 Subsection (a) of section twenty-eight of the said act as amended by the act approved the ninth day of June one thousand nine hundred thirty-nine (Pamphlet Laws two hundred eighty-one) is hereby further amended to read as follows

Section 28 Change of Enrollment of Political Party Cancellation of Party Enrollment Persons Suffering Disability After Registration to Have Fact Recorded Cancellation (a) At any time prior to the thirtieth day next preceding a primary or an election excepting the thirty days next following each election and the five days next following each primary any person who desires to change the enrollment of his political designation or who although registered has not hitherto enrolled as a member of a party may appear before a registrar commissioner or clerk and state in writing over his signature the political party in which he desires to be enrolled and the registrar commissioner or clerk shall cause the enrollment of the elector's political designation to be made or altered accordingly in the general and district registers In such cases the signature of the elector shall be verified by comparison with his signature on the general and district registers before the change of enrollment is made If any elector desiring to change his party enrollment is unable to sign his application he shall make his mark thereto in the presence of the registrar commissioner or clerk and shall produce such other evidence as may be necessary to establish his identity When an elector has applied for a change in the enrollment of his political designation as provided herein the registrar commissioner or clerk shall upon request stamp or mark the change so made on the elector's card attesting his registration Any person in military service who desires to change his party enrollment shall be permitted to do so by addressing to the commission a signed written application under oath taken and subscribed to before any commissioned officer of the military or naval forces either within or without the Commonwealth or before any officer of this or any other state or territory of the United States authorized to administer oaths The application shall be sent by the applicant by registered mail return receipt required and shall also contain a statement that such person is at the time of making the application absent from his residence in military service If upon examination the signature appears authentic and the application conform to the provisions of this section the enrollment shall be changed in accordance with the application

Section 6 Section thirty of the said act is hereby amended to read as follows

Section 30 Check-up of Registers

(a) At any time prior to the thirtieth day next preceding an election or primary the commission may send by mail to any elector whose name appears in any district register a notice setting forth the elector's name and address as it shall appear in the register and requesting him in case of any error to present the notice on or before the tenth day next ensuing at the office of the commission and secure the correction of the error and warning the elector that any discrepancy between his actual name and address and his name and address as recorded in the original register will constitute ground for challenging his vote Such notice shall contain on the outside a request to the postmaster to return it within five days if it cannot be delivered to the addressee at the address given thereon

(b) At any time prior to the thirtieth day next preceding an election or primary the commission may cause a check-up to be made by postmen of the United States Post Office of any elector whose name appears in any district register

(c) At least once in each four years the commission shall conduct a check-up of each registered elector in the boroughs towns and townships by either of the methods provided for in subsections (a) and (b) above

(d) Upon the return by the post office of any such notice which it has been unable to deliver at the given address because the addressee cannot be found there or upon report by the post office that any registered elector does not reside at the address given on his registration card the commission shall direct an authorized employe to visit in person the address of the elector and if he shall find that the elector does not reside at the address he shall leave at such address the notice prescribed by section thirty-one of this act and the commission shall at the expiration of the time specified in such notice cancel the registration of such person unless he personally appears and proves his qualifications as an elector Provided however That the registration of any person in military service shall not be cancelled by reason of the failure of such person to reside at the address appearing upon the district register if such person did reside at such address on the date of entering military service

Section 7 Section thirty-six of the said act is hereby amended by adding thereto subsection (h) to read as follows

(h) Persons in military service shall be entitled to vote if duly registered in a manner provided by this act Persons in military service and by reason thereof absent from their places of residence on the day of any election shall be entitled to vote in such manner as may now or hereafter be provided by law unaffected by the provisions of this section insofar as they relate to the manner of voting

Section 8 This act shall become effective immediately upon final enactment

On the question,

Will the Senate agree to the report?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—48

Barr,	Ealy,	Letzler,	Stevenson,
Bartlett,	Edmonds,	Mallery,	Stiefel,
Becker,	Farrell,	McCreesh,	Tallman,
Cavalcante,	Frey,	McGinnis,	Taylor,

Chapman,	Geltz,	McQuiddy,	Thomas,
Coleman,	Haluska,	Miller,	Tyler,
Cox,	Heyburn,	Mundy,	Wade,
Crider,	Homsher,	Reed,	Walker,
Crowe,	James,	Ruth,	Watkins,
Deitrick,	Jaspan,	Scarlett,	Wilson, H. I.,
Dent,	Kephart,	Shapiro,	Wilson, T. B.,
DiSilvestro,	Lanius,	Snowden,	Ziesenheim,

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk inform the House of Representatives accordingly.

REPORT OF CONFERENCE COMMITTEE ON SENATE BILL No. 1266, (HOUSE BILL No. 1468), ADOPTED

Mr. GELTZ. Mr. President, I move that the Senate do now proceed to the consideration of the Conference Committee Report on Senate Bill No. 1266 (House Bill No. 1468).

Mr. WADE. Mr. President, I second the motion.

The motion was agreed to.

The report was read as follows:

REPORT OF THE COMMITTEE OF CONFERENCE ON HOUSE BILL No. 1468

To the Members of the Senate and House of Representatives:

We, the undersigned, Committee of Conference on the part of the Senate and House of Representatives for the purpose of considering House Bill No. 1468, entitled:

"An Act to amend the act approved the twenty-fifth day of May, one thousand nine hundred thirty-seven (P. L. 814) entitled 'An act to provide for the permanent personal registration of electors in cities of the second class as a condition of their right to vote at elections and primaries, and their enrollment as members of political parties as a further condition of their right to vote at primaries; * * *', as amended by requiring and providing for the registration of persons in military service to entitle them to vote at any election."

Respectfully submit the following bill as our report:

ROBERT M. MILLER
PAUL M. CRIDER
J. K. McQUIDDY
(Committee on the part of the Senate.)

H. J. MAXWELL
MARTIN C. MIHM
GEORGE F. WEINGARTNER
(Committee on the part of the House of Representatives.)

An Act to amend the act approved the twenty-fifth day of May one thousand nine hundred thirty-seven (P. L. 814) entitled "An act to provide for the permanent personal registration of electors in cities of the second class as a condition of their right to vote at elections and primaries and their enrollment as members of political parties as a further condition of their right to vote at primaries prescribing certain procedure for the conduct of elections and primaries and the challenge and proof of qualifications of electors and prescribing the powers and duties of citizens parties political bodies registration commissions commissioners registrars inspectors of registration and other appointees of registration commissions county election boards election officers municipal officers departments and bureaus police officers courts judges prothonotaries sheriffs county commissioners peace officers county treasurers county controllers registrars of vital statistics certain public utility corporations real estate brokers rental agents and boards of school directors and imposing penalties" as amended by requiring and providing for the registration of persons in military service to entitle them to vote at any election

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section three of the act approved the twenty-fifth day of May one thousand nine hundred thirty-seven (P. L. 814) entitled "An act to provide for the permanent personal registration of electors in cities of the second class as a condition of their right to vote at elections and primaries and their enrollment as members of political parties as a further condition of their right to vote at primaries prescribing certain procedure for the conduct of elections and primaries and the challenge and proof of qualifications of electors and prescribing the powers and duties of citizens parties political bodies registration commissions commissioners registrars inspectors of registration and other appointees of registration commissions county election boards election officers municipal officers departments and bureaus police officers courts judges prothonotaries sheriffs county commissioners peace officers counuty treasurers county controllers registrars of vital statistics certain public utility corporations real estate brokers rental agents and boards of school directors and imposing penalties" is hereby amended to read as follows

Section 3 Definition (a) the word "Commission" shall mean any registration commission having jurisdiction in any city of the second class

(b) "Commissioner" shall mean a member of a registration commission

(c) "Oath" shall include affirmation and "Swear" shall include affirm

(d) "Election" shall mean any general special municipal or primary election unless otherwise specified

(e) "General election" shall mean the election which the Constitution of this Commonwealth requires to be held in even-numbered years

(f) "Municipal election" shall mean the election which the Constitution of this Commonwealth requires to be held in odd-numbered years

(g) "Primary election" shall mean any election for the nomination of candidates

(h) "November election" shall mean either the general or the municipal election or both according to the context

(i) "Party" shall mean any party or political body one of whose candidates at the general election next preceding the primary polled in each of at least ten counties of the State not less than two per centum of the largest entire vote cast in each of said counties for any elected candidate and polled a total vote in the State equal to at least two per centum of the largest entire vote cast in the State for any elected candidate or any party or political body one of whose candidates at either the general or municipal election preceding the primary polled at least five per centum of the largest entire vote cast for any elected candidate in any county containing therein any city of the second class

(j) "Political body" shall mean any political body not recognized as a political party which has filed proper nomination papers as required by law

(k) "Qualified elector" shall mean any person who shall possess all of the qualifications for voting now or hereafter prescribed by the Constitution of this Commonwealth or who being otherwise qualified by continued residence in his election district shall obtain such qualifications before the next ensuing election

(l) "Register" shall mean the cards containing or to contain all or any part of the registry list of qualified electors prepared or to be prepared by the registration commission as hereinafter provided

(m) "County" shall mean any county of this Commonwealth within which is located a city of the second class

(n) "City" shall mean only a city of the second class

(o) All references to mayors police officers clerks secretaries courts judges prothonotaries county treasurers county controllers county commissioners sheriffs peace

officers registrars of vital statistics boards of school directors and other officials of counties cities and school districts where not otherwise specified shall refer only to those of any city of the second class or to those of any county within which such city is located or to any school district with which it is coextensive

(p) "Public office" shall mean and include any National State judicial county city school district poor district ward or election office or employment requiring any person elected or appointed thereto to render any public service for a fixed fee or compensation except the office of notary public or commissioner of deeds

(q) Wherever a term in the masculine form is used in this act it shall refer alike to men and women

(r) "District" shall mean any election district of the city

(s) "County Election Board" or "County Board" shall mean the county board of elections of any county containing a city of the second class as now or hereafter provided for by the election laws of this Commonwealth

(t) In determining or reckoning any period of time mentioned in this act the day upon which the act is done paper filed or notice given shall be excluded from and the date of the primary election hearing or other subsequent event as the case may be shall be included in the calculation or reckoning Provided however That if the last day upon which any act may be done paper filed or notice given shall fall on a Sunday or a legal holiday the next following ordinary business day shall be considered as the last day for said purpose

(u) "Persons in military service" shall mean qualified electors of this Commonwealth who are or may be by enlistment enrollment or draft in actual military or naval service of the United States or any branch or unit thereof or in the military service of the Commonwealth

Section 2 Subsection (a) of section eighteen of the said act is hereby amended to read as follows

Section 18 Registration Cards Preparation and Distribution (a) For the purpose [or] of registering the qualified electors of each city the commission shall prepare registration cards serially numbered in duplicate and containing spaces for entering the information required by section nineteen and nineteen and one-tenth of this act and either the following affidavit or the affidavit prescribed in section nineteen and one-tenth as the case may be

Registration Affidavit

State of Pennsylvania }
County of } ss

I hereby swear or affirm that I am a citizen of the United States that on the day of the next election I shall be at least twenty-one years of age and shall have resided in the State of Pennsylvania for one year (or having previously been a qualified elector or a native born citizen of the State and having removed and returned then six [month] months) next preceding said election and in the election district two months that I am legally qualified to vote that I have read (or had read to me) the foregoing statements made in connection with my registration and that they are true and correct

Subscribed and sworn to before
me this ..... day of .....
19....

.....
Signature of Voter

.....
Signature of Registrar

Section 3 The said act is amended by adding after section nineteen a new section nineteen and one-tenth to read as follows

Section 19.1 Manner of Registration by Persons in Military Service A person in military service may in addition to any other method herein provided also be registered in the following manner

(a) He may make application to the commission for a registration card

(b) The registration card shall require the statement of and shall provide sufficient space for the following information (1) The surname of the applicant (2) His Christian name or names (3) His occupation if any on the date of entering military service (4) The street or road and number if any of his residence on the date of entering military service (5) If his residence was a portion only of a house the location or number of the room or rooms apartment flat or floor which he occupied (6) The date his residence began at the place at which he resided on the date of entering military service (7) His residence address when he last registered and the year of such registration (8) The sex of the applicant (9) The color of the applicant (10) The state or territory of the United States or the foreign country where he was born (11) The date when place where and the court by which naturalized and the number of the naturalization certificate (12) If not naturalized personally the name of father mother or husband through whom naturalized (13) Whether he is unable by reason of illiteracy to read the names on the ballot or voting machine labels (14) Whether he has a physical disability which will render him unable to see or mark the ballot or operate the voting machine or to enter the voting compartment or voting machine booth without assistance and if so his declaration of that fact and his statement of the exact nature of such disability (15) The designation of the political party of the elector for the purpose of voting at primaries (16) The affidavit of registration as hereinafter prescribed which shall be signed by the elector attested by the signature of the superior officer of the applicant or the judge of any court of record of the United States or of any state or territory thereof and dated by such superior officer or judge (17) The height of the applicant in feet and inches (18) The color of his hair (19) The color of his eyes (20) The date of his birth Each registration card for registration by persons in military service shall also have a sufficient number of spaces thereon for the insertion by the commission but not by the applicant of the ward and election district if any in which the applicant resided on the date of entering military service and to which he may from time to time remove after leaving military service together with his street address in each such ward and district and the other data required to be given upon such removal (21) The date of each election and primary at which the applicant votes after registration the number and letter if any of the stub of the ballot issued to him or his number in the order of admission to the voting machines and (22) The signature or initials of the election officer who enters the record of voting on the card

(c) In addition the foregoing registration card shall contain the following affidavit

Registration Affidavit

I hereby swear or affirm that I am a citizen of the United States that on the day of the next election I shall be at least twenty-one years of age and shall have resided in the Commonwealth of Pennsylvania for one year (or having previously been a qualified elector or a native born citizen of the Commonwealth and having removed and returned then six months) and in the election district two months that I am now in actual military service under a requisition of the President of the United States or by the authority of the Commonwealth of Pennsylvania that the military naval or air unit in which I am enrolled or commissioned is ..... with the rank of ..... now located at ..... that I am legally qualified to vote that I have read (or have had read to me) the foregoing statements made in connection with my registration and that they are true and correct

.....
Signature of applicant for registration

Sworn to and subscribed before me this
..... day of .....19....

.....
Signature of superior officer or judge of any court of record of the United State or any state or territory thereof and a statement of official position

(d) Upon written application by any person in military service to the registration commission having jurisdiction in the city in which the applicant resided on the date of entering military service a registration card in the form herein prescribed in duplicate shall be mailed postage prepaid to the applicant at the address given in such application Such person shall thereupon supply the information required on the registration card in duplicate and shall take the affidavit thereto in duplicate in the presence of his superior officer or of any judge of a court of record of the United States or any state or territory thereof and shall mail the same in duplicate postage prepaid to the registration commission from which it was procured

(e) Registration in this manner by persons in military service may be made at any time Provided however That if any registration card is received by any registration commission from any person in military service at any time when registration by personal appearance in the manner provided in section eighteen of this act could not be made under the provisions of section sixteen of this act such application shall be retained by the commission until the beginning of the next period during which such registration by personal appearance could be made and at such time the applicant if otherwise entitled shall be duly registered

(f) The status of any person in military service with respect to residence shall remain the same as it was when such person entered military service Provided however That if at the time of entering military service any person shall not have resided in Pennsylvania or in a particular election district thereof for a sufficient time to have been entitled to be registered but by continued residence would have become so entitled he shall be entitled to be registered at such time as he would have been so entitled had he not entered military service and had continued to reside where he then resided

(g) Registration cards returned by persons in military service to any registration commission shall be examined by a member of the commission or any clerk or registrar at a time and place when personal registrations are being received and such member of the commission clerk or registrar shall announce in the hearing of all present the name of the person in military service who has thus offered to register and the address of his residence immediately prior to entering military service The right of such person in military service to be registered shall not be subject to challenge for any reason other than failure to have mailed the commission a properly completed registration card If the commission finds the registration card not properly completed it shall reject it in the manner hereinafter provided

Section 4 Section twenty-three of the said act is hereby amended to read as follows

Section 23 Incomplete or Rejected Applications to Be Recorded The registrar commissioner or clerk shall record on registration cards the surname Christian name or names and street and number of residence of each person who applies for registration whether or not the application is accepted Whenever the applicant is rejected after a portion of the record has been filled in the registration card or cards shall be marked "Applicant Rejected" and the registrar commissioner or clerk shall note thereon the reason for the rejection and shall sign his name thereto The registrar commissioner or clerk shall forthwith personally notify the applicant if his application for registration is rejected Provided however That if the registration card was received by mail from a person in military service notice of rejection shall be by mail All such cards shall be returned to the commission and shall be preserved for a period of two years

Section 5 Subsection (a) of section twenty-nine of the said act is hereby amended to read as follows

Section 29 Change of Enrollment of Political Party Cancellation of Party Enrollment Persons Suffering Disability After Registration to Have Fact Recorded Cancellation (a) At any time prior to the fifteenth day next preceding a primary or an election excepting the thirty days next following each election and the first days next following each primary any person who desires to change the enrollment of his political designation or who although registered has not hitherto enrolled as a member of a party may appear before a registrar commissioner or clerk and state in writing over his signature the political party in which he desires to be enrolled and the registrar commissioner or clerk shall cause the enrollment of the elector's political designation to be made or altered accordingly in the general and district registers In such cases the signature of the elector shall be verified by comparison with his signature on the general and district registers before the change of enrollment is made If any elector desiring to change his party enrollment is unable to sign his application he shall make his mark thereto in the presence of the registar commissioner or clerk and shall produce such other evidence as may be necessary to establish his identity When an elector has applied for a change in the enrollment of his political designation as provided herein the registrar commissioner or clerk shall upon request stamp or mark the change so made on the elector's card attesting his registration Any person in military service who desires to change his party enrollment shall be permitted to do so by addressing to the commission a signed written application under oath taken and subscribed to before any commissioned officer of the military or naval forces either within or without the Commonwealth or before any officer of this or any other state or territory of the United States authorized to administer oaths The application shall be sent by the applicant by registered mail return receipt required and shall also contain a statement that such person is at the time of making the application absent from his residence in military service If upon examination the signature appears authentic and the application conform to the provisions of this section the enrollment shall be changed in accordance with the application

Section 6 Section thirty-one of the said act is hereby amended to read as follows

Section 31 Check-up of Registers

(a) At any time prior to the thirtieth day next preceding an election or primary the commission may send by mail to any elector whose name appears in any district register a notice setting forth the elector's name and address as it shall appear in the register and requesting him in case of any error to present the notice on or before the tenth day next ensuing at the office of the commission and secure the correction of the error and warning the elector that any discrepancy between his actual name and address and his name and address as recorded in the original register will constitute ground for challenging his vote Such notice shall contain on the outside a request to the postmaster to return it within five days if it cannot be delivered to the addressee at the address given thereon

(b) At any time prior to the thirtieth day next preceding an election or primary the commission may cause a check-up to be made by postmen of the United States Post Office of any elector whose name appears in any district register

(c) At least once in each four years the commission shall conduct a check-up of each registered elector in the city by either of the methods provided for in subsections (a) and (b) above

(d) Upon the return by the post office of any such notice which it has been unable to deliver at the given address because the addressee cannot be found there or upon report by the post office that any registered elector does not reside at the address given on his registration card the commission shall direct an authorized employe to visit in person the address of the elector and if he shall find that the elector does not reside at the address he shall leave at such address the notice prescribed by section thirty-two of this act and the commission shall at the expiration of the time specified in such notice cancel the registration of such person unless he personally appears and proves his qualifications as an elector Provided however That the registration of any person in military service shall not be cancelled by reason of the failure of such person to reside at the address appearing upon the district register if such person did

reside at such address on the date of entering military service

Section 7 Section thirty-seven of the said act is hereby amended by adding thereto subsection (h) to read as follows

(h) Persons in military service shall be entitled to vote if duly registered in a manner provided by this act Persons in military service and by reason thereof absent from their places of residence on the day of any election shall be entitled to vote in such manner as may now or hereafter be provided by law unaffected by the provisions of this section insofar as they relate to the manner of voting

Section 8 This act shall become effective immediately upon final enactment

On the question,

Will the Senate agree to the report?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—48

Barr,	Ealy,	Letzler,	Stevenson,
Bartlett,	Edmonds,	Mallery,	Stiefel,
Becker,	Farrell,	McCreesh,	Tallman,
Cavalcante,	Frey,	McGinnis,	Taylor,
Chapman,	Geltz,	McQuiddy,	Thomas,
Coleman,	Haluska,	Miller,	Tyler,
Cox,	Heyburn,	Mundy,	Wade,
Crider,	Homsher,	Reed,	Walker,
Crowe,	James,	Ruth,	Watkins,
Deitrick,	Jaspan,	Scarlett,	Wilson, H. I.,
Dent,	Kephart,	Shapiro,	Wilson, T. B.,
DiSilvestro,	Lanius,	Snowden,	Ziesenheim,

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk inform the House of Representatives accordingly.

REPORT OF CONFERENCE COMMITTEE ON SENATE BILL No. 1267, (HOUSE BILL No. 1469), ADOPTED

Mr. GELTZ. Mr. President, I move that the Senate do now proceed to the consideration of the Conference Committee Report on Senate Bill No. 1267, (House Bill No. 1469).

Mr. TYLER. Mr. President, I second the motion.

The motion was agreed to.

The report was read as follows:

REPORT OF THE COMMITTEE OF CONFERENCE ON HOUSE BILL No. 1469

To the Members of the Senate and House of Representatives:

We, the undersigned, Committee of Conference on the part of the Senate and House of Representatives for the purpose of considering House Bill No. 1469, entitled:

"Act Act to amend the act, approved the twenty-fifth day of May, one thousand nine hundred thirty-seven (P. L. 849), entitled 'An act to provide for the permanent personal registration of electors in cities of the third class as a condition of their right to vote at elections and primaries and their enrollment as members of political parties as a further condition of their right to vote at primaries; prescribing certain procedure for the conduct of elections and primaries and the challenge and proof of qualifications of electors; * * *' as amended, by requiring and providing for the re-registration of persons in military service to entitle them to vote at any election."

Respectfully submit the following bill as our report:

ROBERT M. MILLER
PAUL M. CRIDER
J. K. McQUIDDY
(Committee on the Part of the Senate.)
H. J. MAXWELL
MARTIN C. MIHM
GEORGE T. WEINGARTNER
(Committee on the part of the House of Representatives.)

An Act to amend the act approved the twenty-fifth day of May one thousand nine hundred thirty-seven (P. L. 849) entitled "An act to provide for the permanent personal registration of electors in cities of the third class as a condition of their right to vote at elections and primaries and their enrollment as members of political parties as a further condition of their right to vote at primaries prescribing certain procedure for the conduct of elections and primaries and the challenge and proof of qualifications of electors and prescribing the powers and duties of citizens parties political bodies registration commissions commissioners registrars inspectors of registration and other appointees of registration commissions county election boards election officers municipal officers departments and bureaus police officers courts judges prothonotaries sheriffs county commissioners peace officers county treasurers county controllers registrars of vital statistics certain public utility corporations real estate brokers rental agents and boards of school directors imposing penalties and repealing existing legislation" as amended by requiring and providing for the registration of persons in military service to entitle them to vote at any election

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section three of the act approved the twenty-fifth day of May one thousand nine hundred thirty-seven (P. L. 849) entitled "An act to provide for the permanent personal registration of electors in cities of the third class as a condition of their right to vote at elections and primaries and their enrollment as members of political parties as a further condition of their right to vote at primaries prescribing certain procedure for the conduct of elections and primaries and the challenge and proof of qualifications of electors and prescribing the powers and duties of citizens parties political bodies registration commissions commissioners registrars inspectors of registration and other appointees of registration commissions county election boards election officers municipal officers departments and bureaus police officers courts judges prothonotaries sheriffs county commissioners peace officers county treasurers county controllers registrars of vital statistics certain public utility corporations real estate brokers rental agents and boards of school directors imposing penalties and repealing existing legislation" is hereby amended to read as follows

Section 3 Definitions (a) The word "Commission" shall mean any board of county commissioners in any county within which is located a city of the third class acting as a registration commission

(b) "Commissioner" shall mean a member of a board of county commissioners acting as a registration commission

(c) "Oaths" shall include affirmation and "Swear" shall include affirm

(d) "Election" shall mean any general special municipal or primary election unless otherwise specified

(e) "General election" shall mean the election which the Constitution of this Commonwealth requires to be held in even-numbered years

(f) "Municipal election" shall mean the election which the Constitution of this Commonwealth requires to be held in odd-numbered years

(g) "Primary election" shall mean any election for the nomination of candidates

(h) "November election" shall mean either the general or the municipal election or both according to the context

(i) "Party" shall mean any party or political body one of whose candidates at the general election next preceding the primary polled in each of at least ten counties of the State not less than two per centum of the largest

entire vote cast in each of said counties for any elected candidates and polled a total vote in the State equal to at least two per centum of the largest entire vote cast in the State for any elected candidate or any party or political body one of whose candidates at either the general or municipal election preceding the primary polled at least five per centum of the largest entire vote cast for any elected candidate in any county containing therein any city of the third class

(j) "Political body" shall mean any political body not recognized as a political party which has filed proper nomination papers as required by law

(k) "Qualified elector" shall mean any person who shall possess all of the qualifications for voting now or hereafter prescribed by the Constitution of this Commonwealth or who being otherwise qualified by continued residence in his election district shall obtain such qualifications before the next ensuing election

(l) "Register" shall mean the cards containing or to contain all or any part of the registry list of qualified electors prepared or to be prepared by the registration commission as hereinafter provided

(m) "County" shall mean any county of this Commonwealth within which is located a city of the third class

(n) "City" shall mean only a city of the third class

(o) All references to mayors police officers clerks secretaries courts judges prothonotaries county treasurers county controllers county commissioners sheriffs peace officers registrars of vital statistics boards of school directors and other officials of counties cities and school districts where not otherwise specified shall refer only to those of any city of the third class or to those of any county within which such city is located or to any school district with which such city is coextensive

(p) "Public office" shall mean and include any National State judicial county city school district poor district ward or election office or employment requiring any person elected or appointed thereto to render any public service for a fixed fee or compensation except the office of notary public or commissioner of deeds

(q) Wherever a term in the masculine form is used in this act it shall refer alike to men and women

(r) "District" shall mean any election district of the city

(s) "County Election Board" or "County Board" shall mean the county board of elections of any county as now or hereafter provided for by the election laws of this Commonwealth

(t) In determining or reckoning any period of time mentioned in this act the day upon which the act is done paper filed or notice given shall be excluded from and the date of the primary election hearing or other subsequent event as the case may be shall be included in the calculation or reckoning Provided however That if the last day upon which any act may be done paper filed or notice given shall fall on a Sunday or a legal holiday the next following ordinary business day shall be considered as the last day for said purpose

(u) "Persons in military service" shall mean qualified electors of this Commonwealth who are or may be by enlistment enrollment or draft in actual military or naval service of the United States or any branch or unit thereof or in the military service of the Commonwealth

Section 2 Subsection (a) of section eighteen of the said act is hereby amended to read as follows

Section 18 Registration Cards Preparation and Distribution (a) For the purpose of registering the qualified electors of each city the commission shall prepare registration cards serially numbered in duplicate and containing spaces for entering the information required by section [eighteen] nineteen and nineteen and one-tenth of this act and either the following affidavit or the affidavit prescribed in section nineteen and one-tenth as the case may be

Registration Affidavit

State of Pennsylvania }ss
County of

I hereby swear or affirm that I am a citizen of the United States that on the day of the next election I shall be at least twenty-one years of age and shall have resided in the State of Pennsylvania for one year (or having previously been a qualified elector or a native born citizen of the State and having removed and returned then six months) next preceding said election and in the election district two months that I am legally qualified to vote that I have read (or have had read to me) the foregoing statements made in connection with my registration and that they are true and correct.

Subscribed and sworn to before me this ..... day of ..... 19....

.....
Signature of Voter

.....
Signature of Registrar

Section 3 The said act is amended by adding after section nineteen a new section nineteen and one-tenth to read as follows

Section 19.1 Manner of Registration by Persons in Military Service A person in military service may in addition to any other method herein provided also be registered in the following manner

(a) He may make application to the commission for a registration card

(b) The registration card shall require the statement of and shall provide sufficient space for the following information (1) The surname of the applicant (2) His Christian name or names (3) His occupation if any on the date of entering military service (4) The street or road and number if any of his residence on the date of his entering military service (5) If his residence was a portion only of a house the location or number of the room or rooms apartment flat or floor which he occupied (6) The date his residence began at the place at which he resided on the date of entering military service (7) His residence address when he last registered and the year of such registration (8) The sex of the applicant (9) The color of the applicant (10) The state or territory of the United States or the foreign country where he was born (11) The date when place where and the court by which naturalized and the number of the naturalization certificate (12) If not naturalized personally the name of father mother or husband through whom naturalized (13) Whether he is unable by reason of illiteracy to read the names on the ballot or voting machine labels (14) Whether he has a physical disability which will render him unable to see or mark the ballot or operate the voting machine or to enter the voting compartment or voting machine booth without assistance and if so his declaration of that fact and his statement of the exact nature of such disabililty (15) The designation of the political party of the elector for the purpose of voting at primaries (16) The affidavit of registration as hereinafter prescribed which shall be signed by the elector attested by the signature of the superior officer of the applicant or the judge of any court of record of the United States or of any state or territory thereof and dated by such superior officer or judge (17) The height of the applicant in feet and inches (18) The color of his hair (19) The color of his eyes (20) The date of his birth Each registration card for registration by persons in military service shall also have a sufficient number of spaces thereon for the insertion by the commission but not by the applicant of the ward and election district if any in which the applicant resided on the date of entering military service and to which he may from time to time remove after leaving military service together with his street address in each such ward and district and the other data required to be given upon such removal (21) The date of each election and primary at which the applicant votes after registration the number and letter if any of the stub of the ballot issued to him or his number in the order of admission to the voting machines and (22) The signature or initials of the election officer who enters the record of voting on the card

(c) In addition the foregoing registration card shall contain the following affidavit

Registration Affidavit

I hereby swear or affirm that I am a citizen of the United States that on the day of the next election I shall be at least twenty-one years of age and shall have resided in the Commonwealth of Pennsylvania for one year (or having previously been a qualified elector or a native born citizen of the Commonwealth and having removed and returned then six months) and in the election district two months that I am now in actual military service under a requisition of the President of the United States or by the authority of the Commonwealth of Pennsylvania that the military naval or air unit in which I am enrolled or commissioned is ..... with rank of ..... now located at ..... that I am legally qualified to vote that I have read (or have had read to me) the foregoing statements made in connection with my registration and that they are true and correct

.....

Signature of applicant for registration

Sworn to and subscribed before me this ..... day of ..... 19.....

.....

Signature of superior officer or judge of any court of record of the United States or any state or territory thereof and statement of official position

(d) Upon written application by any person in military service to the registration commission having jurisdiction in the city in which the applicant resided on the date of entering military service a registration card in the form herein prescribed in duplicate shall be mailed postage prepaid to the applicant at the address given in such application Such person shall thereupon supply the information required on the registration card in duplicate and shall take the affidavit thereto in duplicate in the presence of his superior officer or of any judge of a court of record of the United States or any state or territory thereof and shall mail the same in duplicate postage prepaid to the registration commission from which it was procured

(e) Registration in this manner by persons in military service may be made at any time Provided however That if any registration card is received by any registration commission from any person in military service at any time when registration by personal appearance in the manner provided in section eighteen of this act could not be made under the provisions of section sixteen of this act such application shall be retained by the commission until the beginning of the next period during which such registration by personal appearance could be made and at such time the applicant if otherwise entitled shall be duly registered

(f) The status of any person in military service with respect to residence shall remain the same as it was when such person entered military service Provided however That if at the time of entering military service any person shall not have resided in Pennsylvania or in a particular election district thereof for a sufficient time to have been entitled to be registered but by continued residence would have become so entitled he shall be entitled to be registered at such time as he would have been so entitled had he not entered military service and had continued to reside where he then resided

(g) Registration cards returned by persons in military service to any registration commission shall be examined by a member of the commission or any clerk or registrar at a time and place when personal registrations are being received and such member of the commission clerk or registrar shall announce in the hearing of all present the name of the person in military service who has thus offered to register and the address of his residence on the date of entering military service The right of such person in military service to be registered shall not be subject to challenge for any reason other than failure to have mailed the commission a properly completed registration card If the commission finds the registration card not properly completed it shall reject it in the manner hereinafter provided

Section 4 Section twenty-three of the said act is hereby amended to read as follows

Section 23 Incomplete or Rejected Applications to Be Recorded The registrar commissioner or clerk shall record on registration cards the surname Christian name or names and street and number of residence of each person who applies for registration whether or not the application is accepted Whenever the applicant is rejected after a portion of the record has been filled in the registration card or cards shall be marked "Applicant Rejected" and the registrar commissioner or clerk shall note thereon the rejection and shall sign his name thereto The registrar commissioner or clerk shall forthwith personally notify the applicant if his application for registration is rejected Provided however That if the registration card was received by mail from a person in military service notice of rejection shall be by mail All such cards shall be returned to the commission and shall be preserved for a period of two years

Section 5 Subsection (a) of section twenty-nine of the said act as amended by the act approved the ninth day of June one thousand nine hundred thirty-nine (P. L. 279) is hereby further amended to read as follows

Section 29 Change of Enrollment of Political Party Cancellation of Party Enrollment Persons Suffering Disability After Registration to Have Fact Recorded Cancellation (a) At any time prior to the thirtieth day next preceding a primary or an election excepting the thirty days next following each election and the five days next following each primary any person who desires to change the enrollment of his political designation or who although registered has not hitherto enrolled as a member of a party may appear before a registrar commissioner or clerk and state in writing over his signature the political party in which he desires to be enrolled and the registrar commissioner or clerk shall cause the enrollment of the elector's political designation to be made or altered accordingly in the general and district registers in such cases the signature of the elector shall be verified by comparison with his signature on the general and district registers before the change of enrollment is made if any elector desiring to change his party enrollment is unable to sign his application he shall make his mark thereto in the presence of the registrar commissioner or clerk and shall produce such other evidence as may be necessary to establish his identity When an elector has applied for a change in the enrollment of his political designation as provided herein the registrar commissioner or clerk shall upon request stamp or mark the change so made on the elector's card attesting his registration Any person in military service who desires to change his party enrollment shall be permitted to do so by addressing to the commission a signed written application under oath taken and subscribed to before any commissioned officer of the military or naval forces either within or without the Commonwealth or before any officer of this or any other state or territory of the United States authorized to administer oaths The application shall be sent by the applicant by registered mail return receipt required and shall also contain a statement that such person is at the time of making the application absent from his residence in military service If upon examination the signature appears authentic and the application conform to the provisions of this section the enrollment shall be changed in accordance with the application

Section 6 Section thirty-one of the said act is hereby amended to read as follows

Section 31 Check-up of Registers

(a) At any time prior to the thirtieth day next preceding an election or primary the commission may send by mail to any elector whose name appears in any district register a notice setting forth the elector's name and address as it shall appear in the register and requesting

him in case of any error to present the notice on or before the tenth day next ensuing at the office of the commission and secure the correction of the error and warning the elector that any discrepancy between his actual name and address and his name and address as recorded in the original register will constitute ground for challenging his vote Such notice shall contain on the outside a request to the postmaster to return it within five days if it cannot be delivered to the addressee at the address given thereon

(b) At any time prior to the thirtieth day next preceding an election or primary the commission may cause a check-up to be made by postmen of the United States Post Office of any elector whose name appears in any district register

(c) At least once in each four years the commission shall conduct a check-up of each registered elector in the city by either of the methods provided for in subsections (a) and (b) above

(d) Upon the return by the post office of any such notice which it has been unable to deliver at the given address because the addressee cannot be found there or upon report by the post office that any registered elector does not reside at the address given on his registration card the commission shall direct an authorized employe to visit in person the address of the elector and if he shall find that the elector does not reside at the address he shall leave at such address the notice prescribed by section [thirty-one] thirty-two of this act and the commission shall at the expiration of the time specified in such notice cancel the registration of such person unless he personally appears and proves his qualifications as an elector Provided however That the registration of any person in military service shall not be cancelled by reason of the failure of such person to reside at the address appearing upon the district register if such person did reside at such address on the date of entering military service

Section 7 Section thirty-seven of the said act is hereby amended by adding thereto subsection (h) to read as follows

(h) Persons in military service shall be entitled to vote if duly registered in a manner provided by this act Persons in military service and by reason thereof absent from their places of residence on the day of any election shall be entitled to vote in such manner as may now or hereafter be provided by law unaffected by the provisions of this section insofar as they relate to the manner of voting

Section 8 This act shall become effective immediately upon final enactment

On the question,

Will the Senate agree to the report?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—48

Barr,	DiSilvestro,	Lanius,	Stevenson,
Bartlett,	Ealy,	Letzler,	Stiefel,
Becker,	Edmonds,	Mallery,	Tallman,
Carr,	Farrell,	McCreesh,	Taylor,
Cavalcante,	Frey,	McGinnis,	Thomas,
Chapman,	Geltz,	McQuiddy,	Tyler,
Coleman,	Haluska,	Miller,	Wade,
Cox,	Heyburn,	Mundy,	Walker,
Crider,	Homsher,	Reed,	Watkins,
Crowe,	James,	Ruth,	Wilson, H. I.,
Deitrick,	Jaspan,	Shapiro,	Wilson, T. B.,
Dent,	Kephart,	Snowden,	Woodward,

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk inform the House of Representatives accordingly.

BILL ON FINAL PASSAGE

Agreeably to order,

The Senate resumed the third reading and consideration of Senate Bill No. 1043, (House Bill No. 571), entitled:

An Act making an appropriation to the Department of Public Assistance and providing for certain allocations therefrom for the purpose of carrying out the Public Assistance Law for the two fiscal years beginning June first one thousand nine hundred forty-one and for the payment of assistance and expenses accrued or incurred prior to and remaining unpaid on May thirty-first one thousand nine hundred forty-one

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—48

Barr,	DiSilvestro,	Lanius,	Stevenson,
Bartlett,	Ealy,	Letzler,	Stiefel,
Becker,	Edmonds,	Mallery,	Tallman,
Carr,	Farrell,	McCreesh,	Taylor,
Cavalcante,	Frey,	McGinnis,	Thomas,
Chapman,	Geltz,	McQuiddy,	Tyler,
Coleman,	Haluska,	Miller,	Wade,
Cox,	Heyburn,	Mundy,	Walker,
Crider,	Homsher,	Reed,	Watkins,
Crowe,	James,	Ruth,	Wilson, H. I.,
Deitrick,	Jaspan,	Shapiro,	Wilson, T. B.,
Dent,	Kephart,	Snowden,	Woodward,

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same with amendment in which the concurrence of the House is requested.

EXECUTIVE NOMINATIONS CALLED UP FROM THE TABLE

Mr. JAMES. Mr. President, I now call up from the table nominations laid on the table June 25, 1941.

Mr. GELTZ. Mr. President, I second the motion.

The nominations were read as follows:

REGISTRATION COMMISSION IN AND FOR THE CITY OF PITTSBURGH

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg

The following persons for appointment as members of the Registration Commission in and for the City of Pittsburgh, until January 6, 1945, or until their successors shall be duly qualified:

Robert J. Gumbert (Republican), 1954 Beechwood Blvd., Pittsburgh, Allegheny County, vice W. Noble Matthews, whose term expired.

Edward M. Kenna (Republican), 5743 Fifth Avenue, Pittsburgh, Allegheny County. (Reappointment)

W. Holmes Isler (Democrat), 305 Belonda Street, Pittsburgh, Allegheny County, vice Lawrence O. Clarke, whose term expired.

ARTHUR H. JAMES.

MEMBERS OF THE PENNSYLVANIA GAME COMMISSION

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg

George Irwin Phillips, Alexandria, from December 6, 1940, until the third Tuesday of January, 1947, and until his successor shall have been appointed and qualified.

O. Ben Gipple, Harrisburg, from December 6, 1940, until the third Tuesday of January, 1949, and until his successor shall have been appointed and qualified.

John H. Price, Scranton, from December 6, 1940, until the third Tuesday of January, 1947, and until his successor shall have been appointed and qualified.

ARTHUR H. JAMES.

NOMINATIONS RETURNED TO EXECUTIVE NOMINATIONS COMMITTEE

Mr. JAMES. Mr. President, I move that the foregoing nominations be returned to the Committee on Executive Nominations for further consideration.

Mr. GELTZ. Mr. President, I second the motion.

The motion was agreed to.

SENATE BILL No. 1303, (HOUSE BILL No. 1727), ON THIRD READING CALLED UP

Mr. KEPHART. Mr. President, I now call up Senate Bill No. 1303, (House Bill No. 1727), on third reading, page 11 of the Calendar.

Mr. GELTZ. Mr. President, I second the motion.

The motion was agreed to.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 1303, (House Bill No. 1727), entitled:

An Act providing that proceedings, acts and bonds issued, by Authorities incorporated under the Municipality Authorities Act, as amended and supplemented, shall not be invalid by reason of certain circumstances.

And said bill having been read at length the third time,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Will the Senate agree to the bill?

Mr. KEPHART. Mr. President, it is with deep regret I rise to present my last amendments. Last night I said I hoped. Today I leave the hope out. I think these will be the last ones.

Last night two sets of amendments were offered on this bill and both sets were adopted by the Senate. However, the two sets of amendments were conflicting and nothing was done about it by the printer.

UNANIMOUS CONSENT TO WITHDRAW AMENDMENTS

Mr. KEPHART. Mr. President, I ask unanimous consent to have withdrawn amendments introduced by the gentleman from Allegheny, Mr. Geltz, July 11th, which amendments were adopted by the Senate.

The PRESIDENT. Is there objection? The Chair hears none.

It was agreed to.

UNANIMOUS CONSENT TO WITHDRAW AMENDMENTS

Mr. KEPHART. Mr. President, I ask unanimous consent to have withdrawn amendments introduced by the gentleman from Lackawanna, Mr. Coleman, July 11th, which amendments were adopted by the Senate.

The PRESIDENT. Is there objection? The Chair hears none.

It was agreed to.

Mr. EDMONDS. Mr. President, what printer's number of the bill shows the amendments just stricken from the bill?

Mr. KEPHART. Mr. President, for the information of the gentleman from Montgomery, the amendments are not contained in any printer's number of the bill because the two sets of amendments which were adopted were inconsistent and therefore could not be printed.

And the question recurring,

Will the Senate agree to the bill on third reading?

Mr. KEPHART. Mr. President, I ask unanimous consent to present the following amendments to this bill, Printer's Number 1150. After the amendments have been read and adopted I ask that the bill go over in order, without third reading, so that it may be printed and be available for the information of the Senators, after which it can be voted on finally, later on today.

Mr. KEPHART. Mr. President, I ask unanimous consent to Amend Title, page 1, line 1 of the title, after the word "that" and before the word "bonds," by taking out the words "proceedings acts and," and inserting after the word "bonds," the following words: "notes and other evidences of indebtedness"; Amend Section 1, page 1, line 1, by taking out after the word "No," the following words: "proceedings heretofore taken and no acts"; and inserting in lieu thereof the following words: "bonds notes or other evidences of indebtedness"; Amend Section 1, page 1, line 2, after the word "heretofore" and before the word "by," by taking out the word "done" and inserting in lieu thereof the word "issued"; Amend Section 1, page 1, between lines 4 and 5, after the word "supplemented" in line 4 and before the word "shall" in line 5, by taking out the following words: "and no bonds heretofore issued by such Authorities"; Amend Section 1, page 1, line 8, after the word "of" and before the word "the," by taking out the following words: "such proceedings the taking of such action or"; Amend Section 1, page 1, line 9, after the word "bonds" and before the word "a," by inserting the following words: "notes or other evidences of indebtedness"; Amend Section 1, page 2, between lines 1 and 2, after the word "such" in line 1, and before the word "bonds" in line 2, by taking out the following words: "proceedings acts or"; and inserting after the word "bonds" in line 2, the following: "notes or other evidences of indebtedness."

The PRESIDENT. Is there objection? The Chair hears none.

The amendments were agreed to.

On the question,

Will the Senate agree to the bill on third reading, as amended?

It was agreed to.

BILL OVER IN ORDER

Mr. KEPHART. Mr. President, I ask unanimous consent that Senate Bill No. 1303, (House Bill No. 1727), on third reading, as amended, go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. EDMONDS. Mr. President, I ask the gentleman from Philadelphia, Senator Kephart, to read the bill as amended by him so that we may have the complete story as told there.

Mr. KEPHART. The bill will now read as follows:

"No bonds, notes or other evidences of indebtedness heretofore issued by Authorities incorporated under the Municipal Authorities Act approved June 28, 1935, (P. L. 463) as amended and supplemented, shall be invalid by reason of the fact that any member of the Board or any officer of said Authority was at the time of the issuance of such bonds, notes or other evidences of indebtedness a member or officer of the governing body of the incorporating municipality or municipalities or an officer thereof provided that such bonds notes or other evidences of indebtedness are otherwise valid."

Mr. EDMONDS. Mr. President, have those heavy brackets been restored?

Mr. KEPHART. Mr. President, my amendment merely consolidates the amendments presented yesterday by the Senator from Allegheny, Mr. Geltz, and also by the Senator from Lackawanna, Mr. Coleman, which, in the form presented were conflicting.

BILLS ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 412, (House Bill No. 656), as follows:

An Act to amend the third paragraph of article seven of the act approved the seventh day of March one thousand nine hundred and one (P. L. 20) entitled "An act for the government of cities of the second class" permitting the city treasurer to collect delinquent taxes under the act approved the thirtieth day of March one thousand nine hundred and three (P. L. 106).

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The third paragraph of article seven of the act approved the seventh day of March one thousand nine hundred and one (P. L. 20) entitled "An act for the government of cities of the second class" is hereby amended to read as follows

Article VII
Department of City Treasurer

* * *

The city treasurer shall receive the proceeds of all public loans and shall demand and receive from the proper officers all moneys payable to the city from whatever source and pay all warrants duly issued and countersigned the receipt and collection of funds derived from assessments taxes water rents licenses permits and rents from markets landings wharves and other public property excepting delinquent taxes and water rents shall be attached and subordinate to this department and subject to its supervision control and direction Provided however That nothing herein contained shall prohibit the city treasurer from enforcing collection of delinquent taxes in accordance with the provisions of the act approved the thirtieth day of March one thousand nine hundred and three (Pamphlet Laws 106) entitled "An act authorizing and empowering the city treasurer of the several cities of second class and third class of this Commonwealth to sell at public sale all properties upon which the taxes assessed and levied are delinquent and remain unpaid"

Section 2 All acts and parts of acts inconsistent herewith are hereby repealed

Section 3 The provisions of this act shall become effective immediately upon final enactment.

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—48

Barr,	Ealy,	Latzler,	Stevenson,
Bartlett,	Edmonds,	Mallery,	Stiefel,
Becker,	Farrell,	McCreesh,	Tallman,
Cavalcante,	Frey,	McGinnis,	Taylor,
Chapman,	Geltz,	McQuiddy,	Thomas,
Coleman,	Haluska,	Miller,	Tyler,
Cox,	Heyburn,	Mundy,	Wade,
Crider,	Homsher,	Reed,	Walker,
Crowe,	James,	Ruth,	Watkins,
Deitrick,	Jaspan,	Scarlett,	Wilson, H. I.,
Dent,	Kephart,	Shapiro,	Wilson, T. B.,
DiSilvestro,	Lanius,	Snowden,	Woodward,

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 768, (House Bill No. 1127), as follows:

An Act defining regulating and providing for the licensing and registration of employment agents and their representatives including private employment agents theatrical employment agencies and nurses' registries providing for revocation and suspension of licenses and registrations subject to appeal and for their reinstatement defining the powers and duties of the Department of Labor and Industry and the Department of Public Instruction providing penalties and repealing existing laws

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 This act shall be known and may be cited as the "Employment Agency Law."

Section 2 Definitions The following terms shall unless the context otherwise indicates have the following respective meaning

(1) "Department" shall mean the Department of Labor and Industry of this Commonwealth

(2) "Emergency engagement" means and includes any engagement that is to be performed within forty-eight (48) hours of the time such application was made by an employer

(3) "Employe" as used in this act means any person performing or seeking to perform work or service of any kind or character whatsoever for hire

(4) "Employer" as used in this act means any person employing or seeking to employ any person for hire

(5) "Employment agent" shall mean every person copartnership association or corporation engaged in or maintaining as owner agent manager-contractor subcontractor or in any other capacity an intelligence office domestic and commercial employment agency theatrical or entertainment employment agency general employment bureau shipping agency nurses' registry or any other agency or office for the purpose of procuring or attempting to procure help or employment or engagements for persons seeking employment or engagements or for the registration of persons seeking such help employment or engagement or of giving information as to where and of whom such help employment or engagement may be procured where a fee or other valuable consideration is charged for such services whether such business is conducted in a building or on the street or elsewhere The term shall include any person copartnership association or corporation which by advertisement or otherwise offers

as one of the main objects or purposes to secure employment for any person who will pay for its services or that collects dues membership or registration fees of any sort where the main object of the person paying the same is to secure employment Provided however That nothing contained in this act shall be construed to apply to any agent agency or department of any firm copartnership corporation or association intended and established for the purpose of procuring or attempting to procure help employmen or engagement for persons seeking employment or engagement with said firm copartnership corporation or association where no fee is charged either directly or indircetly

(6) "Fee" means and includes any money or other valuable consideration paid or promised to be paid for services rendered or to be rendered by any person conducting an employment agency of any kind under the provisions of this act Such term includes any excess of money received by any such person over what has been paid out by him for the transportation transfer of baggage or board and lodging for any applicant for employment Such term also includes the difference between the amount of money received by any such person who furnishes employes performers or entertainers for circus fair vaudeville theatrical and other entertainments exhibitions or performances and the amount paid by him to the said employes performers or entertainers whom he hires or provides for such entertainments exhibitions or performances

(7) "Nurses' registry" means and includes the business of conducting any agency bureau office or any other place for the purpose of procuring offering promising or attempting to provide employment or engagements for nurses of any kind

(8) "Persons" shall include an individual copartnership association corporation society and his or its manager agents and employes

(9) "Private employment agent" shall mean every person copartnership association or corporation who for hire or with a view of profit shall undertake to secure employment or help or through the medium of a card circular pamphlet or any otther medium whatsoever or through the display of a sign or a bulletin offers to secure employment or help or give information as to where employment or help may be secured Charitable institutions making no charge for such services are not included

(10) "Privilege" as used in this act means and includes the furnishing of food supplies tools or shelter to contract laborers commonly known as commissary privileges

(11) "Representative" as used in this act means any employe who solicits business and arranges or becomes a party to contracts between employers and employe clients

(12) "Secretary" shall mean the Secretary of Labor and Industry of the Department of Labor and Industry of this Commonwealth

(13) "Theatrical employment agency" means and includes the business of conducting an agency bureau office or any other place for the purpose of procuring or offering promising or attempting to provide engagements for persons who want employment in the following occupations Circus fair vaudeville musical theatrical and other entertainment or exhibitions or performances or of giving information as to where such engagements may be procured or provided whether such business is conducted in a building on the street or elsewhere

(14) "Theatrical engagement" means and includes any engagement or employment of a person as an actor performer musician or entertainer in a circus fair vaudeville theatrical or any other entertainment exhibition or performances

Section 3 The term "employment agent" as used in this act shall not apply to

(1) Departments associations or bureaus which are maintained solely for persons in this Commonwealth for the purpose of obtaining employes for themselves or their members and which charge no fee or other consideration to applicants for employment or registration

(2) Theatrical or entertainment producers and managers assembling managing and directing their own performances at their own expense and who charge no commissions or fees directly or indirectly

(3) Bureaus or agencies procuring employment for school teachers without charge

(4) Bureaus or agencies conducted by registered medical institutions duly incorporated hospitals or registries conducted by duly incorporated alumna associations of nurses procuring employment of nurses without charge

(5) Employment bureaus maintained by this Commonwealth

(6) Employment bureaus maintained by the United States of America within this Commonwealth

(7) Employment bureaus or agencies maintained by any association of manufacturers within the Commonwealth for the purpose of obtaining employes for their members and which charge no fee to applicants for registration or employment Provided however That persons excluded from licensure under this section shall not open operate or maintain such agencies until they register with the department as hereinafter provided

Section 4 It shall be unlawful for any employment agent to operate as such in this Commonwealth unless such employment agent is the holder of a license as in this act provided

Section 5 Every person desiring to operate as an employment agent shall file an application for a license with the department The application shall be on a form furnished by the department and shall state

(1) The name and street address of the applicant

(2) The address of the place where the business is to be conducted

(3) Whether or not the applicant proposes to conduct a lodging house for the unemployed separate from the business proposed to be conducted

(4) The business or occupation engaged in by the applicant for at least two years immediately preceding the date of the application

(5) Whether or not the applicant is pecuniarily interested in any other business of like nature and if so where

(6) Whether the applicant is the only person pecuniarily interested in the business to be carried on under the license

(7) If the applicant is a corporation the names and addresses of the officers of said corporation

(8) If the applicant is a partnership the names of all partners therein

Such application shall be accompanied by the affidavit of three persons of business or professional integrity residing within the Commonwealth of Pennsylvania Such affiants shall state that the affiants have known the applicant for a period of two years that the applicant is a person of good moral character and is a citizen of the United States

No licensed employment agent shall permit any person not mentioned in the original application for a license to become a partner if such agency is a partnership or an officer of the corporation if such agency is a corporation unless the written consent of the department shall first be obtained Such consent may be withheld for any reason for which an original application might have been rejected if the person in question had been mentioned therein

Section 6 Upon receipt of such application the department shall post in a conspicuous place on the premises at which the business is or is intended to be conducted the name and address of the applicant the place where the business is to be conducted and the fact that such application has been filed

The department shall thereupon investigate the character and responsibility of the applicant and the location and premises at which the business is intended to be conducted

Any person may file within one week after the posting by the department of the facts pertaining to the application as heretofore provided a protest with the department against the issuance of such license Such protest shall be in writing and shall be signed by the person filing the same or his authorized agent or attorney and shall state the reasons why the license should not be granted

If the investigation by the department is unsatisfactory

or in the event of a protest the department shall not less than fifteen days after the posting of the facts of application hold a public hearing at a place designated by the department in the city borough town or township where the business is to be established At least five days' notice of the time and place of such hearing shall be given by the department to the applicant and the protestants if any

The department shall have the power to issue subpoenas requiring the attendance of witnesses and the production of books and papers pertinent to any hearings which may be held under this act and to administer oaths to and examine such witnesses and to examine such books and papers

Any witness who refuses to obey a subpoena issued hereunder or who refuses to be sworn or affirmed or to testify or who is guilty of any contempt after summons to appear may be punished as for contempt of court and for this purpose an application may be made to any court of common pleas within whose territorial jurisdiction the offense was committed for which purpose such court is hereby given jurisdiction

Section 7 The department may refuse to issue licenses whenever after due investigation and hearing by the department it finds that the character of the applicant makes him unfit to be an employment agent or that the proposed plan of business is unjust or unfair under the terms of this act or that the applicant has been guilty of unethical business practice or that the applicant being heretofore an employment agent has failed to comply with the existing laws relating thereto or that the place where the business is to be conducted is not a suitable place therefor and such places as well as for other proper reasons shall be deemed unsuitable if it is to be conducted in rooms used for living purposes or where boarders or lodgers are kept or where meals are served or where persons sleep or in connection with a building or premises where intoxicating liquors are sold or reputed to be sold (excepting cafes or restaurants in office buildings and hotels which maintain regular office suites) or in a house of ill repute or in a neighborhood deemed unsatisfactory by the department No theatrical employment agency shall be conducted in a private home

Section 8 In all other cases the department upon the compliance by the applicant with the provisions of this act shall grant such applicant a license for a period of one year In all cases whether the license shall be granted or refused the department shall make such final decision and take such action within thirty (30) days after the filing of the application

Licenses may be renewed from year to year upon application payment of license fees and filing of bonds as in the case of original applications

Section 9 No such license shall be granted until the applicant has filed with the secretary a bond of a duly authorized surety company to be approved by the department in the penal sum of one thousand ($1,000) dollars payable to the Commonwealth of Pennsylvania conditioned that the applicant will comply with the provisions of this act and shall pay all damages occasioned to any person by reason of any misstatement misrepresentation fraud or deceit or any unlawful act or omission of any such person his agent or employes while acting within the scope of their employment made committed or omitted in the business conducted under such license or caused by any other violation of this act in carrying on such business

All actions upon bonds given under this act shall be in the same manner as actions upon official bonds

Section 10 No person shall open keep or carry on any employment agency in the Commonwealth of Pennsylvania unless every such person shall have paid to the department a license fee as follows

(1) For licenses to be known as class "A" licenses and which shall be required by all employment agents who confine their operations to persons listed as metal and metal products workers mine and quarry workers clay glass and stone products workers iron workers clothing workers textile workers food and kindred products workers leather rubber and composition goods workers lumber woodwork and furniture workers paper and printing workers unskilled and common laborers hotel and restaurant help domestic and industrial help of all kinds the sum of one hundred ($100) dollars

(2) For licenses to be known as class "B" licenses and which shall be required by all employment agents known as professional or technical and who confine their operations to nurses teachers advertising managers bookkeepers and accountants cashiers chemists draftsmen surveyors and transit men engineers salesmen and solicitors superintendents and foremen traffic managers agricultural experts chemical workers explosive workers auto mechanics and garage workers chauffeurs and truck drivers aircraft workers inspectors telegraph operators telephone operators station employes shipping and stock clerks store managers beauticians stenographers and typists linotype operators printers and compositors proofreaders office clerks timekeepers tobacco workers and traders and all other similar occupations not listed under clause (1) of this section the sum of one hundred ($100) dollars

(3) For licenses to be known as class "C" licenses and which shall be required by all employment agencies known as theatrical employment agencies and who confine their operations to actors actresses musicians and performers of all kinds the sum of one hundred ($100) dollars

Section 11 Each applicant for a license shall file with the application a schedule of fees charges and commissions which he intends to charge and collect for his services together with a copy of all forms and contracts to be used in the operation of the agency Such schedule of fees charges and commissions may thereafter be changed by filing with the department an amended or supplemental schedule showing such changes at least fifteen (15) days before the change is to become effective Any change in forms or contracts must be filed with the department at least fifteen (15) days before such change is to become effective Such schedule of fees to be charged shall be posted in a conspicuous place in such agency

It shall be unlawful for any employment agency to charge collect or receive a greater compensation for any service performed by it than is specified in the schedule filed with the department

Section 12 Any license granted by the department may be suspended by it for cause after hearing upon due notice to the holder of such license Failure to comply with the duties terms rules conditions or provisions required by any law of this Commonwealth governing employment agencies or with any lawful order of the department shall be deemed cause for suspension of license at discretion of the department The department shall institute proceedings in the court of common pleas of the county wherein such business is located asking for the revocation of such license for the causes enumerated hereinafter All matters remaining in abeyance until final hearing upon it appearing from the inspection or investigation of the department or upon sworn complaint filed with it that the licensee

(a) Was guilty of fraud or misrepresentation in the securing of the license

(b) Had not met or was not meeting the requirements under which the license was granted

(c) Was violating or failing to observe any provisions of this act or committed such acts inconsistent therewith as would entitle departments to refuse license

Whenever a license shall be finally revoked the department shall not within one year of such revocation issue another license to such person or his representative or to any person with whom he is to be associated in such business Nor shall such person be employed during such period by any other employment agent

Section 13 Persons operating under the exempted classes as set forth in section three hereof of whom registration is required shall apply for registration annually with the department upon such forms and giving such information as the department shall require the department may thereupon register such persons to operate within such classification upon payment of a fee of one ($1.00) dollar

Section 14 No person shall enter this Commonwealth and attempt to hire induce solicit or take from this Commonwealth any labor singly or in groups for any purpose without first filing in the office of the department a statement as to where the labor is to be taken for what purpose for what length of time and whether transporta-

tion is to be paid to and from destination if temporary also a statement of the financial standing of the company desiring the labor and an affidavit of authority to represent such company in this Commonwealth and such other information as the department may require

The department shall thereupon determine whether the person desiring such labor from this Commonwealth is an employment agent and if so whether such person is qualified to be licensed under this act After such investigation the department may refuse to license or may grant a license upon compliance with the provisions of this act Such person shall be in the event of unfavorable action by the department have the right of appeal as in other cases under this act If such person shall be exempted from license he shall pay for registration a fee of five ($5.00) dollars and receive therefor from the department a certificate recognizing his right to do business in this Commonwealth

Section 15 It shall be unlawful for any person to act or assume to act as the representative of any employment agency without first obtaining a license as such representative from the department It shall be unlawful for any person to engage in operate or carry on the business of an employment agency unless each representative of such agency is a licensed employment representative

Every person who desires to obtain a license as employment representative shall apply therefor to the department in writing upon application blanks prepared and furnished by the department Each application shall set forth such information as the department may require and shall be accompanied by the affidavits of two persons of business or professional integrity residing in the city borough town or township wherein the applicant resides Such affiants shall state that they have known the applicant for a period of two years and that the applicant is a person of good moral character

The department may require such other proof as to the honesty truthfulness and integrity of the applicant as it deems necessary If the applicant is shown to be honest truthful and of known integrity the department shall issue a license which license shall set out the true name and address of the applicant the name of the employment agent by which he is employed and such additional information as the department may prescribe The license issued shall authorize the person named therein to act as a representative

The department shall charge an annual fee of five ($5.00) dollars for issuing each such license which fee shall be paid at the time application is made

Section 16 The department upon its own motion or upon the filing with it by any person of a verified complaint accompanied by such evidence documentary or otherwise as makes out a prima facie case that any licensed representative is unworthy to hold a license shall notify the representative in writing that the question of his honesty truthfulness and integrity is to be reopened and determined de novo Such notice shall be served by delivering a copy to the licensed person or by mailing a copy to him by registered mail at his last known business address Thereupon the department shall require further proof of the licensee's honesty truthfulness and integrity and if the proof is not satisfactory the department shall revoke his license

If any employment representative is discharged or terminates his employment with the agency by which he is employed such agency shall immediately deliver or forward by registered mail the employment representative's license to the department together with the reasons for his discharge if he was discharged

Thereafter it shall be unlawful for the employment representative to exercise any rights or privileges under such license

Any person who violates any provisions of this section or who testifies falsely as to any matter required by the provisions of this section or of this act shall upon conviction thereof in a summary proceeding be sentenced to pay a fine of not less than twenty-five ($25.00) dollars nor more than one hundred ($100.00) dollars or upon nonpayment thereof to undergo imprisonment in the county jail for a period of not more than thirty days

Section 17 It shall be the duty of every employment agent to keep a register in which shall be entered in the English language the date of every accepted application for employment name and address of the applicant to whom employment is offered or promised name and address of the person to whom the applicant is sent for employment the amount of the fee received and the number of the receipt The employment agent shall also enter in the English language in a separate register the name and address of every accepted application for help the date of such application the kind of help requested the name of the person sent with the designation of the one employed the amount of fee received and the rate of wages agreed upon Each application for help shall be numbered which number shall be entered in said register Such registers of applicants for employment and help shall be open during office hours to inspection by the department and its duly qualified agents No employment agent or his employes shall knowingly make any false entry in such registers

In the case of applicants for employment who are under twenty-one (21) years of age the register shall contain the names and addresses of parents or guardians

Section 18 It shall be the duty of the employment agent whenever possible to communicate orally or in writing with at least one of the persons mentioned as reference by any applicant for work in private families or to be employed in a fiduciary capacity and the result of such investigation shall be kept on file in such agency Provided That if the applicant for help voluntarily waives in writing such investigation of references the employment agent shall not be required so to do

Section 19 No such employment agent shall send out any applicant for employment without having obtained a bona fide order therefor and if it shall appear that no position of the kind applied for was open at the place where said applicant was directed or no other employment is accepted in lieu thereof with the person to whom the applicant was directed then the employment agent shall refund to such applicant on demand any sum paid or expended by said applicant for transportation in going to and returning from said place and all fees paid by said applicant Provided however that in the event a substitute position is taken the fee to be charged shall be computed on the salary agreed upon for such position

Section 20 Every employment agent shall give to each applicant for employment a card or paper containing in printed typewritten or written form

(1) The name of the applicant
(2) The name and address of such employment agency
(3) The name and address of the person to whom the applicant is sent for employment
(4) The kind of service to be performed
(5) The rate of wages compensation or fees
(6) The time of such services if definite and if indefinite to be so stated
(7) The name and address of the person authorizing the hiring of such applicant
(8) The cost of transportation if the services are required outside of the city borough town or township where the employment agent conducts his business

Section 21 No such employment agent shall charge a registration fee without having first obtained a permit to charge such registration fee from the department Any such employment agent desiring to charge said registration fee shall make application in writing to the department and shall set out in the application the type of applicants from whom they intend to accept a registration fee the amount of the fee to be charged and shall furnish any other information on the subject that the department deems necessary to enable it to determine whether the applicant's business methods and past record with reference to the charging of registration fees entitle the applicant to a permit

It shall be the duty of the department upon receipt of the application to make an investigation as to the truthfulness of said application and the necessity for the charge of a registration fee If it is shown that the

applicant's method of doing business is of such a nature that a permit to charge a registration fee is necessary and that the record of the applicant's past method of charging a registration fee has been reasonable and fair then the department shall grant a permit to such applicant Such permit shall remain in force until revoked for cause No permit shall be granted until after ten (10) days from the date of filing of the application

When a permit is granted such employment agent may charge a registration fee not to exceed five ($5.00) dollars except nurses' registries which may be permitted to charge an annual registration fee of not more than ten ($10.00) dolars In all such cases a complete record of all such registration fees and references of applicants shall be kept on file which record shall during all business hours be open for the inspection of the department It shall be the duty of such employment agent to communicate in writing with at least two of the persons mentioned as references by every applicant from whom a registration fee is accepted Failure on the part of an employment agent to make such investigation shall be deemed cause to revoke his permit to charge a registration fee For such registration fee a receipt shall be given to each applicant for help or employment which receipt shall state therein the name of the applicant date and amount of payment the character of position or help applied for and the name and address of the employment agent If no position has been furnished by an employment agent to the applicant then the registration fee shall be returned to the applicant on demand after thirty (30) days from the date of receipt thereof less the amount that has been actually expended by the employment agent in checking the references of said applicant An itemized account of such expenditures shall be presented to the applicant on request at the time of returning the unused portion of the registration fee

Any such permit granted by the department may be revoked by it upon due notice to the holder thereof after hearing at which due cause is shown

Every employment agent shall give to every applicant from whom he receives a fee a card or printed paper containing the name of the applicant the name and address of the employer to whom the applicant is sent for employment the name and address of the agency and the probable duration of the work whether temporary or permanent A duplicate of all such cards or printed paper shall be kept on file in the agency

Section 22 Every employment agent shall post in a conspicious place in his agency such sections of this act as may be required by the department copies of which shall be supplied by the department He shall also post his license in the main room of the agency

Every employment agent shall under rules to be prescribed by the department furnish the department upon request statements showing the number and character of placements made and such information is to be used by the department only when investigating a sworn complaint

Section 23 Whenever an employment agent or anyone acting for him agrees to send one or more persons to work as contract or railroad laborers outside the city borough town or township in which his agency is located he shall give to each of such laborers in a language with which such laborer is familiar a statement containing the name and nature of the work to be performed the wages offered the destination of the person employed the terms of transportation and the probable duration of employment A duplicate of such statement shall be kept on file in the office of the employment agent sending out such laborers

No employment agent or his representative shall send any applicant to any place where a strike a lock-out or other labor trouble exists without first notifying the applicant of such conditions and shall in addition thereto enter a complete statement of such facts upon the receipt given to such applicant

Section 24 Every employment agent conducting a theatrical employment agency before making a theatrical engagement except an emergency engagement shall have a bona fide contract in writing for an employe with any employer for services in any such engagement and shall prepare and file in such agency a written statement signed and verified by the employment agent setting forth how long such employer has been engaged in the theatrical business Every such statement shall be kept for the period of one (1) year and shall set forth whether or not such employer while financially interested in a theatrical business has failed to pay salaries or has "left stranded" any company group or employe during the two (2) years preceding the date of application and further shall set forth the names of at least two persons as references If such employer is a corporation such statement shall set forth the names of the officers and directors thereof the length of time such corporation or any of its officers have been engaged in the theatrical business and the amount of the paid up capital stock If the employer conducts a cabaret or night-club the agent shall include in such statement the name and address of the owner or owners and whether they have failed to pay salaries to employes within the past two years If any allegation in such written verified statement is made upon information and belief the person verifying this statement shall set forth the sources of his information and the reasons for his belief Such statement shall be kept on file for the benfit of any employes whose services are sought by any such employers

Every employment agent conducting a theatrical employment agency who shall procure for or offer to an applicant a theatrical engagement or any kind of employment as an entertainer shall have executed in triplicate a numbered contract containing the name and address of the applicant the name and address and signature of the employer and that of the employment agency acting for such employer in employing or furnishing such applicant for employment the character of the entertainment to be given or services to be renderd the number and time of performances to be given per day or per week time of rehearsal by whom the transportation if any is to be paid and if it is to be paid by the applicant either the cost of the transportation between the places where said entertainment or services are to be given or rendered or the average cost of such transportation The contract shall state from whom said applicant is to receive his or her salary board and lodging the amount of salary promised and the gross commissions or fees to be paid by the applicant and to whom such gross commissions or fees are to be paid The original contract shall be given to the applicant for employment the duplicate contract shall be given to the employer and the triplicate contract shall be kept on file in the office of the agency for a period of one year.

Such numbered contracts shall contain no other conditions and provisions except such as are equitable between the parties thereto and do not constitute an unreasonable restriction of business.

Section 25 Every employment agent conducting a nurses' registry shall cause every applicant for employment to fill out an application form giving the following information The name and address and qualifications of such applicant the names and places of the hospitals wherein the applicant has studied or has been employed the length of time of service therein or other experiences in nursing if not in a hospital and whether such applicant is a graduate trained certified registered under-graduate or practical nurse or trained attendant There shall be stated on such application the number and date of the certificate issued to such nurse or trained attendant by the Department of Public Instruction Such application form shall be kept on file in the office of the registry and shall be open to the inspection of the Department of Labor and Industry and the Department of Public Instruction

Every employment agent conducting a nurses' registry shall give to every applicant at the time of registration a card or printed paper in which shall be stated the amount of the fee or commissions to be charged by such license person for services in obtaining employment for said applicant

Section 26 (a) No employment agent shall induce or attempt to induce any employe to leave his employment with a view to obtaining other employment through such employment agent

(b) No employment agent or his representative shall demand divide or offer to divide or share directly or indirectly any fees charge or compensation received or to be received from any employe with any employer or person in any way connected with the business thereof

(c) No employment agent shall publish or cause to be published any false or fraudulent or misleading information representation notice or advertisement All advertisements of such employment agent by means of cards circulars or signs and in newspapers or other publications and all letterheads receipts and blanks shall be printed and contain the name and address of such employment agent and the words "employment agency" No employment agent shall give any false information or make any false promise or false representation concerning an engagement or employment to any employer or to any applicant who shall register or apply for an engagement or employment or help

(d) No employment agent shall accept any application for employment made by or on behalf of any child or assist in placing any such child in any employment whatever in violation of the child labor laws of this Commonwealth

(e) No employment agent or his representatives shall induce or control any person to enter any agency for any purpose by the use of force or by taking forcible possession of said person's property

(f) No employment agent shall send or cause to be sent any female as a servant employe inmate entertainer or performer or any male as employe or entertainer to any place of bad repute house of ill fame or assignation house or to any house or place of amusement kept for immoral purposes or place resorted to for the purpose of prostitution or gambling house the character of which the employment agent could have ascertained upon reasonable inquiry

(g) No employment agent shall send out any female applicant for employment without making a reasonable effort to investigate the character of the employer

(h) No employment agent shall send any female as an entertainer or performer to any place where any such female will be required or permitted to sell offer for sale or solicit the sale of intoxicating liquors to those present or assembled as an audience or otherwise in such place or in any rooms or building adjacent thereto in violation of the Pennsylvania Liquor Control Act

(i) No employment agent shall knowingly permit any persons of bad character prostitutes gamblers intoxicated persons or procurers to frequent his place of business

(j) Violation of any of the foregoing provisions of this section as well as any other of the provisions of this act shall be grounds for the refusal to grant refusal to renew revocation or suspension of the license of any employment agent The effect of any revocation or suspension of any license shall be the same as if the licensee had never been licensed.

(k) Any person who violates any of the provisions of subsections (a) (b) (c) (d) or (e) of this section shall be guilty of a misdemeanor and upon conviction thereof shall be sentenced to pay a fine of not less than fifty ($50.00) dollars nor more than two hundred ($200.00) dollars or to undergo imprisonment for not more than one year or both and in addition thereto the license of such employment agent or representative shall be revoked

(l) Any person who violates any of the provisions of subsections (f) (g) (h) or (i) of this section shall be guilty of a misdemeanor and upon conviction thereof shall be sentenced to pay a fine of not less than one hundred ($100.00) dollars nor more than one thousand ($1000.00) dollars or to undergo imprisonment for a period of not more than one year or both and in addition thereto the license of such employment agent or representative shall be revoked

Section 27 The department shall be charged with the enforcement of the provisions of this act and shall have power to make and enforce such reasonable rules and regulations for the conduct of the business of employment agents as may be necessary to carry out the laws relating thereto The secretary shall appoint inspectors who shall have no other occupation or business and who shall make as nearly as possible three visits each month to every employment agent holding a license in this Commonwealth Such inspectors shall have suitable badges which they shall exhibit on demand of any person interested They shall enforce compliance with the provisions of this act Every inspector of the department shall have power to execute and serve all warrants and processes of law issued by any justice of the peace alderman or magistrate or by any court of competent jurisdiction in the same manner as sheriffs constables or police officers may serve and execute such processes Such inspectors may also arrest on view and without warrant any unlicensed person detected by them actually violating any of the provisions of this act and may take such person so offending before any justice of the peace alderman or magistrate and make complaint

Section 28 All registers books records and other papers required by this act to be kept by any employment agent shall be open at all reasonable hours to the inspection of the department and its inspectors An auditor may be sent to the office of any employment agent by the department at least once a year or oftener if necessary to obtain information for the use of the department

Section 29 No person shall operate as an employment agent in this Commonwealth without holding a license so to do as herein provided No person shall operate in this Commonwealth under one or more of the exempted classifications set forth in section three of this act or under section fourteen hereof without holding a license so to do or being registered as herein provided Any person so doing or any person violating any provision of this act or knowingly aiding and abetting in its violation for which no other specific penalty is provided shall upon summary conviction thereof be sentenced for the first offense to pay a fine of not less than twenty-five ($25.00) dollars nor more than one hundred ($100.00) dollars or to undergo imprisonment for a period of not more than thirty (30) days and for a second offense shall be sentenced to pay a fine of not less than twenty-five ($25.00) dollars nor more than two hundred and fifty ($250.00) dollars or to undergo imprisonment for a period of not more than one (1) year or both

Section 30 All moneys or fees required to be paid under this act shall be collected by the Department and by it paid into the State Treasury through the Department of Revenue

Section 31 The act approved the second day of May one thousand nine hundred twenty-nine (Pamphlet Laws 1260) entitled "An act regulating the business of assisting employers to obtain employes and persons to secure employment providing for the licensing registration bonding and regulation of certain individuals and entities engaged in such business conferring certain powers and duties upon the Secretary of the Department of Labor and Industry of this Commonwealth and of said department and prescribing penalties" and its amendments are hereby repealed but such repeal shall not operate to relieve any person from any liability civil or criminal under any of the acts so repealed and for such purpose the provisions of such acts are hereby saved

All other acts and parts of acts inconsistent herewith are hereby repealed

Section 32 This act shall become effective thirty (30) days after its final enactment

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—36

Barr,	Farrell,	McCreesh,	Stiefel,
Becker,	Frey,	McGinnis,	Tallman,
Cavalcante,	Geltz,	McQuiddy,	Taylor,
Chapman,	Haluska,	Miller,	Thomas,
Coleman,	Heyburn,	Mundy,	Tyler,
Cox,	Kephart,	Reed,	Wade,
Crowe,	Lanius,	Ruth,	Walker,
Dent,	Letzler,	Shapiro,	Watkins,
DiSilvestro,	Mallery,	Stevenson,	Woodward,

NAYS—9

Bartlett,	Ealy,	Homsher,	Snowden,
Crider,	Edmonds,	Scarlett,	Wilson, H. I.,
Deitrick,			

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same with amendments in which the concurrence of the House is requested.

REPORT FROM COMMITTEE

Mr. WADE. Mr. President, I ask unanimous consent to make report from committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. WADE, from the Committee on State Government re-reported as amended, Senate Bill No. 1327, (House Bill No. 1952), entitled:

An Act to amend section four of the act, approved the first day July, one thousand nine hundred and nineteen (P. L. 717) entitled "An act fixing the number, compensation, mileage and duties of the officers and employes of the General Assembly, and providing for their election or appointment, term of office, and manner of filling vacancies," by providing for the appointment, compensation and duties of clerks and pages to the majority and minority floor leaders, respectively, of the Senate and of the House of Representatives, and making an appropriation.

BILL ON THIRD READING

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 770, (House Bill No. 1198), entitled:

An Act to add subdivision (e) to article two and to amend section eight hundred five of the act, approved the fourth day of May, one thousand nine hundred twenty-seven (P. L. 519), entitled "An act concerning boroughs, and revising, amending, and consolidating the law relating to boroughs," providing for the incorporation of boroughs from townships of the first class having a population of eight thousand or more by referendum, and prescribing the procedure therefor.

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

(During the calling of the roll the following occurred).

Mr. BARR. Mr. President, I ask for a verification of the roll.

The PRESIDENT. The roll will be so verified.

The Clerk will call the names of those voting in the affirmative as follows:

Barr,	Deitrick,	Lanius,	Reed,
Cavalcante,	Dent,	McCreesh,	Ruth,
Chapman,	DiSilvestro,	McGinnis,	Shapiro,
Coleman,	Frey,	McQuiddy,	Stiefel,
Cox,	Haluska,	Mundy,	

The PRESIDENT. Are there any corrections? The Chair hears none.

The affirmative roll will stand as verified.

The Clerk will call the names of those voting in the negative as follows:

Bartlett,	Farrell,	Miller,	Tyler,
Becker,	Geltz,	Scarlett,	Wade,
Crider,	Heyburn,	Snowden,	Walker,
Crowe,	Homsher,	Stevenson,	Watkins,
Ealy,	Kephart,	Tallman,	Wilson, H. I.,
Edmonds,	Mallery,	Taylor,	Wilson, T. B.,
		Thomas,	Woodward,

The PRESIDENT. Are there any corrections? The Chair hears none.

The negative roll will stand as verified.

Yeas—19; Nays—26.

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—19

Barr,	Deitrick,	Lanius,	Reed,
Cavalcante,	Dent,	McCreesh,	Ruth,
Chapman,	DiSilvestro,	McGinnis,	Shapiro,
Coleman,	Frey,	McQuiddy,	Stiefel,
Cox,	Haluska,	Mundy,	

NAYS—26

Bartlett,	Farrell,	Miller,	Tyler,
Becker,	Geltz,	Scarlett,	Wade,
Crider,	Heyburn,	Snowden,	Walker,
Crowe,	Homsher,	Stevenson,	Watkins,
Ealy,	Kephart,	Tallman,	Wilson, H. I.,
Edmonds,	Mallery,	Taylor,	Wilson, T. B.,
		Thomas,	Woodward,

Less than a Constitutional majority of all the Senators having voted "aye" the question was determined in the negative.

BILLS RECOMMITTED

Mr. WALKER, Mr. President, I move that Senate Bill No. 815, (House Bill No. 1221), on third reading, entitled:

An Act to add section 654.1 to the act approved the twenty-fourth day of June one thousand nine hundred thirty-nine (P. L. 872) entitled "An act to consolidate amend and revise the penal laws of the Commonwealth" by making it a crime to discriminate in the selection or appointment of persons for employment in the civil service of the Commonwealth or of any political subdivision thereof because of the race creed or color of any person.

be recommitted to the Committee on Judiciary General for the purpose of further study.

Mr. GELTZ. Mr. President, I second the motion.

On the question,

Will the Senate agree to the motion?

The yeas and nays were required by Mr. COX and were as follows, viz:

YEAS—25

Bartlett,	Farrell,	Miller,	Walker,
Becker,	Geltz,	Scarlett,	Watkins,
Chapman,	Homsher,	Snowden,	Wilson, H. I.,

Crider,	James,	Stevenson,	Wilson, T. B.,
Deitrick,	Letzler,	Tallman,	Woodward,
Ealy,	McQuiddy,	Thomas,	Ziesenheim,
Edmonds,			

NAYS—23

Barr,	DiSilvestro,	Lanius,	Ruth,
Cavalcante,	Frey,	Mallery,	Shapiro,
Coleman,	Haluska,	McCreesh,	Stiefel,
Cox,	Heyburn,	McGinnis,	Taylor,
Crowe,	Jaspan,	Mundy,	Tyler,
Dent,	Kephart,	Reed,	

So the question was determined in the affirmative.

Mr. WALKER, Mr. President, I move that Senate Bill No. 816, (House Bill No. 1223), on third reading, entitled:

An Act to add section 654.2 to the act approved the twenty-fourth day of June one thousand nine hundred and thirty-nine (P. L. 872) entitled "An act to consolidate amend and revise the penal laws of the Commonwealth" making it a crime for any officer of any labor union to discriminate because of race color or creed between applicants for membership in such union or between assignments for employment of union members because of their race color or creed.

be recommitted to the Committee on Judiciary General for the purpose of further study.

Mr. GELTZ. Mr. President, I second the motion.

On the question,

Will the Senate agree to the motion?

The yeas and nays were required by Mr. COX and were as follows, viz:

YEAS—25

Bartlett,	Farrell,	Miller,	Walker,
Becker,	Geltz,	Scarlett,	Watkins,
Chapman,	Homsher,	Snowden,	Wilson, H. I.,
Crider,	James,	Stevenson,	Wilson, T. B.,
Deitrick,	Letzler,	Tallman,	Woodward,
Ealy,	McQuiddy,	Thomas,	Ziesenheim,
Edmonds,			

NAYS—23

Barr,	DiSilvestro,	Lanius,	Ruth,
Cavalcante,	Frey,	Mallery,	Shapiro,
Coleman,	Haluska,	McCreesh,	Stiefel,
Cox,	Heyburn,	McGinnis,	Taylor,
Crowe,	Jaspan,	Mundy,	Tyler,
Dent,	Kephart,	Reed,	

So the question was determined in the affirmative.

Mr. WALKER, Mr. President, I move that Senate Bill No. 821, (House Bill No. 1402), on third reading, entitled:

An Act to add section six hundred fifty-five and one-tenth to article six of the act, approved the twenty-fourth day of June, one thousand nine hundred and thirty-nine (P. L. 872), entitled "An act to consolidate, amend and revise the penal laws of the Commonwealth," relating to discrimination against persons employed or seeking employment on contracts effecting the national preparedness program because of the race, color or religion of such person.

be recommitted to the Committee on Judiciary General for the purpose of further study.

Mr. GELTZ. Mr. President, I second the motion.

On the question,

Will the Senate agree to the motion?

The yeas and nays were required by Mr. COX and were as follows, viz:

YEAS—25

Bartlett,	Farrell,	Miller,	Walker,
Becker,	Geltz,	Scarlett,	Watkins,
Chapman,	Homsher,	Snowden,	Wilson, H. I.,
Crider,	James,	Stevenson,	Wilson, T. B.,
Deitrick,	Letzler,	Tallman,	Woodward,
Ealy,	McQuiddy,	Thomas,	Ziesenheim,
Edmonds,			

NAYS—23

Barr,	DiSilvestro,	Lanius,	Ruth,
Cavalcante,	Frey,	Mallery,	Shapiro,
Coleman,	Haluska,	McCreesh,	Stiefel,
Cox,	Heyburn,	McGinnis,	Taylor,
Crowe,	Jaspan,	Mundy,	Tyler,
Dent,	Kephart,	Reed,	

So the question was determined in the affirmative.

REPORT OF COMMITTEE OF CONFERENCE ON SENATE BILL No. 624, PRESENTED

Mr. HOMSHER. Mr. President, I am directed by the Committee of Conference to make a report on Senate Bill No. 624, entitled:

An Act to further amend clause seven of section one thousand two hundred ten of the act, approved the eighteenth day of May, one thousand nine hundred eleven (P. L. 309), entitled "An act to establish a public school system in the Commonwealth of Pennsylvania, together with the provisions by which it shall be administered, and prescribing penalties for the violation thereof; providing revenue to establish and maintain the same, and the method of collecting such revenue; and repealing all laws, general, special, or local, or any parts thereof, that are or may be inconsistent therewith," increasing the minimum salaries of teachers in school districts of the fourth class and providing for the payment of the whole of such increase by the State for a period of two years.

The PRESIDENT. The Report will lie over for printing.

REPORT OF COMMITTEE OF CONFERENCE ON SENATE BILL No. 51, PRESENTED

Mr. KEPHART. Mr. President, I am directed by the Committee of Conference to make a report on Senate Bill No. 51, entitled:

An Act authorizing and empowering school districts to furnish food, including milk to undernourished and poor school children in their districts.

The PRESIDENT. The Report will lie over for printing.

BILL ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 877, (House Bill No. 1156), as follows:

An Act to add section one thousand six hundred and seven and one-tenth to article sixteen of the act approved the eighteenth day of May one thousand nine hundred and eleven (P. L. 309) entitled "An act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith" requiring teaching in the public and private schools of principles of democratic government and patriotism and imposing certain duties on the Superintendent of Public Instruction

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Article sixteen of the act approved the eighteenth day of May one thousand nine hundred and eleven (P. L. 309) entitled "An act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith" is hereby amended by adding thereto after section one thousand six hundred and seven a new section to read as follows

Section 1607.1 Sub-section 1 The Superintendent of Public Instruction shall prepare and adopt before February 1 1942 for every grade in the public and private schools courses of study in patriotism and in the principles of democratic government

Sub-section 2 These courses of study shall include the development of the concept of the principles of democratic government the responsibilities of citizenship in a democracy love of country the historical background of the growth of freedom in America an appreciation of the nature and aims of democracy and an understanding of the Declaration of Independence and the Constitution of the United States of America with special emphasis on the Bill of Rights

Sub-section 3 These courses of study shall immediately upon being adopted by the Superintendent of Public Instruction become a compulsory part of the curriculum of every grade of every public and private school in this Commonwealth

Sub-section 4 It shall be the duty of every principal and supervising principal of every public and private school in this Commonwealth to include in the curriculum of the school or schools under his or her administrative control the teaching of the courses of study to be adopted by the Superintendent of Public Instruction as required in subsections 1 and 2 of this Act

Sub-section 5 The Superintendent of Public Instruction shall submit to the next regular session of the General Assembly of the Commonwealth of Pennsylvania a report setting forth all of the courses of study which he has prepared and adopted as required in sub-sections 1 and 2 of this Act

Section 2 This act shall become effective immediately upon its final enactment.

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—34

Barr,	Farrell,	McGinnis,	Stiefel,
Becker,	Frey,	McQuiddy,	Tallman,
Cavalcante,	Haluska,	Miller,	Taylor,
Coleman,	Jaspan,	Reed,	Thomas,
Cox,	Kephart,	Ruth,	Tyler,
Dent,	Lanius,	Shapiro,	Watkins,
DiSilvestro,	Letzler,	Snowden,	Wilson, T. B.,
Ealy,	Mallery,	Stevenson,	Ziesenheim,
Edmonds,	McCreesh,		

NAYS—13

Bartlett,	Deitrick,	Homsher,	Walker,
Chapman,	Geltz,	James,	Wilson, H. I.,
Crider,	Heyburn,	Scarlett,	Woodward,
Crowe,			

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

BILL ON THIRD READING

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 1032, (House Bill No. 1350), entitled:

An Act validating certain deeds and conveyances made by trustees without setting forth their authority to convey.

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—14

Cavalcante,	Dent,	Lanius,	Mundy,
Coleman,	DiSilvestro,	McCreesh,	Reed,
Cox,	Haluska,	McGinnis,	Ruth,
Crider,	Jaspan,		

NAYS—30

Bartlett,	Heyburn,	Shapiro,	Wade,
Becker,	Homsher,	Snowden,	Walker,
Chapman,	James,	Stevenson,	Watkins,
Crowe,	Kephart,	Tallman,	Wilson, H. I.,
Deitrick,	Letzler,	Taylor,	Wilson, T. B.,
Edmonds,	Mallery,	Thomas,	Woodward,
Farrell,	Miller,	Tyler,	Ziesenheim,
Geltz,	Scarlett,		

Less than a constitutional majority of all the Senators having voted "aye" the question was determined in the negative.

HOUSE MESSAGE

HOUSE INSISTS UPON ITS AMENDMENTS NON-CONCURRED IN BY THE SENATE TO SENATE BILL No. 236

The Clerk of the House of Representatives being introduced, presented communication from the House of Representatives informing the Senate that the House insists upon its amendments non-concurred in by the Senate to Senate Bill No. 236, entitled:

An Act to amend section six hundred fifty-four of article six of the act, approved the seventeenth day of May, one thousand nine hundred and twenty-one (P. L. 682), entitled "An act relating to insurance; amending, revising, and consolidating the law; providing for the incorporation of insurance companies and the regulation, supervision, and protection of home and foreign insurance companies, Lloyds associations, reciprocal and interinsurance exchanges, and fire insurance rating bureaus, and the regulation and supervision of insurance carried by such companies, associations, and exchanges, including insurance carried by the State Workmen's Insurance Fund; providing penalties; and repealing existing laws," providing for appeals from any classification, rule, rate, or schedule of the Insurance Commissioner affecting insurance of employes and employers under the Workmen's Compensation Act of one thousand nine hundred and fifteen and the supplements and amendments thereto and exempting the State Workmen's Insurance Fund from the control of the Rating Bureau and the Insurance Commissioner.

SENATE INSISTS UPON ITS NON-CONCURRENCE IN THE AMENDMENTS MADE BY THE HOUSE TO SENATE BILL No. 236

Mr. EALY. Mr. President, I move that the Senate in-

sists upon its non-concurrence in the amendments made by the House to Senate Bill No. 236.

Mr. MILLER. Mr. President, I second the motion.

The motion was agreed to.

Mr. DENT. Mr. President, I desire to be recorded as voting "no".

The PRESIDENT. The gentleman will be so recorded.

Mr. HALUSKA. Mr. President, I desire to be recorded as voting "no".

The PRESIDENT. The gentleman will be so recorded.

Mr. ZIESENHEIM. Mr. President, I desire to be recorded as voting "no".

The PRESIDENT. The gentleman will be so recorded.

Ordered, That the Clerk inform the House of Representatives accordingly.

HOUSE INSISTS UPON ITS AMENDMENTS NON-CONCURRED IN BY THE SENATE TO SENATE BILL No. 653

He also presented communication from the House of Representatives informing the Senate that the House insists upon its amendments non-concurred in by the Senate to Senate Bill No. 653, entitled:

An Act regulating and improving the civil service of certain departments and agencies of the Commonwealth, vesting in the State Civil Service Commission and a Personnel Director certain powers and duties providing for classification of positions adoption of compensation schedules and certification of payrolls, imposing duties upon certain officers and employes of the Commonwealth, authorizing service to political sub-divisions of the Commonwealth in matters relating to civil service defining certain crimes and misdemeanors imposing penalties and making an appropriation and repealing certain acts and parts thereof

SENATE INSISTS UPON ITS NON-CONCURRENCE IN AMENDMENTS MADE BY THE HOUSE TO SENATE BILL No. 653

Mr. EALY. Mr. President, I move that the Senate insists upon its non-concurrence in the amendments made by the House to Senate Bill No. 653.

Mr. TALLMAN. Mr. President, I second the motion.

The motion was agreed to.

Ordered, That the Clerk inform the House of Representatives accordingly.

HOUSE INSISTS UPON ITS AMENDMENTS NON-CONCURRED IN BY THE SENATE TO SENATE BILL No. 654

He also presented communication from the House of Representatives informing the Senate that the House insists upon its amendments non-concurred in by the Senate to Senate Bill No. 654, entitled:

An Act to amend sections two hundred two and four hundred fifty-two of the act approved the ninth day of April, one thousand nine hundred and twenty-nine (P. L. 177), entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof, and the administrative departments, boards, commissions and officers thereof, including the boards of trustees of State Normal Schools or Teachers Colleges, abolishing, creating, reorganizing or authorizing the reorganization of certain administrative departments, boards, and commissions, defining the powers and duties of the Governor and other executive and administrative officers and of the several administrative departments, boards, commissions and officers, fixing the salaries of the Governor, Lieutenant-Governor and certain other executive and administrative officers, providing for the appointment of certain administrative officers and of all deputies and other assistants and employes in certain departments, boards, and commissions and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments, boards and commissions shall be determined," as amended in order to establish the State Civil Service Commission as a departmental administrative commission in the Executive Department.

SENATE INSISTS UPON ITS NON-CONCURRENCE IN AMENDMENTS MADE BY THE HOUSE TO SENATE BILL No. 654

Mr. EALY. Mr. President, I move that the Senate insists upon its non-concurrence in the amendments made by the House to Senate Bill No. 654.

Mr. TALLMAN. Mr. President, I second the motion.

The motion was agreed to.

Ordered, That the Clerk inform the House of Representatives accordingly.

RESOLUTION AUTHORIZING APPOINTMENT OF SENATE COMMITTEE TO INVESTIGATE RIOTING IN DONALDSON, SCHUYLKILL COUNTY

Mr. WATKINS. Mr. President, I now call up from the table Senate Resolution No. 3, known as the Dent Resolution and move its immediate adoption.

Mr. DENT. Mr. President, I second the motion.

The resolution was read as follows:

In the Senate, July 9, 1941.

Whereas, Newspaper dispatches appearing in late newspapers this afternoon and evening carry an account of a civil disturbance in the Town of Donaldson in Schuylkill County; and

Whereas, It is reported that shooting took place between guards of an operating coal company and a number of rioters estimated at between five hundred and fifteen hundred; and

Whereas, It is alleged that this disturbance is serious and far reaching, and one in which many issues are involved, and it appears that a thorough investigation should be made by this Senate; therefore be it

Resolved, That the President Pro Tempore of the Senate name an investigating committee of five members of this Senate to determine the actual and true facts connected with this disturbance, and make a report with appropriate recommendations based upon their findings to the Governor of the Commonwealth

On the question,

Will the Senate agree to the Resolution?

Mr. EALY. Mr. President, I believe this resolution was amended.

Mr. DENT. The amendments are agreeable to me as the sponsor.

And the question recurring,

Will the Senate agree to the resolution?

It was agreed to.

RESOLUTION RECALLING SENATE BILL No. 618, (PRINTER'S No. 577), FROM THE GOVERNOR

Mr. TALLMAN. Mr. President, I ask unanimous consent to offer a resolution at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. TALLMAN, offered the following resolution which was twice read, considered and agreed to:

In the Senate, July 12, 1941.

Resolved (if the House of Representatives concur), That Senate Bill No. 618, (Printer's No. 577), entitled:

An Act to further amend section two of the act, approved the sixteenth day of June, one thousand nine hundred thirty-three (P. L. 252, 1933-34), entitled, as amended "An act to regulate and restrain the traffic in malt and brewed beverages, as herein defined; providing for the licensing of the manufacture, transportation, sale and distribution of such beverages; imposing license and permit fees, and providing for collection and distribution thereof; restricting ownership and interest in licensed places; permitting municipalities and townships, by vote of the electors, to prevent the licensing therein of places where such beverages may be sold for consumption on the premises, and regulating elections for this purpose; imposing duties upon the Pennsylvania Liquor Control Board, quarter sessions courts, district attorneys, the Department of Justice, proper authorities of political subdivisions of the State, and election officers; providing penalties; and repealing existing acts," by permitting clubs to waive or reduce dues payable by members in military service.

be recalled from the Governor for the purpose of amendment.

Ordered, That the Clerk present the same to the House of Representatives for concurrence.

RECESS

Mr. EALY. Mr. President, I move that the Senate do now take a recess until 7:00 o'clock, p. m. E. S. T.

Mr. THOMAS B. WILSON. Mr. President, I second the motion.

The motion was agreed to.

AFTER RECESS

The PRESIDENT. The time of recess having elapsed the Senate will be in order.

PERMISSION TO ADDRESS SENATE

Mr. CHAPMAN. Mr. President, I ask permission to address the Senate.

The PRESIDENT. The gentleman from Warren, may proceed.

Mr. CHAPMAN. Mr. President, I ask permission to have a short statement spread upon the Journal.

The PRESIDENT. If there is no objection, the request of the gentleman from Warren will be granted.

"Awaiting the signature of Governor Arthur H. James, the Chapman Bill for cancer research and treatment in a state operated sanitarium will undoubtedly soon become a law. Passage of the Bill by the House of Representatives on Saturday has given to the State of Pennsylvania an outstanding place in the field of humanitarianism. According to statistics about one out of nine suffer from cancer in some form and there are few families in which a loved one has not been a victim of the dread disease.

"The bill was introduced in the Pennsylvania Legislature by Dr. LeRoy E. Chapman, of the Warren-Venango Senatorial District. It carried an appropriation of $500,000 and in introducing the measure, Senator Chapman suggested that the Butler Tuberculosis Hospital be used for housing the new sanitarium. The structure was originally built as a tuberculosis hospital but its need has passed and it now stands empty and unused. Dr. Chapman, a life long practicing physician of Warren, realized the need of cancer research and treatment within reach of the poor who suffer from the disease. His idea is to equip the institution with X-Ray deep therapy and also with radium so that treatment by both means can be given to the residents of the State. At the present time such treatment is beyond the reach of the purse of the average citizen.

"It is interesting to note that all members of the Legislature realized the need of this phase of state endeavor to aid its citizens and the passage of the bill was unobstructed in the House and Senate. Democratic leaders gave vital support and Minority Floor Leader, Harry Shapiro, urged that the appropriation be increased from $100,000 to $500,000."

SENATE CONCURS IN AMENDMENTS BY THE HOUSE TO SENATE BILL No. 1313, (HOUSE BILL No. 1977)

Mr. EALY. Mr. President, I move that the Senate do now concur in the amendments made by the House to Senate Bill No. 1313, (House Bill No. 1977), entitled:

A Supplement to the act, approved the twenty-seventh day of June, one thousand nine hundred thirty-nine (Appropriation Acts page sixty), entitled "An act to provide for the ordinary expenses of the Executive, Legislative, and Judicial Departments of the Commonwealth, interest on the public debt, and the support of the public schools for two years beginning June first, one thousand nine hundred and thirty-nine; and for the payment of bills incurred and remaining unpaid at the close of the fiscal year ending May thirty-first, one thousand nine hundred and thirty-nine," providing for deficiencies in certain appropriations made by the act for the fiscal biennium ending May thirty-first, one thousand nine hundred forty-one.

Mr. EALY. This is the deficiency appropriation bill, sponsored by the gentleman from Warren.

Mr. CHAPMAN. Mr. President, I second the motion.

On the question,

Will the Senate agree to the motion?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—48

Barr,	DiSilvestro,	Lanius,	Stevenson,
Bartlett,	Ealy,	Letzler,	Stiefel,
Becker,	Edmonds,	Mallery,	Tallman,
Carr,	Farrell,	McCreesh,	Taylor,
Cavalcante,	Frey,	McGinnis,	Thomas,
Chapman,	Geltz,	McQuiddy,	Tyler,
Coleman,	Haluska,	Miller,	Wade,
Cox,	Heyburn,	Reed,	Walker,
Crider,	Homsher,	Ruth,	Watkins,
Crowe,	James,	Scarlett,	Wilson, H. I.,
Deitrick,	Jaspan,	Shapiro,	Wilson, T. B.,
Dent,	Kephart,	Snowden,	Ziesenheim,

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk inform the House of Representatives accordingly.

SENATE CONCURS IN AMENDMENTS BY THE HOUSE TO SENATE BILL No. 1047

Mr. EALY. Mr. President, I move that the Senate do now concur in the amendments made by the House to Senate Bill No. 1047, entitled:

An Act to further amend the act approved the seventh day of May, one thousand nine hundred twenty-three (P. L. 151) entitled "An act defining and regulating the business of dry cleaning and dyeing; providing for the maintenance, construction, and inspection of dry cleaning and dyeing buildings and establishments; providing for enforcing the act, and penalties for violation thereof;" providing for the administration and enforcement of said act by the Department of Labor and Industry; exempting from certain provisions of said act certain plants and systems exclusively using a petroleum solvent having a flash point of one hundred and forty degrees fahrenheit; and empowering the Department of Labor and Industry to make, alter, amend and repeal rules and regulations.

Mr. THOMAS B. WILSON. Mr. President, I second the motion.

On the question,

Will the Senate agree to the motion?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—48

Barr,	DiSilvestro,	Lanius,	Stevenson,
Bartlett,	Ealy,	Letzler,	Stiefel,
Becker,	Edmonds,	Mallery,	Tallman,
Carr,	Farrell,	McCreesh,	Taylor,
Cavalcante,	Frey,	McGinnis,	Thomas,
Chapman,	Geltz,	McQuiddy,	Tyler,
Coleman,	Haluska,	Miller,	Wade,
Cox,	Heyburn,	Reed,	Walker,
Crider,	Homsher,	Ruth,	Watkins,
Crowe,	James,	Scarlett,	Wilson, H. I.,
Deitrick,	Jaspan,	Shapiro,	Wilson, T. B.,
Dent,	Kephart,	Snowden,	Ziesenheim,

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk inform the House of Representatives accordingly.

HOUSE MESSAGE

AMENDMENT TO HOUSE BILL No. 472 RECALLED FROM THE GOVERNOR

The Clerk of the House of Representatives being introduced, presented for concurrence bill of the House of Representatives, as follows:

House Bill No. 472, entitled:

An Act making an appropriation to the Department of Health for use in research work dealing with human nutrition for children

Said bill having been recalled from the Governor for amendment, the votes had on final passage and third reading were reconsidered in the House and the bill amended, in which amendments the concurrence of the Senate is requested.

Mr. EALY. Mr. President, I move that Rule 21, which requires amended bills to be noted on the calendar, be in this case dispensed with, and that the Senate proceed to the consideration of the amendments made by the House of Representatives to the foregoing bill.

Mr. THOMAS B. WILSON. Mr. President, I second the motion.

The motion was agreed to.

SENATE CONCURS IN AMENDMENTS BY THE HOUSE TO HOUSE BILL No. 472

Mr. EALY. Mr. President, I move that the Senate concur in the amendments made by the House to House Bill No. 472.

An Act making an appropriation to the Department of Health for use in research work dealing with human nutrition for children.

Mr. EALY. This bill previously appropriated $20,000 to the Department of Public Health for research purposes, which amount is now raised to $40,000.

Mr. MILLER. Mr. President, I second the motion.

On the question,

Will the Senate agree to the motion?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—48

Barr,	DiSilvestro,	Lanius,	Stevenson,
Bartlett,	Ealy,	Letzler,	Stiefel,
Becker,	Edmonds,	Mallery,	Tallman,
Carr,	Farrell,	McCreesh,	Taylor,
Cavalcante,	Frey,	McGinnis,	Thomas,
Chapman,	Geltz,	McQuiddy,	Tyler,
Coleman,	Haluska,	Miller,	Wade,
Cox,	Heyburn,	Reed,	Walker,
Crider,	Homsher,	Ruth,	Watkins,
Crowe,	James,	Scarlett,	Wilson, H. I.,
Deitrick,	Jaspan,	Shapiro,	Wilson, T. B.,
Dent,	Kephart,	Snowden,	Ziesenheim,

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk inform the House of Representatives accordingly.

SENATE BILL No. 1091, RETURNED WITH AMENDMENTS

He also returned to the Senate, Senate Bill No. 1091, entitled:

An Act to amend the act, approved the thirtieth day of March, one thousand nine hundred thirty-seven (P. L. 115), entitled, "An act to provide for the permanent personal registration of electors in cities of the first class as a condition of their right to vote at elections and primaries, and their enrollment as members of political parties as a further condition of their right to vote at primaries; prescribing certain procedure for the conduct of elections and primaries and the challenge and proof of qualifications of electors; and prescribing the powers and duties of citizens, parties, bodies of electors, registration commissions, commissioners, registrars, inspectors of registration and other appointees of registration commission, election officers, municipal officers, departments and bureaus, police officers, courts, judges, prothonotaries, sheriffs, county commissioners peace officers, county treasurers, county controllers, registrars of vital statistics, real estate brokers, rental agents, certain public service companies, persons, firms, and corporations operating vehicles for moving furniture

and household goods, and boards of school directors; and imposing penalties," as amended, by requiring and providing for the registration of persons in military service to entitled them to vote at any election.

with the information that the House has passed the same with amendments, in which the concurrence of the Senate is requested.

Mr. EALY. Mr. President, I move that Rule 21, which requires amended bills to be noted on the calendar, be in this case dispensed with, and that the Senate proceed to the consideration of the amendments made by the House of Representatives to the foregoing bill.

Mr. GELTZ. Mr. President, I second the motion.

The motion was agreed to.

SENATE CONCURS IN AMENDMENTS BY THE HOUSE TO SENATE BILL No. 1091

Mr. EALY. Mr. President, I move that the Senate do now concur in the amendments made by the House to Senate Bill No. 1091, (House Bill No. 1872).

Mr. GELTZ. Mr. President, I second the motion.

On the question,

Will the Senate agree to the motion?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—48

Barr,	DiSilvestro,	Lanius,	Stevenson,
Bartlett,	Ealy,	Letzler,	Stiefel,
Becker,	Edmonds,	Mallery,	Tallman,
Carr,	Farrell,	McCreesh,	Taylor,
Cavalcante,	Frey,	McGinnis,	Thomas,
Chapman,	Geltz,	McQuiddy,	Tyler,
Coleman,	Haluska,	Miller,	Wade,
Cox,	Heyburn,	Reed,	Walker,
Crider,	Homsher,	Ruth,	Watkins,
Crowe,	James,	Scarlett,	Wilson, H. I.,
Deitrick,	Jaspan,	Shapiro,	Wilson, T. B.,
Dent,	Kephart,	Snowden,	Ziesenheim,

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk inform the House of Representatives accordingly.

SENATE BILL No. 205 RETURNED WITH AMENDMENTS

He also returned to the Senate, Senate Bill No. 205, entitled:

An Act making an appropriation to the Trustees of the Pennsylvania State College for the use of the School of Mineral Industries for research and investigation of problems affecting mineral industries.

with the information that the House has passed the same with amendments, in which the concurrence of the Senate is requested.

Mr. EALY. Mr. President, I move that Rule 21, which requires amended bills to be noted on the calendar, be in this case dispensed with, and that the Senate proceed to the consideration of the amendments made by the House of Representatives to the foregoing bill.

Mr. MILLER. Mr. President, I second the motion.

The motion was agreed to.

MOTION TO RECONSIDER VOTE BY WHICH SENATE NON-CONCURRED IN HOUSE AMENDMENTS TO SENATE BILL No. 205

Mr. EALY. Mr. President, I move that the Senate do now reconsider the vote by which it non-concurred in the amendments made by the House to Senate Bill No. 205, entitled:

An Act making an appropriation to the Trustees of the Pennsylvania State College for the use of School of Mineral Industries for research and investigation of problems affecting mineral industries.

Mr. THOMAS B. WILSON. Mr. President, I second the motion.

The motion was agreed to.

SENATE CONCURS IN HOUSE AMENDMENTS

And the question recurring,

Will the Senate concur in the amendments made by the House?

Mr. EALY. Mr. President, I move that the Senate do now concur in the amendments made by the House to the foregoing bill.

Mr. THOMAS B. WILSON. Mr. President, I second the motion.

On the question,

Will the Senate agree to the motion?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—48

Barr,	DiSilvestro,	Lanius,	Stevenson,
Bartlett,	Ealy,	Letzler,	Stiefel,
Becker,	Edmonds,	Mallery,	Tallman,
Carr,	Farrell,	McCreesh,	Taylor,
Cavalcante,	Frey,	McGinnis,	Thomas,
Chapman,	Geltz,	McQuiddy,	Tyler,
Coleman,	Haluska,	Miller,	Wade,
Cox,	Heyburn,	Reed,	Walker,
Crider,	Homsher,	Ruth,	Watkins,
Crowe,	James,	Scarlett,	Wilson, H. I.,
Deitrick,	Jaspan,	Shapiro,	Wilson, T. B.,
Dent,	Kephart,	Snowden,	Ziesenheim,

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk inform the House of Representatives accordingly.

SENATE BILL No. 169 CALLED UP FROM TABLE

Mr. EALY. Mr. President, I now call up from the table, Senate Bill No. 169, (House Bill No. 1603).

Mr. MILLER. Mr. President, I second the motion.

The motion was agreed to.

SENATE INSISTS UPON ITS NON-CONCURRENCE IN THE AMENDMENTS BY THE HOUSE TO SENATE BILL No. 169.

Mr. EALY. Mr. President, I move that the Senate insists upon its non-concurrence in the amendments made by the House to Senate Bill No. 169.

Mr. MILLER. Mr. President, I second the motion.

The motion was agreed to.

Ordered, That the Clerk inform the House of Representatives accordingly.

SENATE INSISTS UPON ITS AMENDMENTS NON-CONCURRED IN BY THE HOUSE TO HOUSE BILL No. 1176, AND APPOINTS COMMITTEE OF CONFERENCE

Mr. EALY. Mr. President, I move that a Committee of Conference be appointed to confer with a similar committee of the House of Representatives (already appointed) to consider the differences existing between the two houses in relation to said bill.

Mr. TAYLOR. Mr. President, I second the motion.

The motion was agreed to.

The PRESIDENT. The President Pro Tempore appoints Messrs. Mallery, Snowden, and Coleman to be said committee on the part of the Senate, and that the Clerk inform the House of Representatives accordingly.

SENATE BILL No. 1215 RETURNED WITH AMENDMENTS

He also returned to the Senate, Senate Bill No. 1215, entitled:

A Supplement to the act, approved the sixteenth day of June, one thousand nine hundred forty-one (Appropriation Act No. 12A), entitled "An act to provide for the ordinary expenses of the Executive, Legislative and Judicial Departments of the Commonwealth, interest on the public debt and the support of the public schools for two years beginning June first, one thousand nine hundred and forty-one, and for the payment of bills incurred and remaining upaid at the close of the fiscal year ending May thirty-first, one thousand nine hundred and forty-one."

with the information that the House has passed the same with amendments, in which the concurrence of the Senate is requested.

Mr. EALY. Mr. President, I move that Rule 21, which requires amended bills to be noted on the calendar, be in this case dispensed with, and that the Senate proceed to the consideration of the amendments made by the House of Representatives to the foregoing bill.

Mr. GELTZ. Mr. President, I second the motion.

The motion was agreed to.

SENATE CONCURS IN AMENDMENTS BY THE HOUSE TO SENATE BILL No. 1215

Mr. EALY. Mr. President, I move that the Senate do now concur in the amendments made by the House to Senate Bill No. 1215.

Mr. GELTZ. Mr. President, I second the motion.

On the question,

Will the Senate agree to the motion?

Mr. GELTZ. Mr. President, Senate Bill No. 1215 is a bill which we were carrying on the Calendar for some considerable time as a vehicle by which there could be restored the many cuts which were made in the general appropriation bill. That was by agreement. All of the items, however, that were requested have not been restored in the bill.

Under the provisions of Senate Bill No. 9, it becomes necessary for the Department of Health, through its Bureau of Vital Statistics, to make a considerable addition to their ordinary staff of workers in order not to hold up the national defense program. Because of this program and the great increase in employment there has been a terriffic increase in requests for birth certificates. These birth certificates have not been available at all times and that was the purpose of passing Senate Bill No. 9, which sets forth other methods by which the record of births could be established. They will be handled, however, in the Bureau of Vital Statistics, and in order that the national defense program may not be held back any more than is necessary an increase in the staff will be necessary.

Notwithstanding this fact, Mr. President, the House has not seen fit to place in the supplemental general appropriation bill the amount required by that bureau and by the Department of Health to carry out this work in an efficient manner.

There was also another item which was made necessary because of the final agreement in order to endeavor to end this session, and that was in connection with an item of $33,000, in addition, to the Department of Welfare for the purpose of taking care of the increased work with an increased staff due to the taking over by the state of the twelve mental hospitals.

The House has not seen fit to properly take care of those items but we feel under the circumstances that we can not afford to delay any longer, and for that reason I second the motion of the gentleman from Somerset, Senator Ealy.

On the question,

Will the Senate agree to the motion?

Mr. SHAPIRO. Roll call, Mr. President.

(During the calling of the roll the following occurred.)

Mr. SHAPIRO. Mr. President, I dislike to interrupt this roll call. I know that is out of order, but I was otherwise engaged for the moment and I should like to explain that the bill that was amended was amended in accordance with the agreement reached with the Governor.

The bill was amended in accordance with the agreement with the Governor. Every appropriation that had been reduced in the Governor's department by the House was restored and increases were made to those departments in which the Governor reduced the appropriations.

The Governor after that submitted an amendment including the $33,000 requested for the Department of Vital Statistics in connection with contemplated legislation, or legislation in the course of passage. The House refused to go along on the ground it had not been in the agreement, because, if other departments were allowed additional money, the House felt that the departments which had been reduced would also request additional funds.

It is for that reason I maintain our position and I am asking my colleagues to vote "no" on this motion.

Mr. GELTZ. Mr. President, that, it seems to me, is a very poor explanation and no excuse. The fact of the matter is that this work is necessary and was so contended by practically all on both sides at the time of the passage of the bill, to provide for this work in the Bureau of Vital Statistics, in order that the national defense program would not be delayed any more than was necessary.

All of the additional appropriation which was asked for by the Department of Health is in connection with the increased work in the Bureau of Vital Statistics for the purpose of getting out birth certificates for the national defense program. Part of that money was to be used for micro-filming of birth certificate records in that bureau.

The other amount to be appropriated for the Department of Welfare is an amount which is reasonable and is of course necessary, since in the agreement with the Governor the state is taking over the twelve mental hospitals.

And the question recurring,

Will the Senate agree to the motion?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—48

Barr,	DiSilvestro,	Lanius,	Stevenson,
Bartlett,	Ealy,	Letzler,	Stiefel,
Becker,	Edmonds,	Mallery,	Taliman,
Carr,	Farrell,	McCreesh,	Taylor,
Cavalcante,	Frey,	McGinnis,	Thomas,
Chapman,	Geltz,	McQuiddy,	Tyler,
Coleman,	Haluska,	Miller,	Wade,
Cox,	Heyburn,	Reed,	Walker,
Crider,	Homsher,	Ruth,	Watkins,
Crowe,	James,	Scarlett,	Wilson, H. I.,
Deitrick,	Jaspan,	Shapiro,	Wilson, T. B.,
Dent,	Kephart,	Snowden,	Ziesenheim,

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk inform the House of Representatives accordingly.

HOUSE CONCURS IN AMENDMENTS TO HOUSE BILL No. 11

He also presented communication from the House of Representatives informing the Senate that the House has concurred in amendments made by the Senate to House Bill No. 11, entitled:

An Act to create a uniform and exclusive system for the administration of parole in this Commonwealth establishing the "Pennsylvania Board of Parole" conferring and defining its jurisdiction duties powers and functions including the supervision of persons placed upon probation in certain designated cases providing for the method of appointment of its members regulating the appointment removal and discharge of its officers clerks and employes dividing the Commonwealth into administrative districts for purposes of parole fixing the salaries of members of the board and of certain other officers and employes thereof making violations of certain provisions of this act misdemeanors providing penalties therefor and for other cognate purposes and making an appropriation.

HOUSE CONCURS IN AMENDMENTS TO HOUSE BILL No. 1419

He also presented communication from the House of Representatives informing the Senate that the House has concurred in amendments made by the Senate to House Bill No. 1419, entitled:

An Act making an appropriation to the Department of Welfare, for the maintenance of certain hospitals.

HOUSE HAS CONCURRED IN THE AMENDMENTS TO SENATE RESOLUTION No. 3

The Clerk of the House of Representatives being introduced informed the Senate that the House has concurred in the amendments to Resolution from the Senate as follows:

In the Senate, July 9, 1941.

Whereas, Newspaper dispatches appearing in late newspapers this afternoon and evening carry an account of a civil disturbance in the Town of Donaldson in Schuylkill County; and

Whereas, It is reported that shooting took place between guards of an operating coal company and a number of rioters estimated at between five hundred and fifteen hundred; and

Whereas, It is alleged that this disturbance is serious and far reaching, and one in which many issues are involved, and it appears that a thorough investigation should be made by this Senate; therefore be it

Resolved, That the President Pro Tempore of the Senate name an investigating committee of five members of this Senate to determine the actual and true facts connected with this disturbance, and make a report with appropriate recommendations based upon their findings to the Governor of the Commonwealth.

HOUSE MESSAGE

HOUSE CONCURS IN SENATE RESOLUTION SERIAL No. 126

The Clerk of the House of Representatives being introduced informed the Senate that the House has concurred in Resolution from the Senate as follows:

In the Senate, April 16, 1941.

Whereas, Muhlenberg College will hold celebrations during the year 1942 commemorating the two hundredth anniversary of the arrival in the American colonies of Henry Melchior Muhlenberg; and

Whereas, The said Henry Melchior Muhlenberg was the father of General John Peter Gabriel Muhlenberg, a friend of George Washington and a member of his staff; and

Whereas, The said General John Peter Gabriel Muhlenberg was born at Trappe, Pennsylvania, October 1, 1746; and

Whereas, In 1775 the said General John Peter Gabriel Muhlenberg threw off his clerical gown while delivering a sermon at Woodstock, Virginia, disclosing himself dressed in the uniform of an officer of the Continental Army and challenged his congregation with the remark: "There is a time for all things—a time to preach and a time to pray; but there is also a time to fight, and that time has now come," and took leave of his congregation and led his soldiers in the war for our Country's freedom; and

Whereas, The said General John Peter Gabriel Muhlenberg was chosen the Vice-President of Pennsylvania in 1785 with Benjamin Franklin as President; and

Whereas, He was elected to the First Congress of the United States and reelected to the second and third, serving from March 4, 1789 to March 3, 1795; and

Whereas, In 1801 he was elected to the United States Senate but resigned before the Congress met to accept President Jefferson's appointment as Supervisor of Revenue for the District of Pennsylvania; and

Whereas, There has been introduced in the Senate of the United States by The Honorable James J. Davis, for himself and The Honorable Joseph F. Guffey, a Joint Resolution resolving that the Government and the people of the United States unite with Muhlenberg College in a fitting and appropriate observance of the two hundredth anniversary of the arrival in the American Colonies of Henry Melchior Muhlenberg; and

Whereas, There has been introduced in the House of Representatives of the United States by the Honorable Charles L. Gerlach a Joint Resolution resolving that the Government and the people of the United States unite with Muhlenberg College in a fitting and appropriate observance of the two hundredth anniversary of the arrival in the American colonies of Henry Melchior Muhlenberg; Now therefore be it

Resolved (if the House concur), That the General Assembly memorialize the Congress of the United States to adopt with all possible dispatch S. J. Resolution 40 and H. J. Resolution 128 in the form introduced; and be it further

Resolved, That one copy of this Resolution be forwarded to each of the following:

The President of the United States, Franklin D. Roosevelt.

Senator Alben W. Barkley, Chairman of the Joint Committee on the Library.

Senator James J. Davis.

Senator Joseph F. Guffey.

Honorable Charles L. Gerlach.

All members of the House delegation from Pennsylvania.

QUESTION OF PERSONAL PRIVILEGE

Mr. COLEMAN. Mr. President, I rise to a question of personal privilege.

The PRESIDENT. The gentleman from Lackawanna will state his question of personal privilege.

Mr. COLEMAN. Mr. President, the City of Scranton, over a long period of years, has been an incubator of champions in every branch of sport, from the game and play of chess to the sport of kings on netted courts, on baseball fields, midst the swinging and clattering of hockey sticks, on the gridiron and astride the backs of lunging polo ponies, Scranton's sons have shown their technique and prowess all over the nation. Scranton was the birthplace of George Chip, former middle-weight champion and also the home and birthplace of Pete Latzo, who won the welter-weight championship of the world from Mickey Walker. When Latzo won the welter-weight championship of the world, the metropolitan papers carried a story with the headline, "Pete Latzo, Scranton Miner, Wins World's Welter-weight Championship," and perhaps there was an attitude of derision in the reference to the Scranton miner, but Latzo won the championship principally because he was a miner. Scranton is the metropolis of the anthracite region. Mother Nature is rather jealous of her coal, rather jealous of her treasure, and she hugs it close to her breast so that he who takes it away must rip and tear and blast the precious fuel from Mother Earth. This develops a great power of mind and muscle. These men must be mentally alert, they develop a great power of coordination, and this power is reflected in their sons who are now doing a great job in the various fields of athletic endeavor.

I was delighted and very proud, Mr. President, to have a member of the Senate call to my attention a few hours ago that in the City of Wildwood, New Jersey, yesterday afternoon a freckled faced fourteen year old Scranton youngster won the National Marbles Championship of the World, and I would be unpardonably disloyal to a great community, as the Senator from the City of Scranton, if I hesitated to voice in ringing tone my appreciation and the great pride that is in my heart and in the hearts of all Scrantonians, if I did not hesitate, in the midst of this busy session, with plenty of important work remaining unfinished, to express my personal congratulations to Gerald Robinson, the new World's Marbles Champion from the City of Scranton.

BILLS SIGNED

The PRESIDENT (Lieutenant-Governor Samuel S. Lewis) announced that the Chief Clerk having reported that the following bills had passed both houses of the General Assembly and the same being correct, the titles were publicly read as follows:

Senate Bill No. 145, entited:

An Act to amend further section fourteen of an act approved the seventh day of August one thousand nine hundred thirty-six (P. L. 106) entitled "An act relating to flood control prescribing the powers and duties of the Water and Power Resources Board of the Department of Forests and Waters in relation to the creation of flood control districts adoption of plans for flood control works and improvements carrying into effect of such plans assistance aid and cooperation with public and private agencies and the Federal Government in Federal flood control works and improvements and entering into compacts and agreements with other states for flood control works and improvements conferring the power of eminent domain providing for the setting off of benefits imposing certain charges upon the Commonwealth providing for appeals and conferring certain powers on municipalities counties and townships and the Department of Highways" as reenacted and amended by conferring additional powers on the Department of Highways.

Senate Bill No. 399, entitled:

An Act making an appropriation to the Treasury Department for the use of the Board of Finance and Revenue in granting refunds of "store and theatre" tax.

Senate Bill No. 545, entitled:

An Act relating to the summoning and service of jurors (except grand jurors) in the civil and criminal courts of the several counties of the Commonwealth except cities of the first class.

Senate Bill No. 599, entitled:

An Act to amend section three of the act approved the twenty-third day of March, one thousand eight hundred and sixty-five (P. L. 607), entitled "An act for the better management of the Allegheny county prison" by requiring all contracts involving an expenditure of one hundred dollars to be in writing and prohibiting the making of any contract involving the expenditure of over five hundred dollars unless made with the lowest and best bidder after due advertising and requiring all purchases to be made through the purchasing department of the county.

Senate Bill No. 1041, entitled:

An Act to amend the title and section one of the act, approved the twenty-first day of May, one thousand nine hundred and twenty-three (P. L. 295), entitled "An act authorizing and empowering counties of the second class in this Commonwealth to acquire by lease, purchase, or condemnation proceedings any land within the county for the purpose of establishing and maintaining airdromes or aviation landing fields; providing for the procedure in case of condemnation, and the extent of title acquired; authorizing the lease by the county of portions of said land to individuals or corporations upon such terms as may be fixed, and the lease thereof to the Government of the United States upon nominal rental; authorizing and empowering the county to use land now owned by it for such purposes; and authorizing joint operation by said county and any city within the county of airdromes or aviation landing fields, where such city is authorized to establish and maintain the same," by extending the provisions of such act to all counties of this Commonwealth.

Senate Bill No. 1054, entitled:

An Act to amend sections four, five, thirty, thirty-one

and thirty-eight of the act, approved the twenty-ninth day of April, one thousand nine hundred thirty-seven (P. L. 487), entitled "An act to provide for the permanent personal registration of electors in boroughs, towns, and townships as a condition of their right to vote at elections and primaries, and their enrollment as members of political parties as a further condition of their right to vote at primaries; prescribing certain procedure for the conduct of elections and primaries and the challenge and proof of qualifications of electors; requiring the county commissioners of the various counties to act as a registration commission therefor; and prescribing the powers and duties of citizens, parties, political bodies, registration commissions, commissioners, registrars, inspectors of registration and other appointees of registration commissions, county election boards, election officers, municipal officers, departments and bureaus, police officers, courts, judges, prothonotaries, sheriffs, county commissioners, peace officers, county treasurers, county controllers, registrars of vital statistics, certain public utility corporations, real estate brokers, rental agents, and boards of school directors; and imposing penalties," extending the powers and duties of the registration commission and further regulating the check-up of electors and the cancellation of their registrations by the commission.

Senate Bill No. 1055, entitled:

An Act to amend sections five, six, thirty-one, thirty-two and thirty-nine of the act, approved the twenty-fifth day of May, one thousand nine hundred and thirty-seven (P. L. 849), entitled "An act to provide for the permanent personal registration of electors in cities of the third class as a condition of their right to vote at elections and primaries, and their enrollment as members of political parties as a further condition of their right to vote at primaries; prescribing certain procedure for the conduct of elections and primaries and the challenge and proof of qualifications of electors; and prescribing the powers and duties of citizens, parties, political bodies, registration commissions, commissioners, registrars, inspectors of registration and other appointees of registration commissions, county election boards, election officers, municipal officers, departments and bureaus, police officers, courts, judges, prothonotaries, sheriffs, county commissioners, peace officers, county treasurers, county controllers, registrars of vital statistics, certain public utility corporations, real estate brokers, rental agents, and boards of school directors; imposing penalties; and repealing existing legislation," extending the powers and duties of the registration commission and further regulating the check-up of electors and the cancellation of their registrations by the commission.

Senate Bill No. 1283, entitled:

A Supplement to the act, approved the twenty-second day of June, one thousand nine hundred and thirty-one (P. L. 594) entitled "An act establishing certain township roads as State highways; authorizing their construction, maintenance and improvement under certain conditions and restrictions; limiting the obligation of the Commonwealth in the construction of certain structures located on such highways; conferring certain powers upon the Department of Highways and local authorities, persons, associations and corporations for sharing the cost of the maintenance and construction of such highways and making an appropriation to carry out the provisions of said act," establishing an additional route in the County of Warren.

Senate Bill No. 1300, entitled:

An Act to amend sections 410 and 411 of the act approved the third day of June, one thousand nine hundred and thirty-seven (P. L. 1225), entitled "An act concerning game and other wild birds and wild animals and amending revising consolidating and changing the law relating thereto" by eliminating the requirement that owners make available open public hunting areas contiguous to regulated shooting grounds and changing shooting restrictions on regulated shooting grounds.

Whereupon,

The PRESIDENT (Lieutenant-Governor Samuel S. Lewis) in the presence of the Senate signed the same.

RESOLUTION RETURNING TO THE GOVERNOR SENATE BILL No. 213 WITHOUT AMENDMENT

Mr. EALY offered the following resolution which was twice read, considered and agreed to:

In the Senate, July 12, 1941.

Resolved (if the House concurs), That Senate Bill No. 213, (House Bill No. 1751), Printer's No. 297, entitled:

"An Act authorizing the Department of Property and Supplies acting for the Commonwealth of Pennsylvania, to acquire by gift from the owner thereof, Pottsgrove Mansion with tract of land situate in the ninth ward of the Borough of Pottstown, Mongomery County, Pennsylvania; providing for the control, management, supervision, improvement and maintenance thereof by the Pennsylvania Historical Commission; to make and enforce rules and regulations for the preservation, maintenance and visitation thereof; and creating an advisory board to assist in such functions"

which was recalled from the Governor on July first and returned to the Senate, be returned to the Governor without amendment.

Ordered, That the Clerk present the same to the House of Representatives for concurrence.

RESOLUTION RETURNING SENATE BILL No. 303 TO THE GOVERNOR WITHOUT AMENDMENT

Mr. EALY offered the following resolution which was twice read, considered and agreed to:

In the Senate, July 12, 1941.

Resolved (if the House concurs), That Senate Bill No. 303, (House Bill No. 1695), Printer's No. 264, entitled:

"An Act authorizing the Department of Highways to cooperate with agencies of the Federal Government in designing and installing modern illuminating systems on certain State highways in cities of the first class."

which was recalled from the Governor on July first and returned to the Senate, be returned to the Governor without amendment.

Ordered, That the Clerk present same to the House of Representatives for concurrence.

RESOLUTION RETURNING SENATE BILL No. 419 TO THE GOVERNOR WITHOUT AMENDMENT

Mr. EALY offered the following resolution which was twice read, considered and agreed to:

In the Senate, July 12, 1941.

Resolved (if the House concurs), That Senate Bill No. 419, (House Bill No. 1691), Printer's No. 265, entitled:

"An Act providing for the reconnaissance survey of a State highway between the city of Harrisburg, in the county of Dauphin, and the borough of New Hope, in the county of Bucks."

which was recalled from the Governor on July first and

returned to the Senate, be returned to the Governor without amendment.

Ordered, That the Clerk present same to the House of Representatives for concurrence.

CALENDAR

MOTION TO PROCEED TO CONSIDERATION OF CALENDAR

Mr. GELTZ. Mr. President, I move that the Senate do now proceed with the consideration of the Calendar, starting with Senate Bill No. 1060, on Page 7 of the Calendar.

Mr. MILLER. Mr. President, I second the motion.

The motion was agreed to.

BILLS ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 1060, (House Bill No. 736), as follows:

An Act to further amend section two thousand five hundred and sixty-three of the act approved the twenty-third day of June one thousand nine hundred and thirty-one (P. L. 932) entitled "An act relating to cities of the third class and amending revising and consolidating the law relating thereto" changing the penalties and interest imposed for the nonpayment of taxes

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section two thousand five hundred and sixty-three of the act approved the twenty-third day of June one thousand nine hundred and thirty-one (P. L. 932) entitled "An act relating to cities of the third class and amending revising and consolidating the law relating thereto" as amended by the act approved the twenty-second day of May one thousand nine hundred and thirty-three (P. L. 927) is hereby further amended to read as follows

Section 2563 Reductions Penalties and Interest All persons who shall make payment during the months of March and April in each year of city and poor tax shall be entitled to a reduction or abatement of one per centum from the amount thereof All such taxes shall be payable at their face during the months of May and June in each year Upon all city and poor taxes remaining unpaid on the first day of July in each year one per centum shall be added thereto and upon the first day of each succeeding month thereafter there shall be added or charged an additional penalty for nonpayment of one per centum until and including the month of December which penalty shall be added to the taxes by said treasurer as collector and be collected by him All taxes remaining unpaid on January first of the year following the year of levy shall bear interest on the tax [and penalty] at the rate of six per centum per annum until paid said interest to be computed only to the first day of the month in which the tax is paid which interest shall be added to the taxes by said treasurer as collector and be collected by him

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—48

Barr,	DiSilvestro,	Lanius,	Snowden,
Bartlett,	Ealy,	Letzler,	Stevenson,
Becker,	Edmonds,	Mallery,	Stiefel,
Carr,	Farrell,	McCreesh,	Taylor,
Cavalcante,	Frey,	McGinnis,	Thomas,
Chapman,	Geltz,	McQuiddy,	Tyler,
Coleman,	Haluska,	Miller,	Wade,
Cox,	Heyburn,	Mundy,	Walker,
Crider,	Homsher,	Reed,	Watkins,
Crowe,	James,	Ruth,	Wilson, H. I.,
Deitrick,	Jaspan,	Scarlett,	Wilson, T. B.,
Dent,	Kephart,	Shapiro,	Ziesenheim,

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 1122, (House Bill No. 1197), as follows:

An Act to amend sections 201 202 204 205 211 and 805 of the act approved the fourth day of May one thousand nine hundred twenty-seven (P. L. 519) entitled "An act concerning boroughs and revising amending and consolidating the law relating to boroughs" changing certain provisions relating to the incorporation of new boroughs and providing for the incorporation of boroughs from townships of the first class having a population of eight thousand or more and for the organization of the government therein

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Sections 201 202 204 205 211 and 805 of the act approved the fourth day of May one thousand nine hundred twenty-seven (P. L. 519) entitled "An act concerning boroughs and revising amending and consolidating the law relating to boroughs" are hereby amended to read as follows

Section 201 Towns [and] Villages and Certain Townships of the First Class May Be Incorporated The courts of quarter sessions may incorporate any town or village or any township of the first class having a population of eight thousand or more within their jurisdiction into a borough Every town or village and every such township of the first class so incorporated shall be a body corporate and politic by the name which shall be given by the court

Section 202 Applications for Incorporation The application for incorporation shall be [in writing] and shall be signed within three months immediately preceding its presentation to the court by a majority of the freeholders residing within the limits of the proposed borough] either by a petition signed by a majority of the freeholders residing within the limits of the proposed borough which signatures must be secured within three months immediately preceding the presentation thereof to the court or by petition presented by the township commissioners of a township of the first class having a population of eight thousand or more in pursuance of a resolution duly adopted thereby a certified copy of which shall be presented to the court and filed with said petition

Section 204 Filing of Application Notice Decree Costs Upon presentation to the court the application shall be filed with the clerk and notice thereof shall be given in one newspaper in the county for a period of not less than thirty days immediately before the next regular term following the filing thereof during which time exceptions may be filed to the application by any person interested The court at said term if it shall find that the conditions prescribed by this article have been complied with may grant the prayer of the petitioners and make a decree accordingly but if the court shall deem further investigation necessary it may make such order thereon as to

right and justice shall appertain The application and decree shall be recorded in the recorder's office of the county at the expense of the applicants who shall also pay all other expenses and costs in connections therewith except in cases where the township commissioners of any township of the first class having a population of eight thousand or more shall have instituted such proceedings of their own motion all the costs and expenses of such proceedings or pertaining thereto shall be paid out of the general funds of the township

Section 205 When Borough Government Becomes Effective When the application and decree have been recorded such part of a township or townships shall become an incorporated borough and shall be entitled to the several rights privileges and immunities conferred by this act subject however to the provisions of section two hundred eleven of this act as hereinafter amended

Section 211 [First Election of Officers The courts of quarter sessions shall fix the time and place of holding the first election in the borough designate a person to give notice of the election and the manner thereof and] [appoint from among the electors of the borough a judge and inspectors to hold the first election The officers elected at such special election shall hold their office and their successors shall be elected and qualify as provided for in article eight of this act] Existing Government Preserved Temporarily Organization of Borough The charters of the said town village or township of the first class or whatever powers of government apply thereto shall continue in full force and operation and all officers under the same shall hold their respective offices until the first Monday of January following the municipal election next succeeding the issuance of the final decree establishing such new borough at which time the officers of said borough chosen at the preceding municipal election shall enter upon their respective terms of service and the borough government shall be duly organized under this act

Whenever in the organization of the borough government of any newly established borough any person is elected by council to any office for which this act provides a definite term and fixes a definite time for the election of persons thereto the persons so elected shall serve only for such time as intervenes between his election and the next ensuing day fixed by this act for the election of such officer

Section 805 Elections Where Boroughs Created Whenever [in boroughs hereafter incorporated from a township or] in boroughs hereafter formed by the division of a borough or in boroughs hereafter created by the detachment of territory a special election is ordered by the court for the election of borough officers the officers so elected shall hold their office until the first Monday of January next succeeding the municipal election at which such officers are elected as provided in sections eight hundred and ten to eight hundred and fifty inclusive of this article and whenever a borough is incorporated from a township the borough officers shall be elected at the municipal election next succeeding the final decree incorporating such borough and shall enter upon their respective terms of service on the first Monday of January following such election In each of the aforesaid cases the officers elected at the first municipal election following the creation of such borough and thereafter [such officers] shall be so elected that the time of their election and in the case of councilmen and auditors the number to be elected at any municipal election shall coincide with the time and number elected at such municipal elections by boroughs incorporated prior to the passage of this act

Section 2 This act shall become effective immediately upon final enactment

And said bill having been read at length the third time, and agreed to,

On the question,

Will the Senate agree to the bill?

Mr. COX. Mr. President, on page 6 of the Calendar, appears Senate Bill No. 770, (House Bill No. 1198). This bill failed this afternoon. Unfortunately at the time the roll was called, I was called on the telephone, and I was very much disappointed when I came back to find that the bill had failed of passage.

The PRESIDENT. Will the gentleman from Allegheny inform the Senate which Bill he is discussing.

Mr. COX. I am discussing Senate Bill No. 1122, but my explanation must include the action taken on Senate Bill No. 770, because of the fact that the bills are very similar.

To reiterate, Mr. President, I was very much disappointed when I came back and found that no one had said anything about the bill, and it failed, and I believe it failed because of a misunderstanding, and if the Senate will be patient, I would like to explain the importance of this bill.

Due to a defect in the laws relative to townships, it is impossible for a township to be incorporated into a borough. This bill was introduced to take care of that specific situation. In Allegheny County there is a particular township which has had built in it during the past several years, by the United States Steel Corporation, a plant having an assessed valuation of one million dollars. As a result of the increase in the assessed valuation, that township has been able to build new and better schools, it has been able to install sewers, increasing, of course, tremendously the bonded indebtedness. This particular plant lies just on the very border of the township, and one of the neighboring cities is very anxious to annex that particular section. If that were to happen it would mean a financial catastrophe to the township.

If, as I think out of fairness we ought to do, we were to permit the incorporation of first class townships into boroughs, then the annexation of any part of a borough could not take place until all the people living in the borough had an opportunity of voting whether they wanted any part of it taken from the borough. That is the thing back of this bill and I ask that you vote for it, and then if you do, I shall ask that the vote by which Senate Bill No. 770 failed be reconsidered.

I might say that Senate Bill No. 770 provided for the incorporation of a borough from a first class township, having a population of eight thousand or more, by referendum. This particular bill with which we are now concerned, Senate Bill No. 1122, does the same thing, but it provides for incorporation by filing a peition with the Court.

And the question recurring,

Will the Senate agree to the bill on third reading.

It was agreed to.

On the question,

Shall the bill pass finally?

(During the calling of the roll the following occurred:)

Mr. COX. Mr. President, I ask for a verification of the roll.

The PRESIDENT. The roll will be so verified.

The Clerk called the names of those voting in the affirmative as follows:

Barr,	Crowe,	Jaspan,	Reed,
Becker,	Deitrick,	Lanius,	Shapiro,
Cavalcante,	DiSilvestro,	Letzler,	Stiefel,
Chapman,	Edmonds,	McCreesh,	Taylor,
Coleman,	Frey,	McGinnis,	Thomas,
Cox,	Haluska,	McQuiddy,	Tyler,
		Mundy,	Watkins,

The PRESIDENT. Are there any corrections? The Chair hears none.

The affirmative roll will stand as verified.

The Clerk called the names of those voting in the negative as follows:

Bartlett,	Geltz,	Mallery,	Stevenson,
Crider,	Heyburn,	Miller,	Wade,
Ealy,	Homsher,	Scarlett,	Wilson, H. I.,
Farrell,	Kephart,	Snowden,	Wilson, T. B.,
			Ziesenheim,

The PRESIDENT. Are there any corrections? The Chair hears none.

The negative roll will stand as verified.

Yeas—26; Nays—17

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—26

Barr,	Deitrick,	Letzler,	Shapiro,
Becker,	DiSilvestro,	McCreesh,	Stiefel,
Cavalcante,	Edmonds,	McGinnis,	Taylor,
Chapman,	Frey,	McQuiddy,	Thomas,
Coleman,	Haluska,	Mundy,	Tyler,
Cox,	Jaspan,	Reed,	Watkins,
Crowe,	Lanius,		

NAYS—17

Bartlett,	Heyburn,	Miller,	Wade,
Crider,	Homsher,	Scarlett,	Wilson, H. I.,
Ealy,	Kephart,	Snowden,	Wilson, T. B.,
Farrell,	Mallery,	Stevenson,	Ziesenheim,
Geltz,			

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendment.

Mr. COX. Mr. President, I want to thank my friends for their action, and I hope some Senator on the other side will be considerate enough, not having voted negatively on the previous bill, to move reconsideration of that vote. I would like to have both these bills passed.

BILL DROPPED FROM CALENDAR

Mr. MILLER. Mr. President, I move that Senate Bill No. 1136, (House Bill No. 353), on third reading, entitled:

An Act making an appropriation to the Department of Military Affairs for the maintenance and education of children of soldiers sailors marines female field clerks yeomen (female) and nurses who were killed in action or died during the World War and conferring certain duties upon the State Veterans' Commission.

be dropped from the Calendar.

Mr. TAYLOR. Mr. President, I second the motion.

On the question,

Will the Senate agree to the motion?

Mr. MILLER. Mr. President, I feel in deference to the sponsor of this bill that I ought to make just a brief statement.

I have every reason to believe that the sponsor introduced this bill in good faith. It has been customary at each session to introduce a bill similar to this to cover the biennium. It sets up an appropriation of forty thousand dollars to cover an educational fund for veterans who have died of service connected disability, and the bill which I have asked to be dropped specified the date of between the sixth day of April, 1917, and the second day of July, 1921. In view of the fact that there have not been many dependent children of war veterans able to take advantage of this, due to that date, the four major veterans organizations of the state, namely, the Spanish American War Veterans, the American Legion, the Disabled American War Veterans, and the Veterans of Foreign Wars, agreed that the change in the date should be eliminated; this was also the request of the Pennsylvania State Veterans Commission, and two bills were prepared, Senate Bill No. 48 and Senate Bill No. 158. The Pennsylvania Veterans Commission and the Department of Military Affairs felt that Senate Bill No. 158 covered the situation and on that bill, I believe yesterday, the Senate concurred in an amendment inserted by the House, and I have reason to believe that that particular bill is on the Governor's desk for signature.

Now, Mr. President, a forty thousand dollar appropriation has been provided in every biennium, but in the 1939-41 biennium, the sum of $22,942.21 was returned to the State Treasury, due to the fact, as mentioned before, that there were no children or dependent children of World War veterans who had died of service connected disability that were eligible to take advantage of this fund. Senate Bill No. 158 removes the date entirely in the hope that it will broaden the scope, and more dependent children of these veterans can receive the benefit of this educational fund.

And the question recurring,

Will the Senate agree to the motion?

It was agreed to.

BILLS ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 1159, (House Bill No. 1570), as follows:

An Act authorizing the Department of Property and Supplies to have a certain number of copies printed of the Report of the Joint State Government Commission on the Organization and Administration of Pennsylvania's State Government providing for the distribution and sale of such copies imposing new duties on the Joint State Government Commission and making an appropriation

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows:

Section 1 The Department of Property and Supplies is hereby authorized to have printed five thousand copies of the Report on the Organization and Administration of Pennsylvania's State Government prepared by the Joint State Government Commission of the General Assembly in order that such report shall be made available to all interested agencies of the State Government and of the political subdivisions of the Commonwealth

Section 2 Not more than twenty-five hundred (2500) of said copies shall be available for free distribution by the Department of Property and Supplies in accordance with the instructions of the Joint State Government Commission to all members of the General Assembly all departments commissions and boards of the State Government state libraries county law and public libraries county commissioners and other State or local governmental agencies interested in such report

Section 3 The copies of such report not distributed by the Department of Property and Supplies in accordance with the provisions of section two hereof shall be

sold by such department in accordance with the provisions of clause (j) of section two thousand four hundred six of the Administrative Code of 1929

Section 4 The Joint State Government Commission is hereby directed to revise such report so that it reflects the organization and administration of Pennsylvania's State Government at the time such report is printed

Section 5 In order to carry out the provisions of this act the sum of nine thousand five hundred dollars ($9,500) or so much thereof as shall be necessary is hereby specifically appropriated to the Department of Property and Supplies

Section 6 This act shall become effective immediately upon final enactment

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—45

Barr,	Ealy,	Letzler,	Stevenson,
Bartlett,	Edmonds,	Mallery,	Stiefel,
Becker,	Farrell,	McCreesh,	Taylor,
Carr,	Frey	McGinnis,	Thomas,
Chapman,	Geltz,	McQuiddy,	Tyler,
Coleman,	Heyburn,	Miller,	Wade,
Cox,	Homsher,	Mundy,	Walker,
Crider,	James,	Ruth,	Watkins,
Crowe,	Jaspan,	Scarlett,	Wilson, H. I.,
Deitrick,	Kephart,	Shapiro,	Wilson, T. B.,
Dent,	Lanius,	Snowden,	Ziesenheim,
DiSilvestro,			

NAYS—3

Cavalcante,	Haluska,	Reed,

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

BILL ON THIRD READING

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 1165, (House Bill No. 1678), entitled:

An Act to further amend section one thousand one hundred thirty-three of the act approved the eighteenth day of May one thousand nine hundred and eleven (P. L. 309) entitled "An act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith" by removing certain limitations of the appointment of district superintendents.

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—16

Cavalcante,	Homsher,	McGinnis,	Shapiro,
DiSilvestro,	Jaspan,	McQuiddy,	Stevenson,
Frey,	Mallery,	Mundy,	Stiefel,
Haluska,	McCreesh,	Reed,	Wade,

NAYS—25

Becker,	Edmonds,	Lanius,	Thomas,
Coleman,	Farrell,	Letzler,	Tyler,
Cox,	Geltz,	Miller,	Watkins,
Crider,	Heyburn,	Scarlett,	Wilson, H. I.,
Crowe,	James,	Snowden,	Wilson, T. B.,
Deitrick,	Kephart,	Taylor,	Ziesenheim,
Ealy,			

Less than a constitutional majority of all the Senators having voted "aye" the question was determined in the negative.

Ordered, That the Clerk inform the House of Representatives accordingly.

BILLS ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 1183, (House Bill No. 1662), as follows:

An Act to amend the title and further amend section one of the act approved the twenty-second day of June one thousand nine hundred and thirty-one (P L 844) entitled "An act authorizing the Commonwealth of Pennsylvania or any department or division thereof and counties cities boroughs incorporated towns townships school districts and poor districts to make contracts of life health and accident policies for the benefit of employes thereof and contracts for pensions for such employes and providing for the payment of the cost thereof" authorizing the making of contracts for hospitalization and medical services and extending the provisions of the act to vocational school districts and institution districts

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows:

Section 1 The title of the act approved the twenty-second day of June one thousand nine hundred and thirty-one (P L 844) entitled "An act authorizing the Commonwealth of Pennsylvania or any department or division thereof and counties cities boroughs incorporated towns townships school districts and poor districts to make contracts of life health and accident policies for the benefit of employes thereof and contracts for pensions for such employes and providing for the payment of the cost thereof" is hereby amended to read as follows

An Act authorizing the Commonwealth of Pennsylvania or any department or division thereof and counties cities boroughs incorporated towns townships school districts [and poor] vocational school districts and institution districts to make contracts of life health hospitalization medical services and accident policies for the benefit of employes thereof and contracts for pensions for such employes and providing for the payment of the cost thereof

Section 2 Section one of said act as amended by the act approved the twenty-fourth day of June one thousand nine hundred and thirty-nine (P L 688) is hereby further amended to read as follows

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the Commonwealth of Pennsylvania or any department or division thereof and any county city borough incorporated town township school district vocational school district or institution district may and are hereby specifically authorized to make contracts of insurance with any insurance company or non-profit hospitalization corporation or non-profit medi-

cal service corporation authorized to transact business within the Commonwealth insuring its employes or any class or classes thereof under a policy or policies of group insurance covering life health hospitalization medical service or accident insurance and may contract with any such company granting annuities or pensions for the pensioning of such employes and for such purposes may agree to pay part or all of the premiums or charges for carrying such contracts and may appropriate out of its treasury any money necessary to pay such premiums or charges or portions thereof

The proper officer agency board or commission of any of the above political divisions or subdivisions having authority to enter into such contracts of insurance are hereby authorized enabled and permitted to deduct from the employe's pay salary or compensation such part of the premium as is payable by the employe and as may be so authorized by the employe in writing

Section 3 The provisions of this act shall become effective immediately upon final enactment

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—35

Barr,	Dent,	Kephart,	Reed,
Bartlett,	DiSilvestro,	Lanius,	Scarlett,
Becker,	Ealy,	Letzler,	Shapiro,
Cavalcante,	Edmonds,	Mallery,	Stevenson,
Coleman,	Farrell,	McCreesh,	Stiefel,
Cox,	Frey,	McGinnis,	Tallman,
Crider,	Geltz,	McQuiddy,	Thomas,
Crowe,	Homsher,	Miller,	Tyler,
Deitrick,	Jaspan,	Mundy	

NAYS—8

Chapman,	James,	Watkins,	Wilson, T. B.,
Heyburn,	Snowden,	Wilson, H. I.,	Ziesenheim,

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 1195, (House Bill No. 1129), as follows:

An Act to further amend subsection (a) of section six of the act approved the seventh day of June one thousand nine hundred seventeen (P. L. 447) entitled as amended "An act relating to the administration and distribution of the estates of decedents and of minors and of trust estates including the appointment bonds rights powers duties liabilities accounts discharge and removal of executors administrators guardians and trustees herein designated as fiduciaries the administration and distribution of the estates of presumed decedents widow's and children's exemptions debts of decedents rents of real estate as assets for payment thereof the lien thereof sales and mortgages of real estate for the payment thereof judgments and executions therefor and the discharge of real estate from the lien thereof contracts of decedents for the sale or purchase of real estate legacies including legacies charged on land the discharge of residuary estates and of real estate from the lien of legacies and other charges the appraisement of real estate devised at a valuation the ascertainment of the curtilage of dwelling houses or other buildings devised the abatement and survival of actions and the substitution of executors and administrators therein the survival of causes of action and suits thereupon by or against fiduciaries investments by fiduciaries the organization of corporations to carry on the business of decedents the audit and review of accounts of fiduciaries refunding bonds transcripts to the court of common pleas of balances due by fiduciaries the rights powers and liabilities of nonresident and foreign fiduciaries the appointment bonds rights powers duties and liabilities of trustees durante absentia the recording and registration of decrees reports and other proceedings and the fees therefor appeals in certain cases and also generally dealing with the jurisdiction powers and procedure of the orphans' court in all matters relating to fiduciaries concerned with the estates of decedents" eliminating requirements for advertising and for appointment of masters where value of estates of presumed decedents is not in excess of five hundred dollars

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Subsection (a) of section six of the act approved the seventh day of June one thousand nine hundred seventeen (P. L. 447) entitled as amended "An act relating to the administration and distribution of the estate of decedents and of minors and of trust estates including the appointment bonds rights powers duties liabilities accounts discharge and removal of executors administrators guardians and trustees herein designated as fiduciaries the administration and distribution of the estates of presumed decedents widow's and children's exemptions debts of decedents rents of real estate as assets for payment thereof the lien thereof sales and mortgages of real estate for the payment thereof judgments and executions therefor and the discharge of real estate from the lien thereof contracts of decedents for the sale or purchase of real estate legacies including legacies charged on land the discharge of residuary estates and of real estate from the lien of legacies and other charges the appraisement of real estate devised at a valuation the ascertainment of the curtilage of dwelling houses or other buildings devised the abatement and survival of actions and the substitution of executors and administrators therein the survival of causes of action and suits thereupon by or against fiduciaries investments by fiduciaries the organization of corporations to carry on the business of decedents the audit and review of accounts of fiduciaries refunding bonds transcripts to the court of common pleas of balances due by fiduciaries the rights powers and liabilities of nonresident and foreign fiduciaries the appointment bonds rights powers duties and liabilities of trustees durante absentia the recording and registration of decrees reports and other proceedings and the fees therefor appeals in certain cases and also generally dealing with the jurisdiction powers and procedure of the orphans' court in all matters relating to fiduciaries concerned with the estates of decedents" as amended by the act approved the twenty-seventh day of April one thousand nine hundred twenty-seven (P. L. 425) is hereby further amended to read as follows

Section 6 (a) Whenever hereafter any person shall be presumed to be dead on account of absence for seven or more years from the place of his or her last domicile whether the same be within this Commonwealth or in any other State Territory or possession of the United States or in any foreign country any person entitled under the last will and testament of such presumed decedent or under the intestate laws to any share in his or her estate within this Commonwealth or under any deed will or other instrument in writing or in any other way method or manner to any share or interest in any estate held by or for such presumed decedent for years or for the term of his or her natural life or the escheator for the Commonwealth may present a petition to the orphans court of the county of such person's last residence or where the presumed decedent was a nonresident of this Commonwealth in the orphans' court of the county where the greater part of his property within this Commonwealth may be situated setting forth the facts which raise the

presumption of death The said court if satisfied as to the interest of the petitioner may cause to be advertised in a newspaper published in said county once a week for four successive weeks together with such other advertisement as the court according to the circumstances of the case shall deem expedient or advisable the fact of such application together with notice that on a day certain which shall be at least two weeks after the last appearance of said advertisement the court or master appointed by the court for that purpose will hear evidence concerning the alleged absence of the presumed decedent and the circumstances and duration thereof Provided however That in any case in which the total value of the estate of the presumed decedent whether real or personal is not in excess of five hundred dollars ($500) no master shall be appointed and no advertisement shall be necessary as may be required by any of the provisions of this section and the said court in such case shall have the right to declare such presumed decedent legally dead upon the basis of such evidence and testimony as it may require to be produced before it by the said petitioner

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—48

Barr,	DiSilvestro,	Lanius,	Stevenson,
Bartlett,	Ealy,	Letzler,	Stiefel,
Becker,	Edmonds,	Mallery,	Tallman,
Carr,	Farrell,	McCreesh,	Taylor,
Cavalcante,	Frey,	McGinnis,	Thomas,
Chapman,	Geltz,	McQuiddy,	Tyler,
Coleman,	Haluska,	Miller,	Wade,
Cox,	Heyburn,	Reed,	Walker,
Crider,	Homsher,	Ruth,	Watkins,
Crowe,	James,	Scarlett,	Wilson, H. I.,
Deitrick,	Jaspan,	Shapiro,	Wilson, T. B.,
Dent,	Kephart,	Snowden,	Ziesenheim,

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 1204, (House Bill No. 1511), as follows:

An Act making an appropriation for the expenses of the Committee of the House of Representatives created by House Resolution Serial Number thirty-five adopted the twenty-fourth day of February one thousand nine hundred and forty-one

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The sum of five thousand dollars ($5,000) or so much thereof as may be necessary is hereby specifically appropriated to the Committee created by House Resolution Serial Number thirty-five and authorized thereby to make a thorough and impartial study of the housing situation in the City of Philadelphia for the payment of the expenses of such investigation by the Committee including the cost of witnesses stenographic service the wages or other compensation of neceassry clerical assistants and any other expenses of every kind and description which may be authorized by a majority of the Committee in connection with the conduct of its work

Section 2 The provisions of this act shall become effective immediately upon final enactment

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—48

Barr,	DiSilvestro,	Lanius,	Stevenson,
Bartlett,	Ealy,	Letzler,	Stiefel,
Becker,	Edmonds,	Mallery,	Tallman,
Carr,	Farrell,	McCreesh,	Taylor,
Cavalcante,	Frey,	McGinnis,	Thomas,
Chapman,	Geltz,	McQuiddy,	Tyler,
Coleman,	Haluska,	Miller,	Wade,
Cox,	Heyburn,	Reed,	Walker,
Crider,	Homsher,	Ruth,	Watkins,
Crowe,	James,	Scarlett,	Wilson, H. I.,
Deitrick,	Jaspan,	Shapiro,	Wilson, T. B.,
Dent,	Kephart,	Snowden,	Ziesenheim,

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 1213, (House Bill No. 1766), as follows:

An Act to add clause six to section thirteen of the act approved the eighteenth day of July one thousand nine hundred seventeen (P. L. 1043) entitled "An act establishing a public school employes' retirement system and creating a retirement board for the administration thereof establishing certain funds from contributions by the Commonwealth and contributing employes defining the uses and purposes thereof and the manner of payments therefrom and providing for the guaranty by the Commonwealth of certain of said funds imposing powers and duties upon boards having the employment of public school employes exempting annuities allowances returns benefits and rights from taxation and judicial process and providing penalties" defining the disability retirement rights of members of the School Employes' Retirement Association who engage in active military service

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section thirteen of the act approved the eighteenth day of July one thousand nine hundred and seventeen (P. L. 1043) entitled "An act establishing a public school employes' retirement system and creating a retirement board for the administration thereof establishing certain funds from contributions by the Commonwealth and contributing employes defining the uses and purposes thereof and the manner of payments therefrom and providing for the guaranty by the Commonwealth of certain of said funds imposing powers and duties upon boards having the employment of public school employes exempting annuities allowances returns benefits and rights from taxation and judicial process and providing penalties" is hereby amended by adding at the end thereof a new clause to read as follows

Section 13 Retirement upon disability shall be made and discontinued as follows

6 An employe who shall have withdrawn from actual school employment or actual school service for active military service consisting of full time service in the armed forces of the United States under a requisition from or

by executive order of the President of the United States or in the armed forces organized for the defense of the Commonwealth of Pennsylvania by the authority of this Commonwealth may after his or her return to actual school employment or actual school service but not later than forty (40) days after the completion of such active military service request the board for a physical and mental examination At a time and place within the Commonwealth and by an examiner or examiners to be designated by the board the applicant shall appear for and submit to such examination The form and content of the examination and the certificates made pursuant thereto shall be prescribed by the board with the advice of the board's actuary and a physician or a psychiatrist to be employed by the board for that purpose If the examiner or examiners shall find as a fact that such employe is free from physical or mental incapacity which renders him or is likely to render him incapable of performing the duties of his employment the examiner or examiners shall so certify to the board whereupon the board shall classify the applicant as a member free from active military service disability and thereupon such member shall become entitled to enjoy all the benefits of this act If the examiner or examiners shall find as a fact that such employe is physically or mentally incapacitated for the performance of the duties of the employment which he had when last in the actual employ and service of his or her employer the examiner or examiners shall certify to the board the nature and degree of such physical or mental incapacity or disability whereupon the board shall classify the applicant as a member with active military service disability and thereupon such member may elect to accept the benefit of the provisions of section twelve of this act or the benefits of this act without disability rights and shall be classified by the board as an employe without disability rights Such election shall be in writing in form prescribed by the board and shall be filed with the board not later than fifty (50) days after the completion of such active military service All employes who shall have been engaged in active military service and who shall have returned to the employment or service of his or her employer without examination or certification shall be classified by the board as employes without disability rights All persons classified as employes without disability rights shall enjoy all the rights incident to membership in the Retirement System except the right to retire for disability or upon disability and to receive a disability retirement allowance Such member's salary deducton shall be reduced accordingly The amount by which the salary deduction of an employe without disability rights to be paid into the fund shall be reduced shall be determined by the board in accordance with tables to be prepared and certified by the actuary

Section 2 This act shall become effective immediately upon its final enactment

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—43

Barr,	DiSilvestro,	Letzler,	Stiefel,
Bartlett,	Edmonds,	Mallery,	Taylor,
Carr,	Farrell,	McCreesh,	Thomas,
Cavalcante,	Frey,	McGinnis,	Tyler,
Chapman,	Geltz,	McQuiddy,	Wade,
Coleman,	Haluska,	Miller,	Walker,
Cox,	Homsher,	Reed,	Watkins,
Crider,	James,	Ruth,	Wilson, J. B.,
Crowe,	Jaspan,	Scarlett,	Woodward,
Deitrick,	Kephart,	Shapiro,	Ziesenheim,
Dent,	Lanius,	Stevenson,	

NAYS—5

Becker,	Heyburn,	Snowden,	Wilson, H. I.,
Ealy,			

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same with amendments in which the concurrence of the House is requested.

HOUSE MESSAGE

HOUSE CONCURS IN RESOLUTION RECALLING FROM THE GOVERNOR SENATE BILL No. 618

The Clerk of the House of Representatives being introduced presented communication from the House of Representatives informing the Senate that the House has concurred in resolution from the Senate as follows:

In the Senate, July 12, 1941.

Resolved (If the House of Representatives concur) That Senate Bill No. 618, (Printer's No. 577), entitled:

An Act to further amend section two of the act, approved the sixteenth day of June, one thousand nine hundred thirty-three (P. L. 252, 1933-34), entitled, as amended "An act to regulate and restrain the traffic in malt and brewed beverages, as herein defined; providing for the licensing of the manufacture, transportation, sale and distribution of such beverages; imposing license and permit fees, and providing for collection and distribution thereof; restricting ownership and interest in licensed places; permitting municipalities and townships, by vote of the electors, to prevent the licensing therein of places where such beverages may be sold for consumption on the premises, and regulating elections for this purpose; imposing duties upon the Pennsylvania Liquor Control Board, quarter sessions courts, district attorneys, the Department of Justice, proper authorities of political subdivision of the State, and election officers; providing penalties; and repealing existing acts," by permitting clubs to waive or reduce dues payable by members in military service.

be recalled from the Governor for the purpose of amendment.

BILL OVER IN ORDER

Mr. COLEMAN. Mr. President, I ask unanimous consent that Senate Bill No. 1234, (House Bill No. 1530), on third reading, entitled:

An Act authorizing and directing the Department of Highways to erect and construct a bridge over the Lackawanna River on State Highway Route 35066 in the Borough of Blakely Lackawanna County and in the Borough of Olyphant in Lackawanna County and to provide the necessary approaches thereto and making an appropriation.

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILLS ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 1245, (House Bill No. 1770), as follows:

An Act to amend the title and to further amend section forty-three of the act approved the seventh day of

June one thousand nine hundred and one (P. L. 493), entitled "An act providing for the examination licensure and registration of persons firms or corporations engaged or engaging in the business or work of plumbing or house drainage and prescribing certain rules regulations and requirements for the construction of plumbing house drainage and cesspools in cities of the second class and imposing fines penalties and forfeitures for violation thereof" by permitting the use of enclosed woodwork about sinks in all except tenement-houses and lodging-houses in cities of the second class second class A and third class

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1. The title of the act approved the seventh day of June one thousand nine hundred and one (P. L. 493), entitled "An act providing for the examination licensure and registration of persons firms or corporations engaged or engaging in the business or work of plumbing or house drainage and prescribing certain rules regulations and requirements for the construction or plumbing house drainage and cesspools in cities of the second class and imposing fines penalties and forfeitures for violation thereof" is hereby amended to read as follows

An Act providing for the examination licensure and registration of persons firms or corporations engaged or engaging in the business or work of plumbing or house drainage and prescribing certain rules regulations and requirements for the construction of plumbing house drainage and cesspools in cities of the second class second class A and third class and imposing fines penalties and forfeiture for violation thereof

Section 2. Section forty-three of said act as extended to cities of the third class by the act approved the fourteenth day of May one thousand nine hundred and nine (P. L. 840) and as extended to cities of the second class A by the act approved the fifteenth day of June one thousand nine hundred and thirty-nine (P. L. 371) and as last amended by the act approved the thirty-first day of March one thousand nine hundred and thirty-seven (P. L. 168) is hereby further amended to read as follows

Section 43 The closet and all other fixtures except sinks must be set open and free from all enclosing woodwork In tenement-houses and lodging-houses sinks must be entirely open set on iron legs or brackets without any enclosing woodwork Iron enameled water-proof cabinets are permissible under [sinks and] all lavatories and under sinks in tenement-houses and lodging-houses

Any fixture removed from service either to be discarded or replaced with new by any owner must have the inspected approval of the inspection department of plumbing under whose jurisdiction it is/was at time of removal before it can be reinstalled If after inspection it is found to conform with proper standard so as not to create a potential hazard to public or private health it may be labeled numbered and certificate issued for its reinstallation with no other limitations reserved No used plumbing fixture intended for sanitary purposes or any that may be connected to the domestic water system of any dwelling or building can be installed without the inspection approval of the department of plumbing or board or bureau of health

Section 3. The provisions of this act shall become effective immediately upon final enactment

And said bill having been read at length the third time,

On the question,

Will the Senate agree to the bill?

Mr. President, I feel before I vote on this bill I should make an explanation. I am afraid I would seem inconsistent should I not do so.

This bill not only gives us an opportunity to have a licensed plumber look after our plumbing needs but makes it obligatory. In other words, this law makes it mandatory that when I hire a plumber I hire a licensed plumber. Whether I like it or not he must be a plumber, licensed by the State of Pennsylvania.

This bill in the House of Representatives was on June 3 last referred to the Committee on Public Health and Sanitation; was reported out of Committee without amendment on June 11th, just 8 days after it was introduced. This bill passed third reading by the vote of 190-0 on June 17, 1941, just 2 weeks after it was introduced.

One day later it was referred to the Senate Committee on Municipal Government and now just 25 days after it was presented to our body, it is about to pass the Senate finally. Quite a record when compared to two other bills, in which the doctors, hospitals and nurses of this Commonwealth are directly concerned.

These bills were introduced at least two months before the Plumbers' Licensure Bill was introduced in the House. Passed finally in the House on June 17, after being reported out first from the Committee in State Government and second from the Committee on Professional Licensure. These two bills were, when presented to the Senate immediately referred to the Public Health Committee where they repose quietly, serenely, and indefinitely, at the present time.

I am the appointed chairman of this Committee. Dr. Chapman is the active head of this same Committee. Both Dr. Chapman and I soon felt that there were considerable objectionable features to this bill. We didn't see so many, but other people did, so we set about with the aid of the other two doctors of the Senate (Dr. Woodward and Dr. Mundy), and called in practically all the registered nurses of the state, who were giving this bill all the pre-natal care that it was possible to be given by skilled, trained and talented girls of the nursing profession.

We called in for consultation everyone whom we thought would help us to keep this bill alive. Active people in the medical, hospital, and nursing profession, all over the state were asked to help diagnose the cause of the lack of development of this bill. It appeared illy nurtured. It seemed to have marasmus. We thought we found the actual trouble, so we operated. We cut away everything that was visible that might retard the acceptability of this prospect for the new life. We also performed a laporatomy and make histological examinations, removed all pathological tissues and thought we performed a perfect operation. All of us doctors could not find any fault with the operation and unanimously agreed the operation was successful, but unfortunately powers greater than ours had the final say so even though the operation was successful, the Licensed Nurses Bill died. We four doctors of the Senate held a post-mortem and, although we agreed that the patient died of natural idiopathic causes we would like to pass on to the future generations that if we really want passed any good health legislation we keep the bills out of the Senate Committee on Public Health and refer them to a Committee on which the legal profession rather than the medical profession is the predominating influence.

And the question recurring,

Will the Senate agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—48

Barr,	Ealy,	Letzler,	Stevenson,
Bartlett,	Edmonds,	Mallery,	Stiefel,
Becker,	Farrell,	McCreesh,	Tallman,
Cavalcante,	Frey,	McGinnis,	Taylor,
Chapman,	Geltz,	McQuiddy,	Thomas,
Coleman,	Haluska,	Miller,	Tyler,
Cox,	Heyburn,	Mundy,	Wade,
Crider,	Homsher,	Reed,	Walker,
Crowe,	James,	Ruth,	Watkins,
Deitrick,	Jaspan,	Scarlett,	Wilson, H. I.,
Dent,	Kephart,	Shapiro,	Wilson, T. B.,
DiSilvestro,	Lanius,	Snowden,	Ziesenheim,

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 1250, (House Bill No. 1832), as follows:

An Act making an emergency appropriation to the Department of Highways for allocation to and distribution among boroughs and townships for the repair of certain roads and streets in Western Pennsylvania

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The sum of one million dollars ($1,000,000) or so much thereof as may be necessary is hereby specifically appropriated out of the Motor License Fund to the Department of Highways for allocation to and distribution among distressed boroughs and townships in Western Pennsylvania for the repair of all borough and township roads and streets damaged by the recent cloud-burst in Western Pennsylvania

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—48

Barr,	Ealy,	Letzler,	Stiefel,
Bartlett,	Edmonds,	Mallery,	Tallman,
Becker,	Farrell,	McCreesh,	Taylor,
Cavalcante,	Frey,	McGinnis,	Thomas,
Chapman,	Geltz,	McQuiddy,	Tyler,
Coleman,	Haluska,	Miller,	Wade,
Cox,	Heyburn,	Reed,	Walker,
Crider,	Homsher,	Ruth,	Watkins,
Crowe,	James,	Scarlett,	Wilson, H. I.,
Deitrick,	Jaspan,	Shapiro,	Wilson, T. B.,
Dent,	Kephart,	Snowden,	Woodward,
DiSilvestro	Lanius,	Stevenson,	Ziesenheim,

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 1287, (House Bill No. 1336), as follows:

An Act authorizing and directing the Department of Property and Supplies to reprint the Report of the Commission to Locate the Sites of the Frontier Forts of Pennsylvania and providing for the distribution thereof.

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows:

Section 1. The Department of Property and Supplies is hereby authorized and directed to reprint and bind at the expense of the Commonwealth two thousand copies of the publication entitled "Report of the Commission to Locate the Sites of the Frontier Forts of Pennsylvania" which was authorized by concurrent resolution approved the twenty-fourth day of January one thousand eight hundred ninety-five and directed to be reprinted by the act approved the twenty-fifth day of June one thousand nine hundred thirteen (P. L. 1267). The publication shall be revised and edited under the direction of the Pennsylvania Historical Commission and shall be printed with illustrations in two volumes and bound in cloth.

Section 2. Copies of the publication hereby authorized shall be distributed by the Department of Property and Supplies in the manner provided in the case of State publications by section two thousand four hundred and six of the Administrative Code of 1929.

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—48

Barr,	Ealy,	Letzler,	Stevenson,
Bartlett,	Edmonds,	Mallery,	Stiefel,
Becker,	Farrell,	McCreesh,	Tallman,
Cavalcante,	Frey,	McGinnis,	Taylor,
Chapman,	Geltz,	McQuiddy,	Thomas,
Coleman,	Haluska,	Miller,	Tyler,
Cox,	Heyburn,	Mundy,	Wade,
Crider,	Homsher,	Reed,	Walker,
Crowe,	James,	Ruth,	Watkins,
Deitrick,	Jaspan,	Scarlett,	Wilson, H. I.,
Dent,	Kephart,	Shapiro,	Wilson, T. B.,
DiSilvestro,	Lanius,	Snowden,	Ziesenheim,

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 1304, (House Bill No. 1728), as follows:

An Act relating to the compatibility of office of members of the Boards and officers of the Authorities incorporated under the Municipal Authorities Act as amended and supplemented

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Any member of the governing body or any officer of any municipality or municipalities empowered to create Authorities under the Municipality Authorities Act approved June 28, 1935 (P. L. 463) as amended and

supplemented heretofore or hereafter appointed may be a member of the Board or governing body or an officer of any Authority so created the said offices shall not be deemed to be incompatible

Section 2 All acts or parts of acts inconsistent herewith are hereby repealed

Section 3 This act shall become effective immediately upon its final enactment

And said bill having been read at length the third time,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Will the Senate agree to the bill?

Mr. EDMONDS. Mr. President, this is one of the bills which came from the House a little while ago; during the course of the last two or three days these bills have attracted considerable attention. This bill, House Bill No. 1728, is very short. If the printing I hold in my hand, No. 1151, is the final printing it provides: "Any member of the governing body or any officer of any municipality or municipalities empowered to create Authorities under the Municipality Authorities Act . . . as amended and supplemented heretofore or hereafter appointed may be a member of the Board or governing body or an officer of any Authority so created the said offices shall not be deemed to be incompatible."

I think the bill, Mr. President, embodies an incorrect principle and a dangerous principle, and consequently I am prepared to vote "no" on this subject. Yesterday, when we were discussing amendments to House Bill No. 1703, I referred to a very interesting decision in the case of Commonwealth Ex Rel Robert E. McCreary, District Attorney for the County of Beaver, versus Glenn W. Major, in which an opinion was handed down by Judge Braham, of the Fifty-third Judicial District, specially presiding, on May 12, 1941. I have read that opinion with great care and it has convinced me that there is a serious danger in holding that a member of a local government may vote for himself in some other position and that if that bar is once let down there is much danger that it might result, as time goes on, in a serious breakdown in local administration.

I read yesterday some extracts from this opinion. Today I want to go a little bit further: "The authorities in our jurisdiction bear out this general statement. In Commonwealth versus Douglass. 1 Binney, 77, 84, the right of a prison inspector to hold his office was challenged by a writ of quo warranto on the ground that he had joined with other aldermen and the mayor to appoint himself."

That same opinion is reaffirmed in Commonwealth versus Raudenbush, 249, Pa. 86, where the late Justice Mestrazat a most eminent justice, with a keen sense of equity made this statement:

"We think he was correct in assuming that he could not legally be elected or hold the office of water superintendent while he was a member of the council which elected him. A councilman cannot vote on any contract or measure in which he is pecuniarily interested. This was the rule of the common law and statutes have been enacted in most jurisdictions forbidding such voting. A councilman cannot act for the municipality and at the same time act for himself individually. He cannot serve two masters at the same time. He is a trustee for the municipality and he may not deal with himself in any matter which concerns it. His cestuique trust has the right to his best judgment in everything that appertains to his business or welfare unaffected and unprejudiced by anything which might enure to his own interest as an individual."

Now, Mr. President, we are told that there are 276 councilmen in Pennsylvania who have elected themselves members of these municipal authorities. If so, that is a most regrettable condition. We are also told that some of them took the advice of counsel and were told that the positions were not incompatible. My own feeling is there again that is a matter of great regret. I talked with one gentleman who seemed to me to be a most worthy man, a member of the authority in Bethlehem, in Senator Bartlett's district, and when I asked him where he got that advice, he told me he got it from the advice of the New York bankers who were selling the bonds. I think a member of council who goes to a New York banker direct for the purpose of getting advice as to legal rights in Pennsylvania is going very far away.

It seems that this kind of a measure, declaring those two offices to be compatible positions, will result in a breakdown of morale in public administration in our local government to a most dangerous degree. It seems to me that these men feel they are under no civil obligations by virtue of the fact that the holders of the bonds may sue them for their loss, and it would seem to me if we validate the bonds, we would take away the possibility of a serious civil situation as it affects these councilmen who think we should give all support to the theory that two positions may be held by the same man, when he has selected himself for the other position; that seems to me to be rather a sad proposition and personally I am compelled to vote against it.

Mr. McGINNIS. Mr. President, I regret I cannot agree with the gentleman from Montgomery. These authorities are something which are rather new in our government. These authorities are merely children of the municipalities, created by the municipalities, and, as the gentleman from Montgomery said, 276 of our councilmen in this state are members of authorities. Over fifty of these authorities have been created, and as I said, they are merely branches of the local government; on the whole these councilmen serve without pay on the authorities.

I disagree with the lower courts. I think two courts have decided these offices are incompatible, and personally I disagree with those decisions and I feel the Supreme Court would disagree with them because this is different from the ordinary situation of incompatibility of office because, as I say, they are merely an extension of the powers of municipalities and merely a method of financing work on projects of municipalities. I feel we ought to now stand by those councilmen, who were advised by counsel in most cases that it is perfectly proper; they ought to be backed up by legislation showing that those offices are not incompatible.

Mr. BARTLETT. Mr. President, it is presumptuous on my part to oppose the wisdom of the learned Senator from Montgomery, but on this question I disagree entirely with him. An authority which is operating or which is about to operate a utility in its community

has been established solely because that community had not sufficient individual credit to run the utility on its own. If it had sufficient credit to operate that utility, to buy and operate that utility, the councilmen would be eligible to help operate it, to be managers, and simply by going outside for the money and then saying they cannot act, that seems farfetched.

I also call attention to the fact that an authority bill already passed provided that two members of a council may be members of an authority. If two can be members I see no reason why five can not be members.

And the question recurring,

Will the Senate agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—35

Barr,	Dent,	Kephart,	Scarlett,
Bartlett,	DiSilvestro,	Lanius,	Stevenson,
Becker,	Farrell,	Letzler,	Taylor,
Cavalcante,	Frey,	Mallery,	Thomas,
Chapman,	Geltz,	McCreesh,	Wade,
Cox,	Haluska,	McGinnis,	Watkins,
Crider,	Homsher,	McQuiddy,	Wilson, H. I.,
Crowe,	James,	Miller,	Ziesenheim,
Deitrick,	Jaspan,	Mundy,	

NAYS—8

Coleman,	Edmonds,	Reed,	Snowden,
Ealy,	Heyburn,	Shapiro,	Stiefel,

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same with amendments in which the concurrence of the House is requested.

CONFERENCE COMMITTEE REPORT ON SENATE BILL No. 692

Mr. MILLER. Mr. President, I am directed by the Committee of Conference to make a report on Senate Bill No. 692, entitled:

An Act to validate and confirm certain contracts heretofore entered into by Boards of Township Supervisors where the Township has received in maintenance and improvement of its highways, a reasonable quid pro quo for such contracts, and to authorize, ratify, confirm and validate payments on such contracts by the Township, and to provide that no Township Supervisor shall be subject to surcharge for payments made on any such contract.

The PRESIDENT. The report will be printed for the use of the Senate.

HOUSE CONCURS IN RESOLUTION RETURNING TO THE GOVERNOR SENATE BILL No. 303

He also presented communication from the House of Representatives informing the Senate that the House has concurred in resolution from the Senate as follows:

In the Senate, July 12, 1941.

Resolved (if the House of Representatives concur), That Senate Bill No. 303, (Printer's No. 264), entitled:

An Act authorizing the Department of Highways to cooperate with agencies of the Federal Government in designing and installing modern illuminating systems on certain State highways in cities of the first class.

be returned to the Governor without amendment.

HOUSE MESSAGES

HOUSE CONCURS IN RESOLUTION RETURNING TO THE GOVERNOR SENATE BILL No. 231

The Clerk of the House of Representatives being introduced, presented communication from the House of Representatives informing the Senate that the House has concurred in resolution from the Senate as follows:

In the Senate, July 12, 1941.

Resolved (if the House of Representatives concur), That Senate Bill No. 213, (Printer's No. 297), entitled:

An Act authorizing the Department of Property and Supplies acting for the Commonwealth of Pennsylvania, to acquire by gift from the owner thereof, Pottsgrove Mansion with tract of lands situate in the ninth ward of the Borough of Pottstown, Montgomery County, Pennsylvania; providing for the control, management, supervision, improvement and maintenance thereof by the Pennsylvania Historical Commission; authorizing the Pennsylvania Historical Commission to make and enforce rules and regulations for the preservation, maintenance and visitation thereof; and creating an advisory board to assist in such functions.

be returned to the Governor without amendment.

HOUSE CONCURS IN RESOLUTION RETURNING TO THE GOVERNOR SENATE BILL No. 419

He also presented communication from the House of Representatives informing the Senate that the House has concurred in resolution from the Senate as follows:

In the Senate, July 12, 1941.

Resolved (if the House of Representatives concur), That Senate Bill No. 419, (Printer's No. 265), entitled:

An Act providing for the reconnaissance survey of a State highway between the city of Harrisburg, in the county of Dauphin, and the borough of New Hope, in the county of Bucks.

be returned to the Governor without amendment.

CALENDAR

BILLS OVER IN ORDER

Mr. GELTZ. Mr. President, I ask unanimous consent that Senate Bill No. 1315, on third reading, entitled:

An Act to reenact and further amend the title and the provisions of the act, approved the twenty-fifth day of May, one thousand eight hundred ninety-seven (P. L. 83), entitled "An act to provide for the maintenance, care and treatment of the indigent insane in county and local institutions," as amended by reviving said act for a limited period of time and including institution districts within the act, in conformity with existing law.

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. GELTZ. Mr. President, I ask unanimous consent that Senate Bill No. 1316, on third reading, entitled:

An Act to further amend section three hundred nine of the act, approved the twenty-fourth day of June, one thousand nine hundred thirty-seven (P. L. 2017), entitled "An act creating in each county (except of the first class) as a separate corporation, and in each city of the first and second class as a part of the city government, an institution district for the care and maintenance of certain indigent persons and children; prescribing the powers and duties of county commissioners, county treasurers, city departments of public welfare, the State Department of Welfare and the State Department of Public Assistance in respect thereto; abolishing certain poor districts and terminating the terms of directors, overseers, guardians and managers of the poor and poor district auditors, and providing for the temporary employment of certain of them; providing for the transfer, vesting, sale and disposition of the property of poor districts and the payment of their obligations; imposing certain existing obligations on institution districts and on the Commonwealth; regulating the affairs of poor districts until abolished; revising; amending, changing and consolidating the law relating to the care of the poor; and repealing existing laws," by authorizing county institution districts to adopt a supplemental budget and to borrow money to operate institutions for mental patients heretofore transferred to the Commonwealth.

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. GELTZ. Mr. President, I ask unanimous consent that Senate Bill No. 1317, on third reading, entitled:

An Act to reenact and further amend the title and section one of the act, approved the twenty-fifth day of April, one thousand nine hundred twenty-nine (P. L. 707), entitled "An act fixing the liability of the counties, poor districts, and the Commonwealth for the support of the indigent and partly indigent insane in State institutions," by reviving the provisions of said act for a limited period of time; further fixing the liability of counties, institution districts and the Commonwealth; and conforming the title and the act to existing law.

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILLS ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 1320, (House Bill No. 1014), as follows:

An Act to further amend clause eight of section one thousand two hundred and ten of the act approved the eighteenth day of May one thousand nine hundred and eleven (P. L. 309) entitled "An act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith" by changing the minimum salary of county superintendents

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Clause eight of section one thousand two hundred and ten of the act approved the eighteenth day of May one thousand nine hundred and eleven (P. L. 309) entitled "An act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith" as last amended by section eight of the act approved the first day of July one thousand nine hundred and thirty-seven (P. L. 2592) is hereby further amended to read as follows

Section 1210

* * * *

8 County superintendents of counties having a population of less than [twenty thousand (20,000) minimum annual salary three thousand dollars ($3,000) county superintendents of counties having a population of twenty thousand and more but less than] forty-five thousand (45,000) minimum annual salary three thousand five hundred dollars ($3,500) county superintendents of counties having a population of forty-five thousand and more but less than one hundred and fifty thousand (150,000) minimum annual salary four thousand dollars ($4,000) county superintendents of counties having a population of one hundred and fifty thousand (150,000) or more minimum annual salary four thousand five hundred dollars ($4,500) all assistant county superintendents and supervisors of special education minimum annual salary three thousand dollars ($3,000)

Section 2 The provisions of this act shall become effective the first day of July one thousand nine hundred and forty-one

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—44

Barr,	DiSilvestro,	Letzler,	Stiefel,
Bartlett,	Ealy,	Mallery,	Tallman,
Becker,	Edmonds,	McCreesh,	Taylor,
Carr,	Farrell,	McGinnis,	Thomas,
Chapman,	Frey,	McQuiddy,	Tyler,
Coleman,	Geltz,	Miller,	Wade,
Cox,	Homsher,	Ruth,	Walker,
Crider,	James,	Scarlett,	Watkins,
Crowe,	Jaspan,	Shapiro,	Wilson, H. I.,
Deitrick,	Kephart,	Snowden,	Wilson, T. B.,
Dent,	Lanius,	Stevenson,	Ziesenheim,

NAYS—4

Cavalcante,	Haluska,	Heyburn,	Reed,

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 1324, (House Bill No. 1878) as follows:

An Act to further amend the act approved the eighteenth day of May one thousand nine hundred and eleven (P. L. 309) entitled "An act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith" as amended by providing for the appointment of a deputy school treasurer a deputy school controller and clerks to the school controller and school treasurer in school districts of the

first class by further providing as to the election of school controllers in school districts of the first class and as to vacancies in such office and by providing that certain stationery and books shall be supplied to school treasurers in school districts of the first class

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section three hundred twenty-four of the act approved the eighteenth day of May one thousand nine hundred and eleven (P. L. 309) entitled "An act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith" as last amended by Section three of the Act approved the first day of June one thousand nine hundred thirty-three Pamphlet Laws one thousand one hundred fifty-two is hereby further amended to read as follows

Section 324 The treasurer of each school district shall receive all State appropriations district school tax and other funds belonging to the school district and pay out the same on proper orders approved by the board of school directors signed except in districts of the first class by the president and in any school district of the first class by any other properly authorized person and attested by the secretary Provided that the treasurer may pay out such funds on orders which have been prepared and signed by the secretary and signed by the president for the payment of amounts owing under any contracts which shall previously have been approved by the board and by the prompt payment of which the district will receive a discount or other advantage without the approval of the board first having been secured Provided further that in all school districts of the first class all school orders before being paid by the school treasurer shall be approved by the school controller of such district The school treasurer of each school district of the first class may recommend to the board of public education for appointment a deputy school treasurer The board of public education shall appoint as deputy school treasurer the candidate recommended by the school treasurer who in case of death resignation or inability of the school treasurer to act for any cause whatsoever shall have the same powers and shall perform the same duties as imposed by law on the school treasurer In case the School Treasurer does not recommend to the Board of Public Education for appointment a Deputy School Treasurer the Board of Public Education may elect a Deputy School Treasurer who shall serve until such time as the School Treasurer recommends to the Board of Public Education the appointment of a Deputy School Treasurer The salary of the deputy school treasurer shall be fixed by the Board of Public Education He shall furnish bond in the sum of Ten Thousand ($10,000.00) dollars

Section 2 Section two thousand two hundred and nine of the said act is hereby amended to read as follows

Section 209 In each school district of the first class in this Commonwealth the board of education therein [at the beginning of each fiscal year] shall elect the controller of the city comprising such district as school controller for said district [.] for and during his term of office as city controller The school controller of each school district of the first class may recommend to the board of public education for appointment a deputy school controller The board of public education shall appoint as deputy school controller the candidate recommended by the school controller who in case of death resignation or inability of the school controller to act for any cause whatsoever shall have the same powers and shall perform the same duties as imposed by law on the School Controller In case the school controller does not recommend to the board of public education for appointment a deputy school controller the board of public education may elect a deputy school controller who shall serve until such time as the school controller recommends to the board of public education the appointment of a deputy school controller The salary of the deputy school controller shall be fixed by the board of public education He shall furnish bond in the sum of Ten Thousand ($10,000.00) Dollars

Section 3 Section two thousand two hundred and twelve of the said Act is hereby amended to read as follows

Section 2212 The board of public education in school districts of the first class [may] shall appoint [annually] upon the recommendation of the school controller and school treasurer respectively such [clerk] clerks as [it] [deems] they deem necessary to assist [the school controller] them in the performance of their duties All such appointments shall be made upon the [nomination] recommendation of the school controller and school treasurer and their salaries shall be fixed by the board of public education [before any appointment is] at the time the appointments are made The school controller and school treasurer shall in addition to [his salary] their salaries be furnished by the school district in which [he is] they are elected with necessary stationery and books required by [him] them in the performance of [his] their duties as school controller or school treasurer

Section 4 Section two thousand two hundred and thirteen of the said Act is hereby amended to read as follows

Section 2213 In case there is a vacancy in the office of school controller by reason of death resignation or otherwise such vacancy shall be filled [for the remainder of the year] by the election of the city controller by the board of public education [.] for and during his term of office as city controller

Section 5 All acts and parts of acts inconsistent herewith are hereby repealed

Section 6 The provisions of this act shall become effective immediately upon final enactment

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—45

Barr,	Ealy,	Letzler,	Stiefel,
Bartlett,	Edmonds,	Mallery,	Tallman,
Becker,	Farrell,	McCreesh,	Taylor,
Carr,	Geltz,	McGinnis,	Thomas,
Chapman,	Haluska,	McQuiddy,	Tyler,
Coleman,	Heyburn,	Miller,	Wade,
Cox,	Homsher,	Ruth,	Walker,
Crider,	James,	Scarlett,	Watkins,
Crowe,	Jaspan,	Shapiro,	Wilson, H. I.,
Deitrick,	Kephart,	Snowden,	Wilson, T. B.,
Dent,	Lanius,	Stevenson,	Ziesenheim,
DiSilvestro,			

NAYS—2

Cavalcante,	Reed,

PRESENT

Frey,

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

BILL OVER IN ORDER

Mr. GELTZ. Mr. President, I ask unamimous consent that Senate Bill No. 1325, on third reading, entitled:

An Act making an appropriation to the Department of Welfare to pay for the care, treatment, removal, and maintenance of the indigent insane in county and institution district hospitals.

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILL ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 1328, (House Bill No. 629), as follows:

An Act to amend section one of and to add section three and one-tenth to the act approved the twentieth day of June one thousand nine hundred and one (P. L. 582) entitled "An act to provide for the registration of labels trade-marks trade-names stamps designs devices shopmarks terms brands designations descriptions or forms of advertisement and protect and secure the rights property and interest therein of the persons copartnership or corporations adopting and filing the same and providing penalties for the violations of the act" further regulating the registration of labels trade-marks trade-names devices shop-marks designations and forms of advertisement and providing for the cancellation of such registrations in certain cases

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section one of the act approved the twentieth day of June one thousand nine hundred and one (P. L. 582) entitled "An act to provide for the registration of labels trade-marks trade-names stamps designs devices shop-marks terms brands designations descriptions or forms of advertisement and protect and secure the rights property and interest therein of the persons copartnerships or corporations adopting and filing the same and providing penalties for the violations of the act" is hereby amended to read as follows

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That whenever any person or persons copartnership or corporation has heretofore adopted or used or shall hereafter adopt or use any label trade-mark trade-name device shop-mark designation or form of advertisement for the purpose of designating making known or distinguishing any goods wares merchandise or other product of labor as having been manufactured prepared packed bottled or placed on sale by such person or persons copartnership or corporation he or they if residents of or doing business in the United States may file the same for record in the office of the Secretary of State of the State of Pennsylvania by leaving two copies counterparts or facimilies thereof with said Secretary and shall file therewith a certificate specifying the names of the person or persons copartnership or corporation so filing such label trade-mark trade-name device brand shop-mark designation or form or advertisement his or its residence location or place of business the class of merchandise and the particular description of goods comprised therein the class to which it has been or is intended to be appropriated and the length of time if any during which it has been in use Such certificate shall be accompanied by the written declaration verified under oath by the person or one of persons or some member of the copartnership or officer of the corporation by whom it is filed to the effect that the party so filing such label trade-mark trade-name device shop-mark designation description or form of advertisement has the right to the use of the same and that no other person or persons copartnership or corporation has a right to such use either in the identical form or in any such near resemblance thereto as may be calculated to deceive and that the facsimiles copies or counterparts filed therewith are true and correct There shall be paid to such secretary for such filing a fee of [one dollar] five dollars Said Secretary shall deliver to such person or persons copartnership or corporation so filing the same a duly attested certificate of the record of the same for which he shall receive a fee of [one dollar] five dollars Such certificate of record shall in all suits and prosecutions under this act be sufficient proof of the adoption of such label trade-mark trade-name stamp design device term brand shop-mark designation description or form of advertisement No label trade-mark trade-name stamp design device term brand shop-mark designation description or form of advertisement shall be recorded [that would reasonably be mistaken for the label trade-mark trade-name stamp design device term brand designation shop-mark description or form of advertisement already filed for record] which

(a) Consists of or comprises immoral or scandalous matter or

(b) Consists of or comprises the flag or coat-of-arms or other insignia of the United States or any similation thereof or of any state or municipality or of any foreign nation or

(c) Is identical with a registered or known label trade-mark trade-name stamp design device term brand shop-mark designation description or form of advertisement owned and in use by another and appropriated to merchandise of the same descriptive properties or which so nearly resemble any such registered or known trade-mark or item owned and in use by another and appropriated to merchandise of the same descriptive properties as to be likely to cause confusion or mistake in the mind of the public or to deceive purchasers or

(d) Consists merely in the name of an individual firm corporation or association not written printed impressed or woven in some particular or descriptive manner or not associated with the portrait of the individual or merely in words or devices which are descriptive of the goods with which they are used or of the character or quality of such goods or merely a geographical name or term

Section 2 Said act is hereby amended by adding thereto after section three a new section to read as follows

Section 3.1 Whenever any person or persons copartnership or corporation has heretofore registered or shall hereafter register any label trade-mark trade-name device shop-mark designation or form of advertisement in the office of the Secretary of the Commonwealth and shall have received a certificate of record therefor as provided by this act and such person or persons copartnership or corporation shall have discontinued or gone out of the business to which such registration is pertinent or for any reason shall have never used or adandoned or discontinued the use of said label trade-mark trade-name device shop-mark designation or form of advertisement the said registration and certificate shall be revoked under the following conditions in the following manner to wit

(a) In the case of a person persons or copartnership or corporation not having filed articles of dissolution or a decree of dissolution but having discontinued or gone out of the business to which such registration is pertinent or having never used or abandoned or discontinued the use of the item so registered for a period of at least five years and such discontinuance still persists any person may present his affidavit to the Secretary of the Commonwealth accompanied by a fee of fifteen dollars setting forth the above facts relative thereto together with proof of service of notice of such affidavit upon the person persons copartnership or corporation in whose name the said registration is recorded and asking that such registration be cancelled The Secretary shall fix a time to hear the parties concerned in the matter and send by registered mail a notice thereof to the person persons copartnership or corporation in whose name such registration is recorded After hearing the same if the Secretary is satisfied of the truth of the facts alleged in the affidavit in accordance with the provisions of this clause he shall cancel the said registration

(b) In the case of a corporation having filed articles of dissolution or a decree of dissolution any person may at any time at least three years thereafter present his affidavit to the Secretary of the Commonwealth accompanied by a fee of fifteen dollars setting forth such fact The said Secretary if satisfied of the truth of the alleged facts

shall cancel the registration of said item recorded in the name of such corporation

Section 2 This act shall become effective immediately upon final enactment

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—47

Barr,	DiSilvestro,	Lanius,	Stiefel,
Bartlett,	Ealy,	Letzler,	Tallman,
Becker,	Edmonds,	Mallery,	Taylor,
Carr,	Farrell,	McCreesh,	Thomas,
Cavalcante,	Frey,	McGinnis,	Tyler,
Chapman,	Geltz,	McQuiddy,	Wade.
Coleman,	Haluska,	Miller,	Walker,
Cox,	Heyburn,	Reed,	Watkins,
Crider,	Homsher,	Ruth,	Wilson, H. I.,
Crowe,	James,	Scarlett,	Wilson, T. B.,
Deitrick,	Jaspan,	Snowden,	Ziesenheim,
Dent,	Kephart,	Stevenson,	

NAYS—1

Shapiro,

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 1329, (House Bill No. 1831), as follows:

An Act to further amend section twenty-one of the act approved the seventh day of June one thousand nine hundred fifteen (P. L. 900) entitled "An act to provide for the immediate registration of all births and deaths throughout the Commonwealth of Pennsylvania by means of certificates of births and deaths and burial or removal permits requiring prompt returns to the Central Bureau of Vital Statistics as required to be established by the State Department of Health and in order to secure prompt and faithful registration of births marriages deaths and diseases of practitioners of medicine and surgery of midwives nurses and undertakers and of all persons whose occupation is deemed to be of importance in obtaining complete registration of births deaths marriages and diseases throughout the State as provided in section ten of an act entitled 'An act creating the Department of Health and defining its powers and duties' approved the twenty-seventh day of April nineteen hundred and five and providing penalties for violations of this act" by directing the Department of Health to maintain branch offices in counties of the second class for the filing of death certificates authorizing such offices to issue certified copies of death certificates and make searches of their files imposing additional duties upon local registrars in such counties and prescribing fees

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section twenty-one of the act approved the seventh day of June one thousand nine hundred fifteen (P. L. 900) entitled "An act to provide for the immediate registration of all births and deaths throughout the Commonwealth of Pennsylvania by means of certificates of births and deaths and burial or removal permits requiring prompt returns to the Central Bureau of Vital Statistics as required to be established by the State Department of Health and in order to secure prompt and faithful registration of birth marriages deaths and diseases of practitioners of medicine and surgery of midwives nurses and undertakers and of all persons whose occupation is deemed to be of importance in obtaining complete registration of births deaths marriages and diseases throughout the State as provided in section ten of an act entitled 'An act creating the Department of Health and defining its powers and duties' approved the twenty-seventh day of April nineteen hundred and five and providing penalties for violations of this act" as last amended by the act approved the twenty-second day of April one thousand nine hundred thirty-seven (P. L. 399) is hereby further amended to read as follows

Section 21 The Department of Health shall upon request and the payment of the fee as hereinafter provided furnish any applicant a certified copy of the record of any birth death or marriage registered under provisions of this act Provided however That no certified copy of an illegitimate birth record nor any information relative thereto except as herein otherwise provided shall be furnished to any person other than the illegitimate child or the mother of the child or upon an order of a court of competent jurisdiction When a certified copy is furnished of a birth certificate which was not filed within ten days from the birth there shall be furnished with such copy a true copy of any affidavit or affidavits or other papers filed with such birth certificate When a request is made for a birth certificate of any person who has been adopted by any other person pursuant to the provisions of any law and there is filed with such request a certified copy of the decree of the court in such adoption proceedings the department shall upon special request therefor issue in lieu of a certified copy of the original record a certificate showing only (a) the name of the adopted person as changed by the decree of adoption if changed (b) the date and place of birth (c) the names of the adopting parent or parents and (d) the permanent file number of the original birth certificate Such special certificate shall be accepted by all school authorities as evidence of the child's age for all purposes connected with employment or school attendance For the making and certification of each certified copy of the record of any birth death or marriage or of any special birth certificate the department shall be entitled to a fee of one dollar to be paid by the applicant and any such copy of the record of a birth or death or marriage when properly certified by the Department of Health to be a true copy thereof shall be prima facie evidence in all courts and places of the facts therein stated Provided That certified copies of the record of any birth death or marriage shall be furnished to honorably discharged soldiers sailors marines war nurses and their dependents without the payment of any fee For any search of the files and records when no certified copy is made the Department of Health shall be entitled to a fee of fifty cents for each hour or fractional hour of time of search to be paid by the applicant And the Department of Health shall keep a true and correct account of all fees by it received under these provisions and pay the same into the State Treasury through the Department of Revenue

In all counties of the second class the Department of Health shall establish in a convenient location a branch office for the receipt and filing of death certificates It shall be the duty of all local registrars in such counties to make one copy of every death certificate in addition to the copy now required by law to be retained in their offices Such additional copy shall be forwarded immediately upon its completion to the branch office hereinbefore provided for and it shall thereafter have the same validity and effect as the original death certificate forwarded to the Department of Health in Harrisburg for filing Certified copies of any death certificate on file with such branch office shall be issued by it immediately upon request and payment of the fee hereinbefore in this section prescribed Such certified copies shall have the same force and effect as other certified copies issued under the authority of this section Such branch office shall also make searches of its death certificate records or files upon payment of the fee hereinbefore in this section prescribed

Section 2 The provisions of this act shall become effective immediately upon final enactment

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—45

Barr,	Ealy,	Letzler,	Stiefel,
Bartlett,	Edmonds,	Mallery,	Tallman,
Becker,	Farrell,	McCreesh,	Taylor,
Chapman,	Frey,	McGinnis,	Thomas,
Coleman,	Geltz,	McQuiddy,	Tyler,
Cox,	Haluska,	Miller,	Wade,
Crider,	Homsher,	Reed,	Walker,
Crowe,	James,	Ruth,	Watkins,
Deitrick,	Jaspan,	Scarlett,	Wilson, H. I.,
Dent,	Kephart,	Snowden,	Wilson, T. B.,
DiSilvestro,	Lanius,	Stevenson,	Woodward,
			Ziesenheim,

NAYS—3

Cavalcante,	Heyburn,	Shapiro,

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 1334, (House Bill No. 1935), as follows:

An Act to further amend clause six of section one and section three of the act approved the twenty-seventh day of June one thousand nine hundred and twenty-three (P. L. 858) entitled "An act establishing a State employes' retirement system and creating a retirement board for the administration thereof establishing certain funds for contributions by the Commonwealth and contributing State employes defining the uses and purposes thereof and the manner of payments therefrom and providing for the guaranty by the Commonwealth of certain of said funds imposing powers and duties upon the heads of departments in which State employes serve excepting annuities allowances returns benefits and rights from taxation and judicial process and providing penalties" by further defining "State employe" so as to include certain employes of the Board of Fish Commissioners providing that such employes shall have the option of joining the State Employes Retirement Association and permitting their membership in such association to be retroactive upon the making of certain back payments by them and by the Board of Fish Commissioners

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Clause six of section one and section three of the act approved the twenty-seventh day of June one thousand nine hundred and thirty-three (P. L. 858) entitled "An act establishing a State employes' retirement system and creating a retirement board for the administration thereof establishing certain funds from contributions by the Commonwealth and contributing State employes defining the uses and purposes thereof and the manner of payments therefrom and providing for the guaranty by the Commonwealth of certain of said funds imposing powers and duties upon the heads of departments in which State employes serve excepting annuities allowances returns benefits and rights from taxation and judicial process and providing penalties" as last amended by the act approved the eighteenth day of May one thousand nine hundred and thirty-seven (P. L. 683) are hereby further amended to read as follows

Section 1 Be it enacted et cetera That the following words and phrases as used in this act unless a different meaning is plainly required by the context shall have the following meanings

* * * * *

6 "State employe" shall mean any person holding a State office or position under the Commonwealth of Pennsylvania employed and paid on a yearly or monthly basis by the State Government of the Commonwealth of Pennsylvania in any capacity whatsoever and shall also include any employes of the Board of Fish Commissioners who although listed on a per diem payroll are in fact employed on a full time basis and at a regular compensation and shall include also any attorney solicitor investigator appraiser and clerk employed by the year or by the month in the office of any register of wills howsoever appointed whose compensation is actually paid from Commonwealth moneys and shall also include all judges of the several courts of this Commonwealth whose salaries are paid by the Commonwealth and also all clerks and secretaries employed by judges and paid on a yearly or monthly basis by such judges from moneys appropriated by the Commonwealth for such purposes and also all officers and employes of the Pennsylvania State College paid on a yearly or monthly basis other than those paid wholly from Federal funds and also all officers and employes of the Delaware River Joint Commission paid on a yearly or monthly basis if the Delaware River Joint Commission shall agree to contribute and contributes to the State Employes' Retirement Fund from time to time the moneys required to build up the reserves necessary for the payment of the State annuities of such officers and employes without any liability on the part of the Commonwealth to make appropriations for such purposes and also but only for the purposes of this act all officers and employes of any separate independent public corporation created by act of Assembly (not including however any municipal or quasi-municipal corporation) who immediately prior to their employment by such public corporation were employes of the Commonwealth so long as they remain officers or employes of such public corporation if such public corporation shall agree to contribute and contributes to the State Employes' Retirement Fund from time to time the moneys required to build up the reserve necessary for the payment of the State annuities of such officers and employes without any liability on the part of the Commonwealth to make appropriations for such purposes But the term "State employe" shall not include those persons defined as employes in section one paragraph seven of the act approved the eighteenth day of July one thousand nine hundred and seventeen (P. L. 1043) entitled "An act establishing a public school employes' retirement system and creating a retirement board for the administration thereof establishing certain funds from contributions by the Commonwealth and contributing employes defining the uses and purposes thereof and the manner of payments therefrom and providing for the guaranty by the Commonwealth of certain of said funds imposing powers and duties upon boards having the employment of public school employes exempting annuities allowances returns benefits and rights from taxation and judicial process and providing penalties" as amended by section one paragraph seven of the act approved the twenty-first day of April one thousand nine hundred and twenty-one (P. L. 245) excepting such officers and employes of the Department of Public Instruction as are not members of or who may withdraw from the public school employes' retirement association provided by said act and no member shall be deprived of credit for prior service as a State employe because of the fact that such service was rendered while he or she was a member of the public school employes' retirement association

The term "State employe" shall also include all State officers and employes regularly employed by the year or by the month at a fixed annual or monthly compensation when the General Assembly is not in session but who during a legislative session instead of a fixed annual or

monthly salary or compensation are paid upon a per diem basis or by a fixed salary or compensation from the legislative session

In all cases of doubt the retirement board shall determine whether any person is a State employe as defined in this paragraph and its decision shall be final

Section 3 A State employes' retirement association is hereby organized the membership of which shall consist of all State employes as defined in paragraph six of section one of this act who by written application to the Retirement Board shall either as an original member or a new member elect to be covered by the retirement system Any State employe who becomes a State employe subsequent to the thirty-first day of December nineteen hundred twenty-four except as provided in paragraphs nine and ten of section one of this act as to judges shall during the first six months of employment as a State employe have the option of membership but after the first six months of such employment as a State employe membership as a new member shall be compulsory Provided however That neither the Governor nor the Lieutenant-Governor nor the head or deputy heads of any administrative department nor the members of any independent administrative board or commission or of any departmental administrative board or commission or of any advisory board or commission nor the secretary to the Governor nor the budget secretary nor any employes of the Board of Fish Commissioners who although listed on a per diem payroll are in fact employed on a full-time basis and at a regular compensation nor any person over the age of fifty years shall be compelled to become members of said State employes' retirement association

The head of each department board commission or other agency of the State government shall see to it that an application for membership is executed by each new State employe within said six months' period and that payroll deductions are not delayed beyond said period

Section 2 The foregoing change made in the definition of "State Employe" by this act shall be considered retroactive that is all persons included as State employes by such change and electing to join the retirement association shall be afforded the same rights as though they had become members of the retirement association at the time they first became State employes No such persons shall be considered as having become members of the retirement association prior to January first one thousand nine hundred and twenty-five and all such persons shall pay to the retirement association through regular payroll deductions a sum equal to all the back payments which such persons would have made if a member of the retirement association during the entire period they had the status of State employes

The Board of Fish Commissioners shall make the same back payments into the State Employes' Retirement Fund on account of such persons as would have been made if they had become members of the retirement association when they first became State employes

Section 3 The provisions of this act shall become effective immediately upon final enactment

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—36

Barr,	Edmonds,	Letzler,	Stiefel,
Bartlett,	Farrell,	Mallery,	Tallman,
Coleman,	Frey,	McCreesh,	Taylor,
Cox,	Geltz,	McGinnis,	Thomas,
Crowe,	Haluska,	McQuiddy,	Tyler,
Deitrick,	Homsher,	Miller,	Wade,
Dent,	James,	Mundy,	Walker,
DiSilvestro,	Jaspan,	Ruth,	Watkins,
Ealy,	Lanius,	Stevenson,	Woodward,

NAYS—12

Becker,	Heyburn,	Scarlett,	Wilson, H. I.,
Chapman,	Kephart,	Shapiro,	Wilson, T. B.,
Crider,	Reed,	Snowden,	Ziesenheim,

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 1335, (House Bill No. 413), as follows:

An Act prohibiting the employment by the Commonwealth or any county city borough incorporated town township school district vocational school district or institution district thereof or by any authority or any institution supported in whole or in part out of public funds of persons who advocate or participate in un-American or subversive doctrines as herein defined or who advocate Communism Fascism or Naziism or who advocate or support a political party or organization of individuals advocating or supporting Communism Fascism or Naziism or any "un-American or Subversive Doctrines" or are members or any organization or individuals advocating or supporting Communism Fascism or Naziism or any "un-American or Subversive Doctrines" providing for dismissals under existing laws and permitting appeals to courts of common pleas and appellate courts in all such cases

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The phrase "un-American or subversive doctrines" shall be construed to mean doctrines which teach or advocate the overthrow of the government of the United States or of the Commonwealth of Pennsylvania by revolution or the changing of the form of government of the United States or of the government of Pennsylvania by means not provided for in the Constitution of the United States or the Constitution of the Commonwealth of Pennsylvania

Section 2 No person who advocates or participates by an overt act or acts in un-American or subversive doctrines or who advocates Communism Fascism or Naziism or who advocates or supports a political party or organization of individuals advocating or supporting Communism Fascism or Naziism or any "un-American or Subversive Doctrines" or are members of any organization of individuals advocating or supporting Communism Fascism or Naziism or any "un-American or Subversive Doctrines" shall be permitted to be employed in any capacity by any department board commission or other agency of this Commonwealth or any county city borough incorporated town township school district vocational school district or institution district thereof or any authority or institution which is supported in whole or in part out of public funds Any person so employed shall be dismissed in the same manner as provided for by existing law for dismissals for other causes Provided That employes shall have the right to appeal by petition to the court of common pleas of the county where he resides If the employe aggrieved shall so request in his petition such hearing shall be de novo The court after hearing all testimony on such notice to the petitioner and to the persons in charge of the agency by which he is employed as the court shall designate shall have power to affirm or reverse the action of such agency as it shall deem proper In the event the employe so dismissed requests a jury trial in the said court of common pleas the court shall order the appeal to be tried before a jury in the same manner provided for by existing law for such trials From the final order of the court of common pleas any party in interest who feels aggrieved by such order may appeal to the Superior or

Supreme Court in accordance with the law now governing appeals to such courts All appeals as aforesaid shall operate as a supersedeas of any order At such hearing the burden of proof shall be on the Commonwealth or any political subdivision or authority or institution thereof as aforesaid

Section 3 The provisions of section one of this act shall be applicable to all such employes notwithstanding the fact that such employment may be the result of any contract agreement civil service rule or law which provides for tenure in such employment

Section 4 It is the intention of the General Assembly that if this act cannot take effect in its entirety because of the judgement of any court of competent jurisdiction holding unconstitutional any part or parts thereof the remaining provisions of the act shall be given full force and effect as completely as if the part or parts held unconstitutional had not been included herein

Section 5 All other acts or parts of acts of Assembly in conflict or inconsistent with this act or any part hereof are hereby repealed so far as they are inconsistent herewith

Section 6 This act shall become effective immediately upon final enactment

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—48

Barr,	DiSilvestro,	Lanius,	Stevenson,
Bartlett,	Ealy,	Letzler,	Stiefel,
Becker,	Edmonds,	Mallery,	Tallman,
Carr,	Farrell,	McCreesh,	Taylor,
Cavalcante,	Frey,	McGinnis,	Thomas,
Chapman,	Geltz,	McQuiddy,	Tyler,
Coleman,	Haluska,	Miller,	Wade,
Cox,	Heyburn,	Reed,	Walker,
Crider,	Homsher,	Ruth,	Watkins,
Crowe,	James,	Scarlett,	Wilson, H. I.,
Deitrick,	Jaspan,	Shapiro,	Wilson, T. B.,
Dent,	Kephart,	Snowden,	Ziesenheim,

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same with amendments in which the concurrence of the House is requested.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 1336, (House Bill No. 248), as follows:

An Act authorizing taxpayers in cities of the second class A to inspect the books and records of such cities at any reasonable time and prescribing a procedure for enforcing such right of inspection

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 All fiscal records minute books and documents of cities of the second class A shall be open to the inspection of any taxpayer his her or its agent upon demand therefor but the proper officers charged with the custody of such records books and documents may make reasonable rules and regulations designating the time and place of such inspection

In case any officials or officers shall refuse to permit the inspection of any fiscal record minute book or document the taxpayer may file a petition with the court of common pleas setting forth his reasons for making such inspection and if after hearing on said petition of which hearing the officials of said city shall be given due notice and the opportunity to appear and be heard as provided by law if the court deems such reasons proper it shall order the officer to permit the inspection to be made at a reasonable time and place and shall also order such official or officer to pay the costs of such court proceeding

Section 2 The provisions of this act shall become effective immediately upon final enactment

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—48

Barr,	DiSilvestro,	Lanius,	Stevenson,
Bartlett,	Ealy,	Letzler,	Stiefel,
Becker,	Edmonds,	Mallery,	Tallman,
Carr,	Farrell,	McCreesh,	Taylor,
Cavalcante,	Frey,	McGinnis,	Thomas,
Chapman,	Geltz,	McQuiddy,	Tyler,
Coleman,	Haluska,	Miller,	Wade,
Cox,	Heyburn,	Reed,	Walker,
Crider,	Homsher,	Ruth,	Watkins,
Crowe,	James,	Scarlett,	Wilson, H. I.,
Deitrick,	Jaspan,	Shapiro,	Wilson, T. B.,
Dent,	Kephart,	Snowden,	Ziesenheim,

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 1337, (House Bill No. 1398), as follows:

An Act to amend the act approved the fifth day of May one thousand nine hundred thirty-three (P. L. 289) entitled "An act relating to non-profit corporations defining and providing for the organization merger consolidation and dissolution of such corporations conferring certain rights powers duties and immunities upon them and their officers and members prescribing the conditions on which such corporations may exercise their powers providing for the inclusion of certain existing corporations of the first class within the provisions of this act prescribing the terms and conditions upon which foreign nonprofit corporations may be admitted or may continue to do business within the Commonwealth conferring powers and imposing duties on the courts of common pleas prothonotaries of such courts recorders of deeds and certain State departments commissions and officers authorizing certain local public officers and State departments to collect fees for services required to be rendered by this act imposing penalties and repealing certain acts and parts of acts relating to corporations" as amended by changing certain provisions of the act relating to corporate names by requiring certain certificates of the payment of taxes and other charges to be filed with the Department of State in certain cases by making certain changes in the scope of the act and by making certain provisions relating to the filing of notices of changes of registered offices

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section four of the act approved the fifth day of May one thousand nine hundred thirty-three (P. L. 289) entitled "An act relating to nonprofit corporations defining and providing for the organization merger consolidation and dissolution of such corporations conferring certain rights powers duties and immunities upon them and their officers and members prescribing the conditions on which such corporations may exercise their powers providing for the inclusion of certain existing corporations of the first class within the provisions of this act prescribing the terms and conditions upon which foreign nonprofit corporations may be admitted or may continue to do business within the Commonwealth conferring powers and imposing duties on the courts of common pleas prothonotaries of such courts recorders of deeds and certain State departments commissions and officers authorizing certain local public officers and State departments to collect fees for services required to be rendered by this act imposing penalties and repealing certain acts and parts of acts relating to corporations" as last amended by the act approved the twenty-seventh day of June one thousand nine hundred thirty-nine (P. L. 1121) is hereby further amended to read as follows

Section 4 Scope of Act This act does not relate to does not affect and does not apply to

(1) Cooperative associations whether for profit or not for profit

(2) Beneficial benevolent fraternal [and] or fraternal benefit societies having a lodge system and a representative form of government or transacting any type of insurance whatsoever

(3) Any corporation whatsoever organized for any purpose or purposes involving pecuniary profit to its members or shareholders

(4) Any corporation which by the laws of this Commonwealth is subject to the supervision of the Department of Banking the Insurance Department the Pennsylvania [Pubic] Public Utility Commission or the Water and Power Resources Board Provided however That corporations subject by law to the limited supervision of the Insurance Department may be incorporated under and in accordance with the provisions of this act for the purpose of establishing maintaining and operating a nonprofit hospital plan whereby hospitalization may be provided to subscribers of such plan by any hospital with which such corporations have a contract for such hospitalization or for the purpose of establishing maintaining and operating a nonprofit medical service plan whereby medical services may be provided through any doctor of medicine to subscribers of low income and their dependents

Section 2 Paragraph A of section two hundred two of said act as amended by the act approved the seventeenth day of July one thousand nine hundred thirty-five (P. L. 1130) is hereby further amended to read as follows

A The corporate name may be in any language but must be expressed in English letters or characters The corporate name shall not imply that the corporation is an administrative agency of the Commonwealth or of the United States or is subject to the supervision of the Department of Banking or of the Insurance Department and shall not contain the word "bank" "banking" "banker" "savings" "trust" "deposit" "insurance" "mutual" "assurance" "indemnity" "casualty" "fiduciary" "benefit" "beneficial" ["benevolent"] "public service" "public utility" "building and loan" "surety" "security" "guaranty" "guarantee" "cooperative" "State" or "Commonwealth"

Section 3 Section two hundred four of said act as amended by the act approved the seventeenth day of July one thousand nine hundred thirty-five (P. L. 1130) is hereby further amended to read as follows

Section 204 Registration of Corporate Name The incorporators shall make application to the Department of State for the registration of the proposed corporate name The application shall set forth the name which the incorporators desire to use [and] the address of the proposed registration office of the corporation and a statement of the purpose for which it is to be formed and it shall be signed by at least five incorporators If the Department of State finds that the proposed name is available for corporate use the department shall register the name and shall issue to the incorporators a certificate that the proposed name has been duly registered If the proposed name is not available for corporate use the department shall refuse to register such name and shall forthwith notify the incorporators of this fact The Department of State shall keep a properly indexed record of the registrations and cancellations of registrations provided for in this act

Section 4 Paragraph A of section three hundred sixteen of said act as amended by the act approved the seventeenth day of July one thousand nine hundred thirty-five (P. L. 1130) is hereby further amended to read as follows

Section 316 Registered Office Records A Every nonprofit corporation shall maintain an office in this Commonwealth to be known as its registered office The location and post office address of the registered office shall be stated in the articles as heretofore provided in this act After incorporation the location of the registered office may be changed

(1) From one location to another in the same county by resolution adopted by a majority of all the members including members not entitled by the articles or by-laws to vote On or before the day that such change is made notice of such change and of the post office address of the new registered office shall be filed with and recorded by the recorder of deeds of the county At the same time notice of such change shall also be filed with and recorded by the Secretary of the Commonwealth

(2) From one county to another county by resolution adopted by a majority of all the members including members not entitled by the articles or by-laws to vote On or before the day that such change is made notice of such change and of the post office address of the new registered office shall be filed with and recorded by the recorder of deeds of the county from which and of the county to which the registered office is to be moved At the same time notice of such change shall be filed with and recorded by the Secretary of the Commonwealth In addition a certified copy of the articles of the corporation shall be filed with and recorded by the recorder of deeds of the county in which the registered office is to be located before the corporation shall transact any business in such county

Section 5 Section nine hundred seven of said act as amended by the act approved the seventeenth day of July one thousand nine hundred thirty-five (P. L. 1130) is hereby further amended to read as follows

Section 907 Amended Certificate of Authority A After receiving a certificate of authority a foreign nonprofit corporation may be subject to the provisions of this act change its name or be authorized to do in this Commonwealth other or aditional business than that authorized by its certificate of authority by filing with the Department of State an application for an amended certificate of authority [and] proof of the advertisement hereinafter required by this section a copy of the proposed amendment as effected in the state or country of its incorporation duly certified by the proper public officer thereof and a certificate or certificates from the proper department or departments of this Commonwealth evidencing payment by the corporation of all taxes bonus and charges as required by law Such application shall be executed under the seal of the corporation signed and verified by two duly authorized officers thereof and shall set forth the changes desired by the corporation

B A foreign nonprofit corporation shall before making application to the Department of State advertise its intention to apply for an amended certificate of authority by publication in a manner similar to that prescribed in this act in the case of the formation of a domestic nonprofit corporation Advertisements shall appear at least three days prior to the day on which application is made to the Department of State and shall set forth briefly

(1) The name of the corporation and of the state or country under the laws of which it is formed

(2) If the application is for permission to do in this Commonwealth other or additional business the character and nature of the business it proposes to do under the amended certificate of authority

(3) If the application is for a change of name the new name under which it proposes to do business

C If the Department of State finds that the provisions of this article have been complied with that the certificate herein required evidencing payment of all taxes or bonus or charges is in proper form and that the applicant corporation is entitled to an amended certificate of authority it shall upon payment of the filing fee forthwith but not prior to the day specified in the advertisement heretofore required by this section endorse its approval upon the application [and when all fees and charges have been paid as required by law] shall file the application and issue to the applicant corporation an amended certificate of authority setting forth the desired changes The amended certificate of authority shall be recorded in the office of the recorder of deeds of the county in which the original certificate of authority was recorded

Section 6 Paragraph C of section nine hundred fifteen of said act is hereby amended to read as follows

C Upon the filing of such application proof of the advertisement heretofore required by this section a certificate from the proper department or departments of this Commonwealth evidencing payment by the corporation of all taxes or bonus or charges as required by law and the return for cancellation of the corporation's certificate of authority or the filing of proof that it has been lost or destroyed the Department of State if the certificate or certificates herein required evidencing payment of all taxes bonus and charges are in proper from [after all fees and charges have been paid as required by law] shall upon payment of the filing fee cancel the certificate of authority if any and shall issue in pulicate a certificate of withdrawal The Department of State shall return one of such certificates of withdrawal to the corporation or its representative and shall send the other to the recorder of deeds of the county in which the last registered office of the corporation in this Commonwealth is situated who shall record the same without fee therefor Upon the issuance of the certificate of withdrawal the authority of the corporation to do business within this Commonwealth shall cease and determine and no such corporation doing business in this Commonwealth after the issuance of such certificate shall maintain any action in this Commonwealth upon any contract made by it in this Commonwealth subsequent to the issuance of such certificate of withdrawal The issuance of such certificate shall not however affect any action pending at the time thereof or affect any right of action upon any contract made by such corporation in the Commonwealth before issuance of the certificate Process against the corporation in an action upon any liability or obligation incurred within this Commonwealth before the issuance of such certificate may be served thereafter upon the Secretary of the Commonwealth

Section 7 This act shall become effective immediately upon final enactment

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—48

Barr,	DiSilvestro,	Lanius,	Stevenson,
Bartlett,	Ealy,	Letzler,	Stiefel,
Becker,	Edmonds,	Mallery,	Tallman,
Carr,	Farrell,	McCreesh,	Taylor,
Cavalcante,	Frey,	McGinnis,	Thomas,
Chapman,	Geltz,	McQuiddy,	Tyler,
Coleman,	Haluska,	Miller,	Wade,
Cox,	Heyburn,	Reed,	Walker,
Crider,	Homsher,	Ruth,	Watkins,
Crowe,	James,	Scarlett,	Wilson, H. I.,
Deitrick,	Jaspan,	Shapiro,	Wilson, T. B.,
Dent,	Kephart,	Snowden,	Ziesenheim,

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 1338, (House Bill No. 1400), as follows:

An Act to amend the act approved the fifth day of May one thousand nine hundred thirty-three (P. L. 364) entitled "An act relating to business corporations defining and providing for the organization merger consolidation reorganization winding up and dissolution of such corporations conferring certain rights powers duties and immunities upon them and their officers and shareholders prescribing the conditions on which such corporations may exercise their powers providing for the inclusion of certain existing corporations of the second class within the provisions of this act prescribing the terms and conditions upon which foreign business corporations may be admitted or may continue to do business within the Commonwealth conferring powers and imposing duties on the courts of common pleas and certain State departments commissions and officers authorizing certain State departments boards commissions or officers to collect fees for services required to be rendered by this act imposing penalties and repealing certain acts and parts of acts relating to corporations" as amended by changing certain provisions of the act relating to corporate names and requiring certificates of the payment of taxes and other charges to be filed with the Department of State in certain cases

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Paragraph A of section two hundred two of the act approved the fifth day of May one thousand nine hundred thirty-three (P. L. 364) entitled "An act relating to business corporations defining and providing for the organization merger consolidation reorganization winding up and dissolution of such corporations conferring certain rights powers duties and immunities upon them and their officers and shareholders prescribing the conditions on which such corporations may exercise their powers providing for the inclusion of certain existing corporations of the second class within the provisions of this act prescribing the terms and conditions upon which foreign business corporations may be admitted or may continue to do business within the Commonwealth conferring powers and imposing duties on the courts of common pleas and certain State departments commissions and officers authorizing certain State departments boards commissions or officers to collect fees for services required to be rendered by this act imposing penalties and repealing certain acts and parts of acts relating to corporations" as amended by the act approved the seventeenth day of July one thousand nine hundred thirty-five (P. L. 1123) is hereby further amended to read as follows

A The corporate name may be in any language but shall be expressed in English letters or characters and shall contain the word "corporation" "company" or incorporated or shall end with an abbreviation of one of these words except that the word "company" or the abbreviation "Co" may not be used where that word or abbreviation is immediately preceded by the word "and" or any symbol or substitute therefor unless the word

"incorporated" or any abbreviation thereof immediately follows the word "company" or the abbreviation "Co" The corporate name shall not imply that the corporation is an administrative agency of the Commonwealth or of the United States or is subject to the supervision of the Department of Banking or of the Insurance Department and shall not contain the word "bank" "banking" "bankers" "savings" "trust" "deposit" "insurance" "mutual" "assurance" "indemnity" "casualty" "fiduciary" "benefit" "beneficial" "benevolent" public service" "public utility" "building and loan" "surety" "security" "guaranty" "guarantee" "cooperative" "State" or "Commonwealth"

Section 2 Paragraph (3) of section three hundred twenty of the said act as added by the act approved the twenty-fourth day of June one thousand nine hundred thirty-nine (P. L. 698) is hereby amended to read as follows

(3) A certificate of any amendment to articles of incorporation a certificate of change of registered office a certificate of dissolution a certificate of reduction of stated capital or a certificate of merger or consolidation executed as hereinafter provided and made by such corporation pursuant to the foregoing provisions together with a certificate or certificates from the proper department or departments evidencing payment by the corporation of all bonus taxes and charges as required by law shall be delivered to the Department of State If the Department of State finds that the certificate of amendment change of registered office dissolution reduction of stated capital or of merger or consolidation conforms to law [it shall forthwith endorse its approval thereon and when all bonus fees and charges have been paid as required by law and] that notice of intention to file such certificate has been duly advertised in accordance with the provisions of this act and that the certificate evidencing payment of bonus or taxes or charges is in proper form it shall upon payment of the filing fee forthwith endorse its approval thereon and shall file the certificate and issue to the corporation a certificate of amendment dissolution reduction of stated capital merger or consolidation to which shall be attached a copy of the certificate of [the corporation] incorporation Upon the filing of such certicate by the Department of State the amendment dissolution reduction of stated capital merger or consolidation shall be effective Such certificate shall be made executed and acknowledged as may be directed by such decrees or orders by the trustee or trustees or receiver or receivers appointed in the bankruptcy proceedings (or a majority thereof) or if none be appointed and acting by officers of the corporation or by a master or other representative appointed by the court or judge or referee and shall certifiy that (a) provision for the making of such certificate agreement or instrument is contained in the plan of reorganization or arrangement or in a decree or order of the court or judge or referee relative thereto and (b) that the plan or arrangement has been confirmed as provided in the National Bankruptcy Act but no final decree has been entered in the bankruptcy proceedings closing the case and discharging the trustee or trustees or receiver or receivers if any

Section 3 Paragraph C of section seven hundred five of said act is hereby amended to read as follows

C The statement shall be delivered to the Department of State either prior to or within thirty days after the date of such redemption and cancellation together with a certificate or certificates from the proper department or departments evidencing payment by the corporation of all bonus taxes and charges as required by law If the Department of State finds that the statement conforms to law and that the certificate evidencing payment of bonus or taxes or charges delivered therewith is in proper form it shall upon payment of the filing fee endorse its approval thereon shall file the statement and shall issue to the corporation or its representative a copy of the approved statement The filing of such statement shall operate as an amendment to the articles of the corporation and shall reduce the number of shares of the class so redeemed which the corporation is authorized to issue by the number of the shares so redeemed and cancelled Nothing contained in this section shall be construed to prohibit a reduction of authorized capital stock or a reduction of stated capital in any other manner permitted by this act

Section 4 Paragraph C of section seven hundred six of said act is hereby amended to read as follows

C The statement shall be [filed with] delivered to the Department of State together with a certificate or certificates from the proper department or departments evidencing payment by the corporation of all bonus taxes and charges as required by law If the Department of State finds that such statement conforms to law and that the certificate evidencing payment of bonus or taxes or charges delivered therewith is in proper form it shall upon payment of the filing fee endorse its approval thereon shall file the statement and shall issue to the corporation or its representatives a copy of the approved statement Upon the filing of such statement the reduction shall be effective

Section 5 Section eight hundred eight of said act is hereby amended to read as follows

Section 808 Filing of Articles of Amendment The articles of amendment [and] proof of the advertisement heretofore required in this article and a certificate or certificates from the proper department or departments evidencing payment by the corporation of all bonus taxes and charges as required by law shall be delivered by the corporation or its representative to the Department of State If the Department of State finds that such articles conform to law and that the certificate evidencing payment of bonus or taxes or charges delivered therewith is in proper form it shall upon payment of the filing fee forthwith but not prior to the day specified in the advertisement required by the preceding section endorse its approval thereon and [when all bonus fees taxes and charges have been paid as required by law] shall file the articles and issue to the corporation or its representative a certificate of amendment to which shall be attached a copy of the approved articles

Section 6 Section nine hundred five of said act is hereby amended to read as follows

Section 905 Filing of Articles of Merger or Consolidation The articles of merger or articles of consolidation as the case may be and proof of the advertisement required by the preceding section and a certificate or certificates from the proper department or departments evidencing payment by the corporation of all bonus taxes and charges as required by law shall be delivered to the Department of State If the Department of State finds that such articles conform to law and that the certificate or certificates evidencing payment of bonus or taxes or charges delivered therewith is in proper form it shall upon payment of the filing fee forthwith but not prior to the day specified in the advertisement required by the preceding section endorse its approval thereon and [when all bonus fees taxes and charges have been paid as required by law shall] file the articles and issue to the corporation or its representative a certificate of merger or a certificate of consolidation as the case may be to which shall be attached a copy of the approved articles

Section 7 Section one thousand seven of said act as last amended by the act approved the second day of July one thousand nine hundred thirty-seven (P. L. 2828) is hereby further amended to read as follows

Section 1007 Amended Certificate of Authority

A After receiving a certificate of authority a foreign business corporation may subject to the provisions of this act change its name or be authorized to do in this Commonwealth other or additional business than that authorized by its certificate of authority by filing with the Department of State an application for an amended certificate of authority and proof of the advertisement hereinafter required by this section together with a copy of the proposed amendment as effected in the state or country of its incorporation duly certified by the proper public officer thereof and a certificate or certificates from the proper department or departments of this Common-

wealth evidencing payment by the corporation of all bonus taxes and charges as required by law Such application shall be executed under the seal of the corporation signed and verified by two duly authorized officers thereof and shall set forth the changes desired by the corporation

B A foreign business corporation shall before making application to the Department of State advertise its intention to apply for an amended certificate of authority by publication in a manner similar to that prescribed in this act in the case of the formation of a domestic business corporation Advertisements shall appear at least three days prior to the day on which application is made to the Department of State and shall set forth briefly

(1) The name of the corporation and of the state or country under the laws of which it is formed

(2) If the application is for permission to do in this Commonwealth other or additional business the character and nature of the business it proposes to do under the amended certificate of authority

(3) If the application is for a change of name the new name under which it proposes to do business

C If the Department of State finds that the provisions of this article have been complied with that the certificate evidencing payment of bonus or taxes or charges is in proper form and that the applicant corporation is entitled to an amended certificate of authority it shall upon payment of the filing fee forthwith but not prior to the day specified in the advertisement heretofore required by this section endorse its approval upon the application and [when all fees bonus taxes and charges have been paid as required by law shall] file the application and issue to the [application] applicant corporation an amended certificate of authority setting forth the desired changes

Section 8 Section one thousand fifteen of said act is hereby amended to read as follows

Section 1015 Surrender of Certificate of Authority A Any foreign business corporation may withdraw from doing business in this Commonwealth and surrender its certificate of authority by filing with the Department of State an application for a certificate of withdrawal executed under the seal of the corporation and signed and verified by two duly authorized officers thereof which shall set forth

(1) The name of the corporation

(2) The state or country of its [corporation] incorporation

(3) The date on which it received a certificate of authority to do business in the Commonwealth.

(4) A statement that it revokes its designation of the Secretary of the Commonwealth as the person on whom process against it may be served in this Commonwealth

(5) A statement that it surrenders its certificate of authority to do business in this Commonwealth

(6) A statement that it consents that process against it in an action or proceeding upon any liability or obligation incurred within this Commonwealth before the issuance of the certificate of withdrawal may be served upon the Secretary of the Commonwealth after the filing of such certificate

(7) A post office address to which the Secretary of the Commonwealth may mail a copy of any process against it that may be served upon him

B A foreign business corporation shall before making application for a certificate of withdrawal advertise its intention to withdraw from doing business in this Commonwealth in a manner similar to that hereinafter required by this act in the case of the voluntary dissolution of a domestic business corporation and shall procure from the proper department or departments a certificate or certificates evidencing payment by the corporation of all bonus taxes and charges payable to the Commonwealth

C Upon the filing of such application proof of the advertisement and certificate or certificates [heretofore required by this section] evidencing payment by the corporation of all bonus taxes and charges due to the Commonwealth and the return for cancellation of the corporation's certificate of authority or the filing of proof that it has been lost or destroyed the Department of State upon payment of the filing fee [after all bonus taxes fees and charges have been paid as required by law] shall cancel the certificate of authority if any and shall issue to the corporation or its representative a certificate of withdrawal Upon the issuance of the certificate of withdrawal the authority of the corporation to do business within this Commonwealth shall cease and determine The issuance of such certificate shall not affect any action pending at the time thereof or affect any right of action upon any contract made by such corporation in the Commonwealth before the issuance of the certificate Process against the corporation in an action upon any liability or obligation incurred within this Commonwealth before the issuance of such certificate may be served thereafter upon the Secretary of the Commonwealth

Section 9 Section one thousand one hundred one of said act is hereby amended to read as follows

Section 1101 Voluntary Dissolution by Incorporators The incorporators of a business corporation which has not commenced business or which has not issued any shares may effect the dissolution of the corporation by filing articles of dissolution with the Department of State The articles of dissolution shall be executed under the seal of the corporation signed and verified by a majority of the incorporators and shall set forth

(1) The name of the corporation

(2) The address including street and number if any of its registered office

(3) The date of its incorporation

(4) That the corporation has not commenced business and that none of its shares has been issued

(5) That the amount if any actually paid in on subscriptions to its shares less any part thereof disbursed for necessary expenses has been returned to those entitled thereto

(6) That no [debt] debts of the corporation remain unpaid

(7) That all the incorporators elect that the corporation be dissolved

The articles of dissolution shall be delivered to the Department of State together with a certificate or certificates from the proper department or departments evidencing payment by the corporation of all bonus taxes and charges as required by law If the Department of State finds that the articles conform to law and that the certificate delivered therewith evidencing payment of bonus or taxes or charges is in proper form it shall upon payment of the filing fee endorse its approval thereon and [when all bonus taxes fees and charges required by law have been paid] shall file the articles and issue a certificate of dissolution to the incorporators or their representative to which shall be attached a copy of the approved articles Upon the issuance of the certificate of dissolution the existence of the corporation shall cease

Section 10 Section one thousand one hundred five of said act as amended by the act approved the twenty-fourth day of June one thousand nine hundred thirty-nine (P. L. 698) is hereby further amended to read as follows

Section 1105 Articles of Dissolution When all debts liabilities and obligations of the corporation have been paid and discharged or adequate provision shall have been made therefor and all of the remaining property and assets of the corporation shall have been distributed to its shareholders articles of dissolution shall be executed under the seal of the corporation and signed and verified by two duly authorized officers of the corporation which shall set forth

(1) The name of the corporation

(2) The address including street and number if any of the registered office of the corporation

(3) A statement that the corporation has theretofore delivered to the Department of State a certificate of election to dissolve and the date on which the certificate was filed by the Department of State

(4) A statement that all debts obligations and liabilities of the corporation have been paid and discharged or that adequate provision has been made therefor

(5) A statement that all the remaining property and assets of the corporation have been distributed among its shareholders in accordance with their respective rights and interests

(6) A statement that there are no suits pending against the corporation in any court or that adequate provision has been made for the satisfaction of any judgment or decree which may be obtained against the corporation in each such pending suit

The articles of dissolution [and] proof of the advertisement required by the preceding section and a certificate or certificates from the proper department or departments evidencing payment by the corporation of all bonus taxes and charges as required by law shall be delivered to the Department of State If the Department of State finds that such articles conform to law and that the certificate delivered therewith evidencing payment of bonus or taxes or charges is in proper form it shall upon payment of the filing fee endorse its approval thereon and [if all bonus taxes fees and charges required by law have been paid] shall file the articles and issue to the corporation or its representative a certificate of dissolution to which shall be attached a copy of the approved articles Upon the issuance of the certificate of dissolution the existence of the corporation shall cease

Section 11 This act shall become effective immediately upon final enactment

And said bill having been read at length the third time, and agreed to.

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—48

Barr,	DiSilvestro,	Lanius,	Stevenson,
Bartlett,	Daly,	Letzler,	Stiefel,
Becker,	Edmonds,	Mallery,	Tallman,
Carr,	Farrell,	McCreesh,	Taylor,
Cavalcante,	Frey,	McGinnis,	Thomas,
Chapman,	Geltz,	McQuiddy,	Tyler,
Coleman,	Haluska,	Miller,	Wade,
Cox	Heyburn,	Reed,	Walker,
Crider,	Homsher,	Ruth,	Watkins,
Crowe,	James,	Scarlett,	Wilson, H. I.,
Deitrick,	Jaspan,	Shapiro,	Wilson, T. B.,
Dent,	Kephart,	Snowden,	Ziesenheim,

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 1342, (House Bill No. 1768), as follows:

An Act to further amend the act approved the fifth day of December one thousand nine hundred thirty-six (P. L. of 1937 page 2897) entitled "An act establishing a system of unemployment compensation to be administered by the Department of Labor and Industry and its existing and newly created agencies with personnel (with certain exceptions) selected on a civil service basis requiring employers to keep records and make reports and certain employers to pay contributions based on payrolls to provide moneys for the payment of compensation to certain unemployed persons providing procedure and administrative details for the determination payment and and collection of such contributions and the payment of such compensation providing for cooperation with the Federal Government and its agencies creating certain special funds in the custody of the State Treasurer and prescribing penalties" by providing therein as to the replacement of certain moneys received pursuant to the provisions of Section three hundred two of the Federal Social Security Act as amended

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Article six of the act approved the fifth day of December one thousand nine hundred thirty-six (P. L. of 1937 page 2897) entitled "An act establishing a system of unemployment compensation to be administered by the Department of Labor and Industry and its existing and newly created agencies with personnel (with certain exceptions) selected on a civil service basis requiring employers to keep records and make reports and certain employers to pay contributions based on payrolls to provide moneys for the payment of compensation to certain unemployed persons providing procedure and administrative details for the determination payment and collection of such contributions and the payment of such compensation providing for cooperation with the Federal Government and its agencies creating certain special funds in the custody of the State Treasurer and prescribing penalties" as amended by the act approved the twentieth day of June one thousand nine hundred thirty-nine (P. L. 458) is hereby further amended by adding after Section six hundred two new sections to be known as Section six hundred two and one-tenth Section six hundred two and two-tenths and to read as follows

Section 602.1 Reimbursement of Funds The Commonwealth of Pennsylvania hereby recognizes its obligation to replace and hereby pledges the faith of the Commonwealth that funds will be provided in the future and applied to the replacement of any moneys received after July one one thousand nine hundred forty-one for the Social Security Board under Title III of the Social Security Act any unencumbered balances in the Administration Fund as of that date any moneys thereafter granted to the Commonwealth pursuant to the provisions of the Wagner-Peyser Act and any moneys made available by the Commonwealth or its political subdivisions and matched by such moneys granted to the Commonwealth pursuant to the provisions of the Wagner-Peyser Act which the Social Security Board finds have because of any action or contingency been lost or have been expended for purposes other than or in amounts in excess of those found necessary by the Social Security Board for the proper administration of this act Such moneys shall be promptly replaced by moneys appropriated for such purpose from the general funds of the Commonwealth to the Administration Fund for expenditure as provided in Section six hundred two of this act The secretary shall promptly report to the Governor and the Governor to the Legislature the amount required for such replacement This section shall not be construed to relieve the Commonwealth of its obligation with respect to funds received prior to July one one thousand nine hundred forty-one pursuant to the provisions of Title III of the Social Security Act

Section 602.2 All moneys received from the Social Security Board under Title Three of the Social Security Act or the provisions of the Wagner-Peyser Act and all moneys made available by the Commonwealth or its political subdivisions and matched by moneys granted to the Commonwealth pursuant to the provisions of the Wagner-Peyser Act shall be expended solely for the purposes and

in the amounts found necessary by the Social Security Board for the proper and efficient administration of this Act

Section 2 The provisions of this act shall become effective on the first day of July one thousand nine hundred and forty-one

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—48

Barr,	DiSilvestro,	Lanius,	Stevenson,
Bartlett,	Ealy	Letzler,	Stiefel,
Becker,	Edmonds,	Mallery,	Tallman,
Carr,	Farrell,	McCreesh,	Taylor,
Cavalcante,	Frey,	McGinnis,	Thomas,
Chapman,	Geltz,	McQuiddy,	Tyler,
Coleman,	Haluska,	Miller,	Wade,
Cox,	Heyburn	Reed,	Walker,
Crider,	Homsher,	Ruth,	Watkins,
Crowe,	James,	Scarlett,	Wilson, H. I.,
Deitrick,	Jaspan,	Shapiro,	Wilson, T. B.,
Dent,	Kephart,	Snowden,	Ziesenheim,

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same with amendments in which the concurrence of the House is requested.

BILLS ON SECOND READING

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 1200, (House Bill No. 1425), entitled:

An Act authorizing the appointment of a commission to make a thorough study of the laws relating to crime and criminal procedure in this Commonwealth conferring upon the commission full power to issue subpoenas requiring the commission to make a report of its findings and recommendations to the General Assembly and authorizing the commission to employ counsel and employes and making an appropriation

And said having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 1344, (House Bill No. 1955), entitled:

An Act to amend section two hundred and fifty-four of the act approved the second day of May one thousand nine hundred and twenty-five (P. L. 448) entitled "An act relating to fish and amending consolidating and changing the law relating to fish in the inland waters and the boundary lakes and boundary rivers of the Commonwealth" limiting the right of certain lessees or holders of certain rights in property for fishing purposes to exclude the general public from fishing from such property.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

CONFERENCE COMMITTEE REPORT ON HOUSE BILL No. 957

Mr. MILLER. Mr. President, I desire to offer a report of a Committee of Conference on which the conferees do not agree. I have prepared the report and in that connection I wish to state that the members of the committee appointed on the part of the House have refused to sign the report, but notwithstanding that I shall present the report which has been signed only by the members of the Senate.

In the Senate, July 12, 1941.

We, the undersigned Committee of Conference on the part of the Senate and House of Representatives, for the purpose of considering House Bill No. 957, hereby submit our report to the effect that we have failed to agree and respectfully request the discharge of the Committee.

ROBERT M. MILLER,
G. HAROLD WATKINS,
JOHN J. COX,
Committee on the part of the Senate.

REPORT LAID ON TABLE

Mr. SHAPIRO. I move that the report be laid on the table.

Mr. MILLER. I second the motion.

It was agreed to.

SENATE BILL No. 1139, (HOUSE BILL No. 605), ON FINAL PASSAGE POSTPONED CALLED UP

Mr. GELTZ. Mr. President, I now call up Senate Bill No. 1139, (House Bill No. 605), on final passage postponed, page 17 of the Calendar.

Mr. MILLER. Mr. President, I second the motion.

The motion was agreed to.

Agreeably to order,

The Senate resumed the third reading and consideration of Senate Bill No. 1139, (House Bill No. 605), entitled:

An Act making an appropriation to the Pennsylvania State College for expenditure by the School of Mineral Industries thereof under the supervision of the Department of Mines for the purpose of developing new uses and markets for anthracite and bituminous coal.

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

Mr. MILLER. Mr. President, I desire to make just a brief statement.

The PRESIDENT. The gentleman from Luzerne will proceed.

Mr. MILLER. Mr. President, this is a bill in which I

am personally interested and the citizens of the anthracite and bituminous regions likewise. I have prepared a four and a half page statement concerning the bill, which I am not going to ask to be read, due to the fact that I appreciate we have important work to do.

Therefore, Mr. President, I respectfully ask that this prepared statement be incorporated in the record of this legislative day.

The PRESIDENT. If there is no objection, the request of the gentleman from Luzerne will be complied with and the report will be spread upon the Journal.

The report is as follows:

STATEMENT BY SENATOR ROBERT M. MILLER OF LUZERNE COUNTY UPON HOUSE BILL No. 605 AND IN THE SENATE BILL No. 1139 ON THIRD READING IN THE SENATE.

Mr. President, I rise to make several remarks pertaining to House Bill No. 605, and in the Senate Bill No. 1139, proposing to make an appropriation to the Pennsylvania State College for expenditure by the School of Mineral Industries under the supervision of the Department of Mines to carry on the work of the Bureau of Research in the effort to discover by-products of anthracite and bituminous coal, and new uses for such coal, and now called up upon my motion for third reading before this Senate.

This legislation is important not only to my constituency of the anthracite district, and to the constituency of the members of the Senate from the bituminous area, but in fact it is important to the entire welfare of Pennsylvania. Mr. President, on February 17, 1941, on the floor of this Senate, as will appear at page 299 of the Legislative Journal, I introduced Senate Bill No. 196 and at that time I stated inter alia (quote) "Mr. President, in the Session of 1939, I introduced Senate Bill No. 269, which was enacted as Act No. 392 of that Session, creating a Research Bureau at the Pennsylvania State College under the supervision of the Department of Mines, for the purpose of conducting researches to discover a by-product for the use of anthracite and bituminous coal and to develop new scientific, chemical and other uses, for new and extended markets for anthracite and bituminous coal and its products, and making an appropriation therefor. I am happy to report that this Research Bureau has been a success. It has made real progress. It is a pleasure to report that both the anthracite and bituminous coal industries of Pennsylvania have cooperated wholeheartedly in this program and that substantial progress has been made toward the development of new and improved uses for coal. Mr. President, the welfare, the employment, the comfort, and the prosperity of the anthracite area and the bituminous area in Pennsylvania spells the public welfare and prosperity of Pennsylvania. Everything possible should and must be done to assist the future of the anthracite and bituminous districts in Pennsylvania. The welfare of the anthracite and bituminous areas control the general welfare of the entire Commonwealth of Pennsylvania." (end quote).

Mr. President, I do not retract one inch nor one word which I then said in connection with the introduction of Senate Bill No. 196 of this Session. In fact, I reiterate and reiterate with all the force at my command what I then said. This is much needed legislation. My bill, Senate Bill No. 196, introduced on February 17, passed third reading and final passage of this Senate on April 29, without a dissenting vote—by a vote of 48 to 0. Since that date, Senate Bill No. 196 and in the House Bill No. 1473, has laid dormant in the Democratic controlled House of Representatives. An unusual situation has arisen in the course of passage of this particular legislation. On February 25, 1941, Messrs. Williams and Kenehan, two Democratic Members of the House of Representatives introduced this House Bill No. 605, which is identical in context with my bill, Senate Bill No. 196, with its phraseology only transposed and with only one variation and that is the amount of the appropriation. In fact, this House Bill No. 605 is the dead ringer of section 2 of my Act No. 392 of the 1939 Session originating the Bureau of Research. Although my Bill, Senate Bill No. 196, has been pending in the House of Representatives since May 1, the Democratic controlled House of Representatives has seen fit not to pass my Bill on third reading and final passage but has passed this House Bill No. 605. House Bill No. 605 was reported out by the Committee on Appropriations of the House on May 28, passed first reading in the House on May 29, passed second reading June 2, and passed third reading and final passage in the House of Representatives on June 5.

Mr. President, I am proud of the record of the Bureau of Research under the jurisdiction of State College and under the supervision of the Department of Mines as the result of the enactment of legislation which I originally sponsored in 1939. I have fostered, fathered and guided similar legislation through the present Session of this Legislature in the fervent hope that the fine work already accomplished by this Bureau of Research might be continued and the discovery of a by-product for anthracite and bituminous coal not retarded. I have been in many conferences with the leaders of the industry, with labor, with those in charge of the Bureau of Research at State College, and with the Secretary of Mines of the Commonwealth of Pennsylvania and his staff, from time to time, not only during the present Session of the Legislature but since the creation of the Bureau in 1939, in order to collaborate, consider and outline the best procedure and policies in the continuation of this excellent work. And Mr. President, I point to the elaborate and extensive Report of the Progress on the Cooperative Research Program on Anthracite and Bituminous Coal at Pennsylvania's School of Mineral Industries and Experiment Station of Pennsylvania State College, under my Act No. 392 of the General Assembly of 1939, spread upon the Legislative Journal of this Session of the Senate at page 405 of the Journal on February 24. Of course, I am proud of such success, and I know that my constituents are proud and interested in the welfare of Pennsylvania.

I resent the action of the Democratic House of Representatives in failing and refusing to report out my Bill No. 196 and in the House Bill No. 1473, and passing it, rather than passing House Bill No. 605 one month and five days after my Bill was referred to the Committee on Appropriations in the House of Representatives on May 1. Furthermore, this was done although I made repeated efforts to have my Bill passed in the House. My efforts

and pleading fell upon deaf ears. I feel that I have just reason to resent this action. Be that as it may, I forego my personal feelings and bury my resentment in order that the good that will be accomplished in the enactment into legislation of this Bill might result, and I shall be happy in the thought that it will do the greatest good for the greatest number of the people of this Commonwealth. There should be no distinction as to political party, nor as to labor or capital, when the welfare of this great Commonwealth can be helped.

Mr. President, the discovery of a by-product for new and more efficient uses of coal will greatly rehabilitate our people and constituents. A discovery of such a by-product by the Bureau of Research will automatically become the property of the Commonwealth and will not require the payment of any royalties for the discovery of such by-product in the producing and the use of anthracite coal, bituminious coal and its products for these new uses. In other words, such discovery will belong to the people of this great Commonwealth, and I am against saddling the cost of the production of anthracite or bituminous coal with more royalties, which would be the case if the discovery of a by-product is left to individual efforts. I have been and now advocate a vigorous and forceful attack upon the discovery of a by-product for anthracite and bituminous coal, and that the marvelous work done by the Bureau of Research shall not be discontinued, limited nor retarded. I am in favor of the most vigorous attack possible and urge that this great Commonwealth take the pick and shovel and dig in to accomplish better and greater results in the interest of anthracite and bituminous coal.

Mr. President, I intend to vote in favor of House Bill No. 605 and in this Senate Bill No. 1139, and urge all of my colleagues in this Senate to likewise vote in favor of this Bill as you did unanimously upon my identical Bill, Senate Bill No. 196 on April 29, in order that we might carry on in the endeavor to have science give us a by-product and new uses for our vast natural resources in the form of anthracite and bituminous coal, and in which the welfare and prosperity of Pennsylvania are so completely interwoven.

(During the calling of the roll the following occurred:)

Mr. DENT. Mr. President, I am sorry I was in the back of the room trying to work out some details in connection with Senate Bill No. 1139, which provides an appropriation for Pennsylvania State College. I want to be consistent in my position and therefore I ask to be recorded as voting "no".

The PRESIDENT. The vote of the gentleman from Westmoreland will be so recorded.

And the question recurring,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—47

Barr,	Ealy,	Letzler,	Stiefel,
Bartlett,	Edmonds,	Mallery,	Tallman
Becker,	Farrell,	McCreesh,	Taylor,
Carr,	Frey,	McGinnis,	Thomas,
Cavalcante,	Geltz,	McQuiddy,	Tyler,
Chapman,	Haluska,	Miller,	Wade,
Coleman,	Heyburn,	Reed,	Walker,
Cox	Homsher,	Ruth,	Watkins,
Crider,	James,	Scarlett,	Wilson, H. I.,
Crowe,	Jaspan,	Shapiro,	Wilson, T. B.,
Deitrick,	Kephart,	Snowden,	Ziegenheim,
DiSilvestro,	Lanius,	Stevenson,	

NAYS—1

Dent

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same with amendments in which the concurrence of the House is requested.

SENATE BILL No. 730, (HOUSE BILL No. 647), ON THIRD READING AND FINAL PASSAGE POSTPONED, CALLED UP

Mr. GELTZ. Mr. President, I now call up Senate Bill No. 730, (House Bill No. 647), on third reading and final passage, postponed, on page 18 of the Calendar.

Mr. MILLER. Mr. President, I second the motion.

The motion was agreed to.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 730, (House Bill No. 647), as follows:

An Act relating to the bonds to be given by county officers their deputies clerks and assistants in counties of the second class the amount and conditions thereof the sureties for such bonds the payment of the premiums therefor and the recording and custody thereof

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The amount of the bond to be given by county officers in counties of the second class shall be as follows

Of the clerk of the courts of oyer and terminer and general jail delivery and courts of quarter sessions of the peace ten thousand dollars

Of the county commissioners ten thousand dollars each
Of the county controller fifty thousand dollars
Of the coroner fifteen thousand dollars
Of the register of wills thirty thousand dollars
Of the prothonotary forty thousand dollars
Of the recorder twenty thousand dollars
Of the sheriff sixty thousand dollars
Of the county treasurer two hundred thousand dollars

Section 2 The bond to be given by each of the deputies clerks and assistants of county officers in counties of the second class shall be in such amount and from such deputy clerk and assistant as shall be designated by the salary board of such county

Section 3 The sureties to be furnished by such county officers their deputies clerks and assistants on said bonds shall be one or more surety companies authorized to do business in the Commonwealth of Pennsylvania and approved by the Insurance Commissioner and the premiums for such bonds shall be paid out of the county treasury The bonds of county officers shall be approved by the Court of Common Pleas Each of said bonds shall be conditioned for the faithful discharge by such county officer his deputy clerk or assistant of all trusts confided in him and of all duties required of him by law for the faithful accounting and payment according to law of all money received by him and shall be taken in the name of the proper county and shall be for the use of the county and of the Commonwealth and for the use of such other party or parties for whom he shall collect or receive money as the interest of each shall appear in case of a breach of the conditions thereof Provided That nothing herein contained shall affect the bonds required to be given by the county treasurer of such county to the Commonwealth of Pennsylvania under section thirty-four of an act of

Assembly approved April fifteenth one thousand eight hundred and thirty-four and such bonds shall continue to be given and paid for in the manner provided for by such law The custody of each of said bonds shall belong to the county controller of the proper county except bonds of the county controller the custody of which shall belong to the county commissioner of the proper County A copy of any of said bonds certified by the county controller or the clerk to the county commissioners as the case may be shall be competent evidence thereof in any judicial proceeding

Section 4 All acts or parts of acts general special or local inconsistent with the provisions of this act are hereby repealed

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—46

Barr,	Ealy,	Letzler,	Stiefel,
Bartlett,	Edmonds,	Mallery,	Tallman.
Becker,	Farrell,	McCreesh,	Taylor,
Carr,	Frey,	McGinnis,	Thomas,
Chapman,	Geltz,	McQuiddy,	Tyler,
Coleman,	Haluska,	Miller,	Wade,
Cox,	Heyburn,	Ruth,	Walker,
Crider,	Homsher,	Scarlett,	Watkins,
Crowe,	James,	Shapiro,	Wilson, H. I.,
Deitrick,	Jaspan,	Snowden,	Wilson T. B.,
Dent,	Kephart,	Stevenson,	Ziesenheim,
DiSilvestro,	Lanius,		

NAYS—2

Cavalcante,	Reed,

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

SENATE BILL No. 963, (HOUSE BILL No. 861), ON THIRD READING AND FINAL PASSAGE CALLED UP

Mr. GELTZ. Mr. President, I now call up Senate Bill No. 963, (House Bill No. 861), on third reading and final passage, postponed, on page 20 of the Calendar.

Mr. MILLER. Mr. President, I second the motion.

The motion was agreed to.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 963, (House Bill No. 861), as follows:

An Act to further amend the act approved the fourth day of May one thousand nine hundred and twenty-seven (P. L. 519), entitled "An act concerning boroughs and revising amending and consolidating the law relating to boroughs" by further regulating the affairs of boroughs and revising amending and changing the law relating thereto

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section nine hundred two of the act approved the fourth day of May one thousand nine hundred and twenty-seven (P. L. 519), entitled "An act concerning boroughs and revising amending and consilidating the law relating to boroughs" is hereby amended to read as follows

Section 902 When Court to Fill Vacancies If the council of any borough shall refuse fail or neglect or be unable for any reason whatsoever to fill any vacancy within thirty days after the vacancy happens as provided by the preceding section then the court of quarter sessions shall upon petition of the burgess or council or five citizens fill the vacancy in such office by the appointment of a qualified resident of the borough for the unexpired term of the office Provided That if no petition be filed within ten days after the expiration of the said thirty days then council shall again have power to fill the vacancy

Section 2 Section nine hundred five of said act as amended by the act approved the twenty-fourth day of June one thousand nine hundred and thirty-nine (P. L. 689) is hereby further amended to read as follows

Section 905 Right of Council to Declare Seat of Councilman Vacant for Failure to Attend Meetings If any person having qualified as member of council shall neglect or refuse to attend two successive regular meetings unless detained by sickness or temporarily prevented by [necessary absence from the borough] fortuitous circumstances of a serious nature and beyond his control of it in attendance at any meetings shall neglect or refuse to act in his official capacity as a member of council the borough council acting without such person may declare his office as member of council vacant and may fill such vacancy as provided in section nine hundred one of this act For such actions a majority of the remaining members of the council shall constitute a quorum

Section 3 Sections one thousand one and one thousand three of said act are hereby amended to read as follows

Section 1001 Organization of Council No Compensation Eligibility The borough council shall organize at eight o'clock post meridian on the first Monday [after the first day] of January of each even-numbered year by electing a president treasurer and secretary which shall constitute the organization of council The council may at the organization meeting elect such other officers as may be provided for by law or ordinance and may transact any other business properly coming before a general meeting The president shall preside over the meeting of council and when absent his place shall be filled by a president pro tempore The councilmen shall not receive any compensation for their services as councilmen A school director shall not be eligible to the office of member of council

Section 1003 When the Burgess May Preside Over Council and Vote The burgess shall preside over the organization meeting of the council until [it is organized as provided in section one thousand one but he shall not vote thereat unless his vote shall for any reason whatsoever be required to effect the organization of council or to elect any officer elected at the organization meeting] the president secretary and treasurer have been elected Th burgess shall continue to preside unless and until a majority of the councilmen present adjourn the organization meeting after which the president shall preside In case of the unavoidable absence of the burgess at the organization meeting one of the members of council chosen by the members present at the meeting shall preside

[In all cases where by reason of a tie vote the council of any borough shall be unable to enact or pass any ordinance or fill a vacancy in its membership or in any other borough office and such dsiagreement shall continue until the next regular meeting of council it shall be the duty of the burgess of such borough to attend said meeting and cast the deciding vote]

Whenever at any meeting and for any purpose or on any question there be a tie vote or if the vote of the burgess will facilitate the transaction of business he shall cast the deciding vote if present and if he be not present he may cast the deciding vote at the next meeting and if no meeting be held within thirty-five days he may cast his vote by notifying the secretary to that effect Provided That his vote on the matter requiring the formalities of an ordin-

ance shall not affect his right to either approve or veto the ordinance as heretofore And provided further That he shall not vote on any matter affecting himself or his office or affecting persons suspended or dismissed by him or on any question relating to the passage of an ordinance over his veto

Section 4 The first paragraph and clauses eleven seventeen and eighteen of section one thousand six of said act as last amended by the act approved the twenty-first day of May one thousand nine hundred and thirty-seven (P. L. 761) and by the act approved the fourth day of June one thousand nine hundred and thirty-seven (P. L. 1608) are hereby further amended to read as follows

Section 1006 Duties and Powers of Council [It shall be the duty of the] The borough council a majority of whom shall be a quorum shall have power and unless discretion is vested it shall be its duty

* * * * *

XI [To] In its discretion to mitigate or remit fines and forfeitures in reasonable cases

XVII [To] In its discretion to employ certified public accountants by a two-thirds vote of the entire number of councilmen elected

XVIII To adopt an annual budget [On or before the fifteenth day] During the month of January a proposed budget or annual estimate of revenues and expenditures shall be prepared in a manner designated by the council The budget shall be prepared on a uniform form prepared and furnished as hereafter provided

Upon the preparation of the proposed budget the council shall give public notice in such manner as the council shall deem appropriate of the fact that the proposed budget will be available for public inspection at the office of the borough secretary or such other place as may be designated in [a] the public notice After the expiration of fifteen (15) days following the giving of such public notice council shall after making such revisions therein as appear advisable adopt the budget the tax ordinance and [the necessary appropriation measures required to put the budget into effect] an annual appropriation resolution appropriating the amount needed for the conduct of each activity of the borough and for other purposes for the fiscal year in conformity with the budget The total amount appropriated shall not exceed the receipts of the borough estimated as available for the fiscal year

In all boroughs the council shall [within fifteen (15) days] on or before the first day of April and after the adoption of the budget file a copy of the same with the Department of Internal Affairs together with a copy of the tax ordinance and annual appropriation resolution

The council shall have power to authorize by resolution the transfer of any unencumbered balance of an appropriation or any portion thereof from one purpose to another within the same fund but transfers to cover lawful deficits and surpluses may be made between the general borough fund and special funds Such action shall not be taken during the first three months of the fiscal year

The council may during any fiscal year [adopt] by resolution make supplementary appropriations [but any resolution authorizing such supplementary appropriations shall provide for unencumbered receipts sufficient to cover such appropriations] for any lawful purpose from any funds on hand or estimated to be received and not appropriated to any other purpose including the proceeds of any borrowing now or hereafter authorized by law

Payments shall not be authorized or made from the treasury except upon appropriation in the [budget] annual appropriation resolution or supplementary appropriation resolutions The council or other officers shall not hire any work to be done purchase any material make any contract or issue any order for the payment of moneys by any agent of the borough which will cause the sums appropriated to specific purposes to be exceeded Provided That for the purpose of paying current operating expenses pending the final adoption of the budget and the annual appropriation resolution the council or other officers authorized by law may during the months of January February and March purchase materials and supplies hire work to be done enter into any contract and order the payment of moneys by any agency of the borough for the ordinary recurring operating and maintenance expenses of the borough to an amount in each case not exceeding one-fourth of the amount appropriated for each item of operating and maintenance expense during the preceding fiscal year Provided further That nothing herein contained shall be construed to prevent the payment during the months of January February and March in any fiscal year of any money due and owing by any borough for or on account of any service rendered work performed materials or supplies ordered or delivered in the prior fiscal year when at the time such service work materials or supplies were ordered there existed an unencumbered balance of an appropriation for the purpose for which such service work materials or supplies were ordered sufficient to cover the cost of such service work materials or supplies When the annual appropriation resolution has been finally adopted any expense incurred prior to the adoption of such resolution during the months of January February and March for ordinary recurring operating and maintenance expenses shall be a charge against the several items of appropriation to which such expense would have been charged had the annual appropriation resolution been adopted prior to the incurring of such expense and any payments made on account of service work materials or supplies ordered in the prior fiscal year shall be charged to an appropriation for the payment of bills of prior years which shall be included in the annual appropriation resolution as finally adopted

Section 5 Article eleven of said act is hereby amended by adding thereto after section one thousand one hundred and three a new section to read as follows

Section 1104 Appointment Unless there be incompatibility in fact any elective or appointive officer of the borough shall be eligible to serve on any board commission bureau authority or other agency created by or for the borough or any borough office created or authorized by statute and may accept appointments thereunder provided no burgess or councilman shall receive compensation therefor except in the case of authorities where compensation is allowed or provided for by statute Where there is no incompatibility in fact and subject to the foregoing provisions as to compensation appointees of council or appointments made by the burgess with the approval of council or by the corporate authorities or by the corporate officers may hold two or more appointive borough offices but no burgess or member of council may serve as secretary or treasurer and the offices of secretary and treasurer shall not be held by the same person Provided That nothing herein contained shall affect the eligibility of any borough official to hold any other public office or receive compensation therefor In all cases in which it is provided that an appointment is to be made by the burgess and council such appointment shall hereafter be made by the burgess with the approval of a majority of the members of council attending the meeting at which the appointment is made unless a different vote is required by statute and all appointments to be made by the council or the corporate officers or corporate authorities shall be made by a majority of the members of council attending the meeting at which the appointment is made unless a different vote is required by statute

Section 6 The first paragraph of section one thousand two hundred and two of said act is hereby amended to read as follows

Section 1202 Specific Powers [The powers of the borough shall be vested in the corporate officers They shall have power] The words "corporate authorities" or "corporate officers" when applied to boroughs shall mean the borough council even though the action undertaken is by ordinance and subject to the approval or veto of the burgess The legislative powers of boroughs including any capital expenditures not payable out of the current funds for the year shall be exercised by or based upon an ordinance and all other powers by vote of the majority of council present

at a meeting unless otherwise prescribed Routine ministerial or administrative purchases and powers may be made and exercised by officers or committees if authority therefor is previously given or the action is subsequently ratified by council As thus defined boroughs shall have power

Section 7 The last two paragraphs of clause LIII of section one thousand two hundred two of said act as last amended by the act approved the twenty-first day of May one thousand nine hundred and thirty-seven (P. L. 767) and the act approved the twenty-fourth day of June one thousand nine hundred and thirty-nine (P. L. 689) are hereby further amended to read as follows

Section 1202 Specific Powers The powers of the borough shall be vested in the corporate officers They shall have power

* * * * *

LIII Regulation of Contracts

* * * * *

(e) Those made for any public utility service where the service is to be provided by a public utility under tariffs on file with the Pennsylvania Public Utility Commission

It shall not be lawful for any burgess or member of council of any borough or any officer agent or employe thereof to be in any way interested either directly or indirectly in any contract for the sale or furnishing of any supplies or materials to be furnished to or for the use of or any work to be done for such borough involving the expenditure by the borough of more than [twenty-five dollars ($25) in any one month or more than] three hundred dollars ($300) in any year or to receive any reward or gratuity from any person interested in such contract or sale nor shall any burgess member of council officer agent or employe of any borough be a member of any partnership or a stockholder or officer of any corporation or an agent or employe of any individual partnership or corporation in any way interested in any contract for the sale or furnishing of any supplies or materials to be furnished to or for the use of or any work to be done for such borough involving the expenditure by the borough of more than [twenty-five dollars ($25) in any one month or more than] three hundred dollars ($300) in any year and any person violating these provisions or any of them shall forfeit his office or appointment in such borough and also be guilty of a misdemeanor and upon conviction thereof be sentenced to pay a fine not exceeding five hundred dollars ($500)

[(e) Those made for any public utility service where the service is to be provided by a public utility under tariffs on file with the Pennsylvania Public Utility Commission]

Section 8 Clause LVIII of section one thousand two hundred two of said act as added by the act approved the eighteenth day of July one thousand nine hundred and thirty-five (P. L. 1290) is hereby amended and renumbered to read as follows

Section 1202 Specific Powers The powers of the borough shall be vested in the corporate officers They shall have power

* * * * *

LVIII A Contracts with Adjacent Municipalities for Fire Protection To enter into contracts with the proper authorities of near or adjacent cities boroughs or townships either for mutual aid or assistance in police and fire protection or for the furnishing to or receiving from such cities boroughs or townships aid and assistance in police and fire protection and to make appropriations therefor Provided That in connection with such contracts it shall not be necessary to advertise for bids or receive bonds as required for other contracts under existing law

Section 9 Article thirteen of said act is hereby amended by adding thereto after section one thousand three hundred and one a new section to read as follows

Section 1301.1 Additional Levy The council of the borough shall have power to levy and collect annually on the valuation assessed for county purposes as now is or may be provided by law an additional tax sufficient to pay interest and sinking fund charges on its indebtedness together with any taxes covenanted to be paid thereon and all property offices professions and persons made taxable by the laws of the Commonwealth for county rates and levies may in the discretion of council be taxed after the same manner for this additional levy Provided That nothing herein contained shall prevent the application of monies received from taxes levied for general purposes to the purposes of this additional levy

Section 10 Sections two thousand seven hundred three two thousand seven hundred four two thousand seven hundred seven and two thousand seven hundred twenty of said act are hereby amended to read as follows

Section 2703 Limit on Obligations No appropriation purchase or lease shall be made pursuant to the preceding sections whereby any borough shall within any period of three years obligate itself to pay in the aggregate any sum exceeding one and one-half mills on the dollar on the assessed valuation of all property offices prefessions and person in the borough upon which county taxes are rated and levied without the consent of a majority of the electors obtained as hereinafter provided Provided however That no such election shall be required in any case where the question of the increase of the indebtedness of the borough for any of the foregoing purposes shall have been submitted to and assented to by a majority of the electors of the borough voting on such question at an election held according to law

Section 2704 Submission to Voters Whenever any borough shall by ordinance provide for the appropriation purchase or leasing of private property for the purposes aforesaid and the value of such property or the rental thereof shall be alone or when added to the amount of liability incurred for any of the purposes aforesaid within the preceding three years exceed one and one-half mills on the dollar of valuation as provided in the preceding section and the question of the increase of indebtedness of the borough for any of said purposes has not been submitted to and assented to by a majority of the electors voting on such question at an election held for the purpose of obtaining such assent according to law the council shall cause the question of such appropriation purchase or leasing to be submitted to the electors of the borough at [the municipal or general election next occurring after the expiration of forty days from the date of such ordinance] an election to be held at the places of holding elections in said borough on a day to be fixed by council

Section 2707 Result of Submission to Voters The result of the vote on such question shall be ascertained and certified in the [same] manner [as the vote on the election of officers named on the same ballots] provided by the election laws of this Commonwealth No such question determined negatively by the voters shall be again submitted [until one municipal or general election shall intervene] within fifty-one weeks

Section 2720 Composition of Board If the borough council shall determine that the power to equip operate and maintain playgrounds playfields gymnasiums public baths bathing places swimming pools or recreation centers shall be exercised by a recreation board they may establish in said borough such recreation board which shall possess all the powers and be subject to all the responsibilities of the respective authorities under this article Such board when established shall consist of five persons and when established in a borough having a school board two of the members shall be members of the school board The board shall be appointed by the burgess of such borough and shall serve for terms of five years or until their successors are appointed except that the members of such board first appointed shall be appointed for such terms that the term of one member shall expire annually thereafter Members of such board shall serve without pay Women shall be eligible for appointment Vacancies in such board occuring otherwise than by expiration of term shall be for the unexpired term and shall be filled in the same manner as original appointments

Section 11 All acts and parts of acts inconsistent herewith are hereby repealed

Section 12 This act shall become effective immediately upon final enactment

And said bill having been read at length the third time,

On the question,

Will the Senate agree to the bill?

Mr. EDMONDS. Mr. President, I do not wish to discuss a subject upon which a majority of this Senate is against me, but I call your attention to the fact that on page 10, line 25, this revision of the borough code, there is what seems to me again to be a most conflicting statement concerning incompatibility of offices that may be held by the same man.

"Section 1104. Appointments. Unless there be incompatibility in fact any elective or appointive officer of the borough shall be eligible to serve on any board, commission, bureau, authority or other agency created by or for the borough or any borough office created or authorized by statute and may accept appointments thereunder provided no burgess or councilman shall receive compensation therefor, except in the case of authorities where compensation is allowed or provided for by statute. Where there is no incompatibility in fact and subject to the foregoing provisions as to compensation, appointees of council or appointments made by the burgess with the approval of council or by the corporate authorities or by the corporate officers may hold two or more appointive borough offices but no burgess or member of council may serve as secretary or treasurer and the offices of secretary and treasurer shall not be held by the same person."

When I see a bill that contains this kind of a provision introduced in March and then there is a bill that contains a similar provision introduced much later in the session, it makes me wonder a little bit as to whether or not these provisions have the same origin, but whatever their origin may be, to my mind they are dangerous, and I certainly shall vote "no" on this bill.

Mr. GELTZ. Mr. President, I disagree with our colleague from Montgomery. This amendment I do not believe does any harm and I do not like to have his argument or discussion confuse the issue here on the question before the Senate.

This amendment in my judgment was necessary to put this bill in line with the other legislation which has been passed. This simply puts an amendment into the borough code in line with the other legislation in connection with municipal authorites.

This amendment to the borough code is very important and there are necessary features in it, and for that reason I would like to ask my colleagues to vote "aye".

Mr. SHAPIRO. I desire to interrogate the gentleman from Montgomery, Mr. Edmonds.

The PRESIDENT. Will the gentleman from Montgomery permit himself to be interrogated?

Mr. EDMONDS. With pleasure, Mr. President.

Mr. SHAPIRO. Mr. President, was not the gentleman from Montgomery sponsor of a bill which was on our Calendar recently which permitted a member of council to act in authorities, providing the number was limited to one.

Mr. EDMONDS. Limited to two, Mr. President.

Mr. SHAPIRO. That was where there was a joinder of two different authorities.

Mr. EDMONDS. No. Two of the councilmen creating an authority might serve on the authority by the terms of Senate Bill No. 783.

Mr. SHAPIRO. How could that be possible, Mr. President, in view of the provision to which the gentleman from Montgomery has referred? In other words, if we are going to permit councilmen to participate, whether it be one or two, to sit on municipal authorities which might be created by boroughs, how are we going to do that if we do not in our borough code permit that to be done?

Mr. EDMONDS. I think the question is very much broader than the mere question of authorities, although it includes authorities. It is broad enough to refer to any borough officers excepting the offices of secretary and treasurer, which may not be confined in the same person. I think the idea of representatiion on an authority may be used under statutory limitations, as was done in Senate Bill No. 783, but to throw the door wide open is in my opinion poor legislation.

And the question recurring,

Will the Senate agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—37

Barr,	Farrell,	Mallery,	Tallman,
Bartlett,	Frey,	McCreesh,	Taylor,
Becker,	Geltz,	McGinnis,	Thomas,
Carr,	Haluska,	McQuiddy,	Tyler,
Chapman,	Homsher,	Miller,	Wade,
Coleman,	Jaspan,	Ruth,	Watkins,
Cox,	Kephart,	Scarlett,	Wilson, H. I.,
Crider,	Lanius,	Snowden,	Wilson, T. B.,
Crowe,	Letzler,	Stevenson,	Ziesenheim,
Deitrick,			

NAYS—9

Cavalcante,	Edmonds,	James,	Shapiro,
DiSilvestro,	Heyburn,	Reed,	Stiefel,
Ealy,			

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

SENATE BILL No. 1030, (HOUSE BILL No. 931), ON THIRD READING AND FINAL PASSAGE POSTPONED CALLED UP

Mr. GELTZ. Mr. President, I now call up Senate Bill No. 1030, (House Bill No. 931), on third reading postponed, page 21 of the Calendar.

Mr. MILLER. Mr. President, I second the motion.

The motion was agreed to.

Agreeably to order,

The Senate proceeded to the third reading and consider-

ation of Senate Bill No. 1030, (House Bill No. 931), as follows:

An Act to further amend section six of the act approved the first day of July one thousand nine hundred and thirty-seven (P. L. 2603) entitled "An act relating to vocational education creating vocational school districts for the purpose of conducting systems of vocational schools departments or classes providing for their government prescribing their powers and duties conferring powers and imposing duties on school districts and on the State Board of Vocational Education and providing for referendum in certain cases" fixing the rate of the annual tax levy on real estate and authorizing the computation and entry for collection purposes in tax duplicates of the county of the taxes due to vocational school districts and the separate accounting and return thereof and making further provisions with reference to the bond of tax collectors

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows:

Section 1 Section six of the act approved the first day of July one thousand nine hundred and thirty-seven (P. L. 2603) entitled "An act relating to vocational education creating vocational school districts for the purpose of conducting systems of vocational schools departments or classes providing for their government prescribing their powers and duties conferring powers and imposing duties on school districts and on the State Board for Vocational Education and providing for referendum in certain cases" as amended by the act approved the twenty-fourth day of June one thousand nine hundred and thirty-nine (P. L. 800) is hereby further amended to read as follows:

Section 6 The board of directors of vocational schools of each vocational school district shall have power if and when necessary to levy an annual tax [on all property within the district taxable for such school purposes on the assessed valuation used for county tax purposes] not more than three mills on the dollar of the total assessment of all real property assessed and certified for taxation in the territory constituting the district. Said taxes shall be levied and assessed due and payable at the same time and in the same manner as [school] county taxes are levied and assessed and due and payable [in the respective school districts] and the same shall be included in the [school] county tax item on the tax notice as rendered The boards of directors shall prepare duplicates of such taxes and provide for the collection of such taxes by issuing warrants to the respective collectors of taxes in each city borough incorporated town and township within the districts. The compensation for the collection of such taxes shall be fixed by the board of directors. In the collection of such taxes the respective tax collectors shall have all the powers of collectors of county taxes. If any collector of taxes shall refuse or neglect to collect such district taxes or for fifteen days after notice so to do neglect or refuse to furnish a bond as herein provided the board of directors shall have power to appoint a tax collector for such district. Each tax collector shall give [a separate] bond annually to the Commonwealth for the use of said district in such amount as the board of directors may fix. Such bond may cover the collection of vocational school district taxes only or may cover the collection of such taxes and the taxes of other political subdivisions that are collected by the same tax collector. The same discounts for prompt payment and the same penalties for delinquency shall apply to such taxes as in the case of county taxes and exonerations of district taxes may be allowed by the directors thereof in the same manner as other taxes are now exonerated. Delinquent taxes of the district may be collected by return and county treasurer's sale thereon or by lien filed in the office of the prothonotary in the same manner as county taxes.

In order to enable the board of directors of vocational schools to assess and levy the annual tax hereby authorized the said board is hereby authorized to enter into suitable arrangements with the county commissioners whereby the taxes due to the vocational school district shall be computed and entered for collection purposes in separate columns in the county tax duplicates The various tax collectors shall make separate accounting and returns covering the taxes due the vocational school districts

The Commonwealth shall reimburse the vocational school districts herein established in the same manner and to the same extent as is provided by existing law for salaries of teachers transportation and tuition of pupils and any other reimbursement to which school districts are now or shall hereafter be entitled. Provided That any vocational school district [consisting of all the school districts that are under the jurisdiction of the county superintendent] shall be reimbursed to an amount which when added to all other items of reimbursement from the Commonwealth as provided by law shall total eighty per centum (80%) of the sum expended for approved salaries and travel of the teaching supervisory and administrative staffs for the transportation and tuition of pupils during the previous year and any other reimbursements to which school districts are now or shall hereafter be entitled.

Section 2 This act shall become effective immediately upon final enactment.

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—45

Barr,	Ealy,	Lanius,	Stiefel,
Bartlett,	Edmonds,	Letzler,	Tallman,
Becker,	Farrell,	Mallery,	Taylor,
Carr,	Frey,	McCreesh,	Thomas,
Cavalcante,	Geltz,	McGinnis,	Tyler,
Coleman,	Haluska,	McQuiddy,	Wade,
Cox,	Heyburn,	Miller,	Walker,
Crider,	Homsher,	Ruth,	Watkins,
Crowe,	James,	Scarlett,	Wilson, H. I.,
Deitrick,	Jaspan,	Snowden,	Wilson, T. B.,
Dent,	Kephart,	Stevenson,	Ziesenheim,
DiSilvestro,			

NAYS—3

Chapman,	Reed,	Shapiro,

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same with amendments in which the concurrence of the House is requested.

SENATE BILL No. 1165, (HOUSE BILL No. 1678), ON THIRD READING AND FINAL PASSAGE CALLED UP

Mr. COLEMAN. Mr. President, I now call up Senate Bill No. 1165, (House Bill No. 1678), on third reading, page 8 of the Calendar.

Mr. COX. Mr. President, I second the motion.

The motion was agreed to.

RECONSIDERATION OF SENATE BILL No. 1165, (HOUSE BILL No. 1678)

Mr. COLEMAN. Mr. President, I move that the Senate do now reconsider the vote by which Senate Bill No. 1165, (House Bill No. 1678), entitled:

An Act to further amend section one thousand one hunhundred thirty-three of the act, approved the eighteenth

day of May, one thousand nine hundred and eleven (P. L. 309), entitled "An act to establish a public school system in the Commonwealth of Pennsylvania, together with the provisions by which it shall be administered, and prescribing penalties for the violation thereof; providing revenue to establish and maintain the same, and the method of collecting such revenue; and repealing all laws, general, special or local, or any parts thereof, that are or may be inconsistent therewith," by removing certain limitations of the appointment of district superintendents.

was defeated July 12, 1941.

The PRESIDENT. How did the Senator vote?

Mr. COLEMAN. Mr. President, I voted "nay".

Mr. COX. Mr. President, I second the motion.

The PRESIDENT. How did the Senator vote?

Mr. COX. Mr. President, I voted "nay", with the majority.

On the question,

Will the Senate agree to the motion?

Mr. COX. Mr. President, we have in Pennsylvania one of the finest educational systems in the world. I am proud to say Pennsylvania was one of the first of these United States to provide a free system of education, and I am glad to say that we have in Pennsylvania a fine Department of Education.

Early in the history of education in Pennsylvania, secondary education was an uncommon thing. Many of the teachers in our public schools in those days were people who had graduated from the eighth grade and then they started to teach. In those days there were few urban communities; most of Pennsylvania was rural and for that reason our educational setup was made to conform with geographic and population conditions.

We have in Pennsylvania a system of county superintendents of schools and county board of school directors. Prior to 1939 if a school district, having answered the other qualifications of the law, decided that it wanted to change its supervising principal to a superintendency, it could do so by merely the vote of the board of school directors. In 1939, due to some circumstances or some unexplainable reason, this age old bill was amended so that not only was it necessary for the school directors of a particular district to vote to change, but it became necessary to have the approval of the county board of school directors. There was a time, as I have stated, that the system of county superintendents was necessary all over the state, but in the more populous districts as they have increased their population, the office of county superintendent of schools has become less and less necessary. I understand from Senators in some rural districts, with whom I have talked, in their districts the office of county superintendent is still a very necessary one. This particular bill is a home rule bill. I can not find, and I have tried to be sincere, one single argument for this act having been amended in 1939. I can not see, when the people of a community elect a board of school directors and place the responsibility in that board for determining the future of that school system, why it was necessary, if they wanted to elect a district superintendent, to have the consent of the county board of education.

I have stated in the early history of education in Pennsylvania that people lacked an opportunity for secondary education, but that is not the case today, and if we were to examine the requirements for service as a teacher in the schools of Pennsylvania, in order to be a supervising principal or superintendent, you would find they are very high. Today, to be superintendent of schools, you must have had long experience and a proper educational background, and by electing a superintendent of schools it means that particular school district deals directly with the State Department of Education.

Mr. President, I sincerely hope that the Senators will vote to reconsider the vote by which this bill failed.

And the question recurring,

Will the Senate agree to the motion?

(During the calling of the roll the following occurred.)

Mr. COLEMAN. Mr. President, I ask for a verification of the roll.

The PRESIDENT. The roll will be so verified.

The Clerk called the names of those voting in the affirmative as follows:

Barr,	DiSilvestro,	Mallery,	Shapiro,
Cavalcante,	Frey,	McCreesh,	Stevenson,
Coleman,	Haluska,	McGinnis,	Stiefel,
Cox,	Homsher,	McQuiddy,	Tyler,
Deitrick,	Jaspan,	Mundy,	Wilson, H. I.,
Dent,	Lanius,	Reed,	

The PRESIDENT. Are there any corrections? The Chair hears none.

The affirmative roll will stand as verified.

The Clerk called the names of those voting in the negative as follows:

Bartlett,	Edmonds,	Letzler,	Thomas,
Becker,	Farrell,	Miller,	Wade,
Chapman,	Geltz,	Scarlett,	Watkins,
Crider,	Heyburn,	Snowden,	Wilson, T. B.,
Crowe,	James,	Taylor,	Ziesenheim,
Ealy,	Kephart,		

The PRESIDENT. Are there any corrections? The Chair hears none.

The negative roll will stand as verified.

Yeas—23; Nays—22.

The yeas and nays were required by Mr. COLEMAN and were as follows, viz:

YEAS—23

Barr,	DiSilvestro,	Mallery,	Shapiro,
Cavalcante,	Frey,	McCreesh,	Stevenson,
Coleman,	Haluska,	McGinnis,	Stiefel,
Cox,	Homsher,	McQuiddy,	Tyler,
Deitrick,	Jaspan,	Mundy,	Wilson, H. I.,
Dent,	Lanius,	Reed,	

NAYS—22

Bartlett,	Edmonds,	Letzler,	Thomas,
Becker,	Farrell,	Miller,	Wade,
Chapman,	Geltz,	Scarlett,	Watkins,
Crider,	Heyburn,	Snowden,	Wilson, T. B.,
Crowe,	James,	Taylor,	Ziesenheim,
Ealy,	Kephart,		

So the question was determined in the affirmative.

And the question recurring,

Will the Senate agree to the bill on third reading?

BILL OVER IN ORDER

Mr. COLEMAN. Mr. President, I ask unanimous consent that Senate Bill No. 1165, (House Bill No. 1678), on third reading, go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

COMMUNICATION FROM THE GOVERNOR

The Secretary to the Governor being introduced presented communication in writing from His Excellency, the Governor of the Commonwealth, which was read as follows:

APPROVED AND SIGNED SENATE BILL No. 618, (PRINTER'S No. 577)

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, July 12, 1941.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed a resolution of the Senate and House of Representatives recalling from the Governor Senate Bill No. 618, Printer's No. 577, for the purpose of amendment.

Accordingly, the original bill is herewith returned.

ARTHUR H. JAMES.

CONFERENCE COMMITTEE APPOINTED ON HOUSE BILL No. 943

Whereupon,

A motion was made by Mr. GELTZ and Mr. EALY,

That the Senate insist upon its amendments to House Bill No. 943, non-concurred in by the House of Representatives, and appoint a Committee of Conference to confer with a similar committee of the House of Representatives (already appointed) to consider the differences existing between the two Houses in relation to said bill.

Which was agreed to.

Ordered, That Messrs. Deitrick, Becker and Haluska be said Committee on the part of the Senate, and that the Clerk inform the House of Representatives accordingly.

REPORT OF COMMITTEE OF CONFERENCE ON SENATE BILL No. 561 CALLED FROM THE TABLE

Mr. GELTZ. Mr. President, I now call from the table Report of the Committee of Conference on Senate Bill No. 561.

Mr. EALY. Mr. President, I second the motion.

The motion was agreed to.

The Report was read as folows:

REPORT OF THE COMMITTEE OF CONFERENCE ON SENATE BILL No. 561

To the Members of the Senate and House of Representatives:

We, the undersigned, Committee of Conference on the part of the Senate and House of Representatives for the purpose of considering Senate Bill No. 561, entitled:

"An Act to amend the act approved the thirtieth day of March, one thousand nine hundred and thirty-seven, (P. L. 115), entitled 'An act to provide for the permanent personal registration of electors in cities of the first class, as a condition of their right to vote at elections and primaries, and their enrollment as members of political parties as a further condition of their right to vote at primaries; * * *,' as amended; by amplifying and changing the powers and duties of the commission, its employes and commissioners; further regulating and changing the provisions of said act relating to the appointment and removal of registrars and the powers, privileges, rights and duties of registrars, watchers, election officers and electors; revising and changing the provisions of said act relating to the times, places and manner of registering electors, and their enrollment as members of political parties, change of party enrollment, cancellation of registrations, preparation and distribution of street lists, appeals to the commission and to courts and the procedure thereon; the inspection of the records of the commission providing for appeals by the commission to appellate courts; changing certain provisions of said act, relating to removal notices; providing for the manner of reckoning time, imposing additional duties on certain officers and officials; clarifying and coordinating certain provisions of said act, and imposing additional penalties,"

Respectfully submit the following bill as our report:

LOUIS H. FARRELL
A. EVANS KEPHART
ISRAEL STIEFEL
(Committee on the part of the Senate.)

SAMUEL M. ROSENFELD
JOSEPH A. SCANLON
THOMAS H. LEE
(Committee on the part of the House of Representatives)

An Act to amend the act approved the thirtieth day of March one thousand nine hundred and thirty-seven (P. L. 115) entitled "An act to provide for the permanent personal registration of electors in cities of the first class as a condition of their right to vote at elections and primaries and their enrollment as members of political parties as a further condition of their right to vote at primaries prescribing certain procedure for the conduct of elections and primaries and the challenge and proof of qualifications of electors and prescribing the powers and duties of citizens parties bodies of electors registration commissions commissioners registrars inspectors of registration and other appointees of registration commission election officers municipal officers departments and bureaus police officers courts judges prothonotaries sheriffs county commissioners peace officers county treasurers county controllers registrars of vital statistics real estate brokers rental agents certain public service companies persons firms and corporations operating vehicles for moving furniture and household goods and boards of school directors and imposing penalties" as amended by amplifying and changing the powers and duties of the commission its employes and commissioners further regulating and changing the provisions of said act relating to the appointment and removal of registrars and the powers privileges rights and duties of registrars watchers election officers and electors revising and changing the provisions of said act relating to the times places and manner of registering electors and their enrollment as members of political parties change of party enrollment cancellation of registrations preparation and distribution of street lists appeals to the commission and to courts and the procedure thereon the inspection of the records of the commission providing for appeals by the commission to appellate courts changing certain provisions of said act relating to removal notices providing for the manner of reckoning time imposing additional duties on certain officers and officials clarifying and coordinating certain provisions of said act and imposing additional penalties

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section two of the Act approved the Thirtieth day of March one thousand nine hundred thirty-seven (P. L. 115) entitled "An act to provide for the permanent personal registration of electors in cities of the first class as a condition of their right to vote at elections and primaries and their enrollment as members of political parties as a further condition of their right to vote at primaries prescribing certain procedure for the conduct of elections and primaries and the challenge and proof of qualifications of electors and prescribing the

powers and duties of citizens parties bodies of electors registration commissions commissioners registrars inspectors of registration and other appointees of registration commission election officers municipal officers departments and bureaus police officers courts judges prothonotaries sheriffs county commissioners peace officers county treasurers county controllers registrars of vital statistics real estate brokers rental agents certain public service companies persons firms and corporations operating vehicles for moving furniture and household goods and boards of school directors and imposing penalties" is hereby amended by adding thereto after clause (r) a new clause to read as follows

Section 2 Definitions

* * *

(s) In determining or reckoning any period of time mentioned in this act the day upon which the act is done paper filed or notice given shall be excluded from and the date of the primary election hearing or other subsequent event as the case may be shall be included in the calculation or reckoning Provided however That if the last day upon which any act may be done paper filed or notice given shall fall on a Sunday or a legal holiday the next following ordinary business day shall be considered as the last day for said purpose

Section 2 Clauses (a) (b) and (c) of section four of said act are hereby amended to read as follows

(a) The commission may make regulations not inconsistent with this act or the laws of this Commonwealth (1) to govern the public sessions of such commission (2) to carry into effect the provisions of this act and to permit the efficient administration thereof (including the designation of the duties to be performed and functions to be exercised hereunder at its respective offices) and [(2)] (3) for the performance of the duties imposed [by this act] hereunder and may enforce such regulations and all its orders and subpoenas to witnesses as herein provided and if necessary shall have the assistance of the court of common pleas of the county and of all public officers subservient thereto in enforcing the same which assistance said officers as well as the judges of said court shall render when requested to do so subject however to the right of certain persons to appeal from the orders of the commission as herein provided

(b) The commission shall have power to correct direct or permit the correction of any error or any irregularity in registration to change or permit the change on the registration affidavits and its records of the name of any registered elector changed by order of a court of competent jurisdiction or by reason of her marriage or divorce and to cancel the registration of any person whom it may find to be improperly registered and to cancel the party enrollment of any registered elector whom it may find to be improperly enrolled as a member of a party subject only to the provisions of this act and provided that notice in writing shall be given to or left at the address of each person whose registration or enrollment is cancelled [A like notice as well as a copy of any notice served upon or left at the address of any elector with respect to his right to be registered or enrolled as a member of the political party designated by him as hereinafter provided shall be sent promptly to the city chairman of the political party of which such person was registered as a member] Notice in writing of the cancellation of the registration or party enrollment of any elector as well as notice of the serving of any paper upon or left at the address of any elector with respect to his right to be registered or enrolled as a member of the party designated by him shall be sent promptly to the city chairman of the party of which such person was or may be registered as a member if such party has headquarters within the city known to the commission

(c) The commission and any commissioner shall have power on its or his own [option] motion (1) to summon and interrogate any person concerning the registration of electors or any matter related thereto (2) to investigate any irregularities in registration (3) to summon and examine witnesses and (4) to require the production of any relevant books and papers

Section 3 Clauses (a) (b) (c) (d) (e) (g) and (h) of section five of said act are hereby amended to read as follows

(a) The commission shall have power to appoint such assistants clerks and employes (including inspectors) as from time to time it may deem necessary to carry out the provisions of this act The commission shall also have power to assign such of its assistants employes or clerks to act as registrars who shall not receive any additional compensation therefor at its office or offices as it may from time to time deem necessary and when so acting such assistants employes or clerks shall have and may exercise the powers and shall perform the duties and obligations conferred by or in accordance with the law upon registrars

(b) The commission [shall in the year one thousand nine hundred thirty-seven at such time as it shall deem necessary of which due public notice shall be given appoint four registrars for each election district From and after the first day of January one thousand nine hundred thirty-eight the commission not later than the fifteenth day of August] in each year shall designate the place or places in each or any ward to be used as registration places and shall appoint [not less than] two or more [than four] registrars for each such registration place as it may deem necessary Not more than one-half of the number of registrars appointed [for each election district in the year one thousand nine hundred thirty-seven and] for each registration place in each [subsequent] year shall be members of the same political party [In the year one thousand nine hundred thirty-seven all] All registrars appointed shall be qualified electors of the election district or [for which they have been appointed and in all subsequent years shall be qualified electors of the] ward for which they have been appointed shall be of good moral character shall not have been convicted of any crime shall be able to read English in an intelligent manner and to write legibly and shall be familiar with qualifications of electors and duties of the registrars Such registrars shall be empowered to register the qualified electors of such election districts or wards and in so doing to administer oaths and affirmations and shall perform all other duties imposed on registrars by this act and by the registration commission

Each registrar shall receive as compensation ten dollars ($10.00) for each day during which he is engaged in the active performance of his duties as registrar The commission shall designate the duties to be performed by each such registrar appointed by it The said registrars shall be appointed in the manner as hereinafter provided in subsection (c) of this section

[(c) In the year one thousand nine hundred thirty-seven at such time as shall be determined by the commission of which time due public notice shall be given any five or more qualified electors of any election district of the same political party and in all subsequent years not later than the twentieth day of July of each year any five or more qualified electors of any ward of the same political party may file with the commissioners their petition for the appointment of not more than two qualified persons also members of said party as registrars The petition shall set forth the name address qualifications occupation and political affiliation of each person suggested for appointment as a registrar shall give the respective residences of the petitioners and shall declare that each of them belongs to the same party as that designated as the party of each candidate which petition shall be signed by each petitioner in his own handwriting and sworn to by one of them and by each candidate More than one petition may be filed on behalf of the same party for each ward or district provided that no elector shall be competent to sign petitions for more than two candidates but if any candidate dies withdraws or becomes disqualified before the last day of filing petitions

aforesaid any elector who recommended him may sign a petition for another candidate All petitions shall be open to public inspection and in the year one thousand nine hundred and thirty-seven at such time as the commission may designate and not earlier than July twenty-sixth of each subsequent year the commissioners shall commence public hearings thereof considering them on consecutive week days in the numerical order of the wards and of the election districts within each ward to which they relate respectively unless reasonable cause be shown for postponing any hearing to a later time or date and reasonable notice of such postponement given to all concerned The commissioners shall publish one general notice of the place and times or days when they will examine the candidates from the election districts of the various wards at least three days prior to the first hearing in at least two daily newspapers each having a paid circulation of at least fifty thousand copies daily in the city and shall mail to each candidate a special notice of the time and place where he will be examined regarding his qualifications at least three days before the day fixed for same except that the commissioners need not notify any candidate who had previously been appointed a registrar to appear but may reappoint him without such examination If more candidates are duly nominated as members of any party than it is entitled to have appointed the commissioners shall appoint the candidate or candidates whom they consider most fit and if there are not sufficient fit candidates nominated on behalf of any party the commissioners may appoint any other persons without regard to party of whom they have knowledge Any person appointed a registrar must perform his duties as prescribed by this act unless excused therefrom by the commissioners for cause shown]

(c) In each year at such time as shall be determined by the commission of which at least fifteen days' notice shall be publicly given the city chairman of the party having polled the highest vote in the city at the last preceding November election and the city chairman of the party having polled the second highest vote in the city at such election may file with the commission a written list of names of members of said party whom such chairman recommends for appointment as registrars at the said registration places Such lists shall contain the name address qualifications and occupations of each person so recommended and shall be open to public inspection in the office of the commission The commission shall appoint persons whose names appear on such list as the registrars representing such parties If more candidates are recommended by the chairman of any such party than it is entitled to have appointed the commission shall appoint those candidates from the names appearing on such list whom the commission finds to be qualified in accordance with the provisions of clause (b) of this section and if there are not sufficient candidates qualified to serve recommended by any city chairman the commission may appoint such other persons whom it believes qualified

(d) Should any vacancy occur in the office of registrar of [any election district in the year one thousand nine hundred thirty-seven or of] any registration place in any [subsequent] year by reason of death resignation removal from the district or ward or other cause the commission shall fill said vacancy by appointing an elector of the district or ward as the case may be who is qualified according to subsection (b) of this section and who is a registered and enrolled member of the same political party as the registrar or registrars whose office was vacated The appointment shall be made in like manner as the annual appointments of registrars as provided by this act

(e) No registrar or inspector of registration shall exercise any power of his office nor shall any employe assigned by the commission to act as registrar at [the] any office of the commission so act until he shall have taken an oath of office which the commission shall prescribe and shall have received from the commission a certificate of appointment setting forth his name and address the date of his appointment and the length of time for which he shall have been appointed

(g) The registration commission shall have the power to remove any employe inspector registrar or other officer appointed or employed by it but no registrar appointed by the commission under the provisions of clause (c) of this section shall be removed except for cause

(h) Any inspector of registration on his own motion or on complaint of any person of known responsibility [to him] may and when directed by the commission shall

1 Investigate all questions relating to the registration of electors in such city and for that purpose shall have power to enter and inspect any house dwelling building inn lodging-house or hotel within such city and to interrogate any inmate householder lodger lessee keeper caretaker owner proprietor or agent thereof or therein regarding any person or persons residing or claiming to reside thereat or therein without being required to show any warrant for so doing except his certificate of appointment

2 Inspect [in like manner] and copy any register of lodgers in any lodging-house inn or hotel relating to or affecting the rights of any persons to vote or to be registered in any such city

3 Arrest any person without warrant except any herein privileged from such arrest who in the presence of the inspector of registration violates or attempts to violate any of the provisions of this act when such violation is punishable as a crime

4 Call on any police or peace officer of such city to assist the inspector of registration in the maintenance of peace at any place of registration or in making any arrest or in the performance of any of his duties

Section 4 Section six of said act is hereby amended to read as follows

Section 6 Removal of Registrars (a) [Anyone claiming to be a] Any qualified elector of [this] the city may appear before the commission and show wherein any person [nominated selected or] appointed as a registrar under the provisions of clauses (b) and (c) of section five of this act does not possess the qualifications requisite for the performance of the duties of his office or has violated the provisions of this act If after public hearing the commission shall find the charges brought by such elector to be true the commission shall decline to appoint such person or remove such registrar

(b) The commissioners shall provide [at all times] a board of registrars for each ward or district place of registration so appointed not more than one-half of whom shall be of the same [political faith] party If [therefore] it appears at any time that by reason of a change in political [affiliations] affiliation or because of error in [the] appointment a board is not so divided any ten registered electors of [any election] such ward or district may file a petition with the commissioners setting forth the facts and praying that one or more of the appointments may be revoked and that other appointments may be made Upon presentation of such a petition one of the commissioners shall fix a time not less than five days thereafter and at least three days' notice shall be given by mail to all the registrars of such board who are alleged to be of the same [political faith] party when a public hearing shall be given all concerned and if the facts are then found to be as represented the commissioners shall [give] grant the relief [asked for] prayed for

Section 5 Clause (b) of section eight of said act is hereby amended to read as follows

(b) The appropriating authorities of the city shall provide the commission thereof with suitable and adequate main offices properly furnished for keeping its records holding its public sessions and otherwise performing its duties and such other offices which it may from time to time during the period of ninety days preceding any election deem advisable to establish for the convenience of the electors in exercising their rights powers and functions and performing their duties hereunder and upon failure to do so [within sixty days after the effective date of this act] the commission may lease such office space for its main office as is reasonably required for the performance of the functions and duties under this act

Section 6 Section eleven of said act is hereby amended to read as follows

Section 11 Immunity from Arrest

[Commissioners] Employes or clerks of the commission while acting as registrars registrars commissioners and inspectors of registration shall be privileged from arrest while performing their duties as such except upon warrant of a court of record or judge thereof for felony for wanton breach of the peace or for a criminal violation of this act

Section 7 Section thirteen of said act is hereby amended to read as follows

Section 13 Records and Documents to Be Open to Public Inspection The records of the commission and all district registers street lists voting check lists voters' certificates affidavits petitions appeals witness lists accounts contracts reports and other documents in its custody except the general registers shall be open to public inspection except as herein provided and may be inspected and copied by any qualified elector of the city during ordinary business hours [at any time] except when they are [not] necessarily being used by the commission or its employes having duties to perform in reference thereto or when such inspection or copying shall unreasonably interfere with the proper and efficient performance of the duties and exercise of the functions of the Commission or its employes in administering this act Such public inspection thereof shall only be in the presence of a commissioner or an authorized employe of [a] the commission and shall be subject to proper regulation for safekeeping of the records and documents and subject to the further provisions of this act

Section 8 Section fourteen of said act is hereby amended to read as follows

Section 14 Watchers at Places of Registration Privileges

(a) Any party or body of electors which now is or hereafter may be entitled to have watchers at any election may recommend not more than three electors to act as watchers without expense to the county at any place of registration or any office of the commission during the time when it shall remain open for the registration of electors The commission shall appoint such persons as watchers and provide them with proper certificates stating their names and the party which they represent respectively unless any be shown to have previously been convicted of any crime

(b) Any watcher shall be entitled to remain at any place of registration or any office of the commission during the time when it shall remain open for the registration of electors and to keep a list or other memorandum of or concerning the persons applying for registration and to challenge any person regarding his right to be registered and to inspect any papers produced by such person The registrars clerks or employes of the commission acting as registrars commission and commissioners shall give every watcher ample opportunity and afford him every convenience for the discharge of his duties Provided however That a registrar clerk or employe of the commission acting as registrar [commission or] inspector commissioner or the commission may at any time require any watcher to show his certificate of appointment And provided That not more than one watcher for each party or body of electors represented shall be allowed in a place of registration or an office of the commission at any one time unless the commission by regulation shall provide otherwise

Section 9 Clause (c) of section fifteen of said act is hereby amended to read as follows

(c) All watchers or attorneys appointed or selected in the manner provided by sub-sections (a) and (b) of this section may exercise the same rights under the same conditions at any public session or sessions of the commission as watchers at places of registration or offices of the commission open for the registration of electors

Section 10 Clauses (a) (d) and (e) of section seventeen of said act are hereby amended to read as follows

(a) [From and after the first day of June one thousand nine hundred and thirty-seven the] The commission or any commissioner employe or [clerks] clerk assigned for that purpose shall at the main office of the commission during ordinary business hours and during such additional hours as the commission shall from time to time prescribe on each day and on such days and during such hours as the commission may from time to time designate at other offices in the city which the commission shall from time to time during the period of ninety days preceding any election have power to establish and discontinue except Sunday holidays the days hereinafter provided for the registration of electors in the districts or wards the day of each election and each primary the thirty days next preceding the primary election in the year one thousand nine hundred and forty-one the fifty days next preceding each general and in all subsequent years each primary election [and each primary] the thiry-five days next preceding each municipal election or any special election not held on a day fixed for the holding of November or primary elections and the thirty days next following each election and the five days next following each primary [at the office of the commission] receive personal applications from persons who claim that they are entitled to be registered as electors of the city and who appear for registration Provided however [That in the year one thousand nine hundred and thirty-seven the commission shall arrange to have four registrars present to receive applications for the personal registration of electors at the polling place or some other suitable place in each election district of the city on at least three separate days prior to August fifteenth (one of them being in June another in July and another in August) And provided further] That in each year [thereafter] the commission may also when it considers it necessary for the convenience of the electors provide one or more places of registration in each ward of the city at which two or more registrars as the commission may deem necessary shall be present to receive personal applications from [persons] qualified electors of the city who claim that they are entitled to be registered which registrars shall be present thereat between the hours of seven antemeridan and one postmeridian and between the hours of four and ten postmedidian on [two] such day as may be selected by the commission [in even-numbered years one to be not earlier than the sixth Saturday nor later than the fifth Saturday before the spring primary and the other to be not earlier than the sixth Saturday and not later than the fifth Saturday before the] which shall be not less than twenty days prior to the primary election in the year one thousand nine hundred and forty-one and not more than sixty days and not less than fifty days prior to any general election and the primary election in any subsequent year [and on one day in odd-numbered years not earlier than the twelfth Saturday nor later than the eleventh Saturday before the] and not more than forty days and not less than thirty-five days prior to any municipal election Provided further however That with respect to any person who shall become a citizen of the United States on a day subsequent to the sixtieth day prior to any election or primary but at least one month prior to the day of such election or primary the commission or any commissioner employe or clerk assigned for that purpose shall receive personal applications from such person if he or she is otherwise qualified at the office of the registration commission until the thirtieth day prior to such election or primary during ordinary business hours except Sundays holidays and the days hereinbefore provided for the registration of electors in the districts or wards

(d) The proper city or county authorities shall furnish suitable space room or rooms in the city hall or any of its annexes or other municipal or county building under their jurisdiction or control and shall cause such space room or rooms to be open on each day when such space room or rooms may be desired by the commission for use as a place of registration or as an office of the commission Provided That such use shall not interfere with the use for which such room or rooms is primarily designed

(e) The commission shall in reasonable time publicly announce the addresses of each place of registration each office of the commission established for the registration of electors other than [the] its main office [of the commis-

sion] and the days and hours when the place or office shall be open for the registration of electors by posting thereat and at its main office a notice thereof [at its office at such place of registration] and at least five placards or notices thereof in conspicuous places in the neighborhood of such place of registration or office and [by publication at least once in a newspaper of general circulation published in the city at least three days prior to the date when the place shall be so opened and in proper order for use as a place of registration] by such other means as it shall deem advisable

Section 11 Clauses (a) (c) and (d) of section nineteen of said act are hereby amended to read as follows

(a) For the purpose of registering the qualified electors of the city the commission shall prepare registration cards serially numbered in duplicate or triplicate as the commission may determine and containing spaces for entering the information required by section twenty of this act and the following affidavit

Registration Affidavit

State of Pennsylvania]
} ss
County of]

I hereby swear or affirm that I am a citizen of the United States that on the day of the next election I shall be at least twenty-one years of age and shall have resided in the State of Pennsylvania for one year (or having previously been a qualified elector or native born citizen of the State and having removed and returned then six months) next preceding said election and in the election district two months that I am legally qualified to vote that I have read (or have had read to me) the foregoing statements made in connection with my registration and that they are true and correct

Subscribed and sworn to before
me this .....day of
.....
(Signature of Registrar or Person
Authorized to act as Registrar)

.....
Signature of Voter

(c) Each card shall be printed on stock of good quality shall be of suitable uniform size and shall be filled out in duplicate or triplicate as the Commission may determine for such applicant for registration The commission shall provide suitable binders and cabinets for filing and indexing the original and duplicate registration cards which binders and cabinets can be locked The keys of all such binders and cabinets shall at all times be retained by the commission

(d) The commission shall keep a record of the serial numbers of the registration cards issued from time to time to each registrar or person authorized to act as registrar and may if and when the commission deems it advisable keep a record by serial number of each registration card prepared by or for it showing the name ward and district of the elector if any registered upon such card and whether such registration or card has been canceled voided lost destroyed or otherwise removed from the district registers

Section 12 Clauses (a) (b) (c) and (f) of section twenty of said act are hereby amended to read as follows

(a) Every person claiming the right to be registered as an elector must appear in person before the commission a commissioner a clerk or employe of the commission acting as registrar or a registrar at the main office of the commission or at such other office or place as the commission shall have designated and answer the questions required to be asked in accordance with this act

(b) He shall first be sworn or affirmed to the truth of the statements which he is about to make and informed that any wilful false statement will constitute perjury and will be punishable as such He then shall be asked to state the facts required herein and his answers together with the other information herein required shall be recorded in his presence by the registrar or by the person authorized to act as a registrar or commission in permanent writing or typewriting in triplicate or duplicate as the commission may determine in the proper spaces on the registration cards as follows

(c) (1) The surname of the applicant (2) his Christian name or names (3) his occupation (4) the street and number of his residence (5) if his residence is a portion only of the house the location or number of the room apartment flat or floor which he occupies (6) the length of his residence in the State and district respectively (7) [his residence address when he last registered and the year of such registration] such information relating to the applicant's prior registration and voting record as the commission shall by regulation deem it necessary or advisable to require (8) the sex of the applicant (9) the color of the applicant (10) the state or territory of the United States or the foreign country where he was born (11) the date when place where and the court by which naturalized and number of the naturalization certificate (12) If not naturalized personally the name of father mother or husband through whom naturalized (13) whether he [is unable by reason of illiteracy to read the names on the ballot or on the voting machine labels or whether he has a physical disability which will render him unable to see or mark the ballot or operate the voting machine or to enter the voting compartment or voting machine booth without assistance at the ensuing election and if so his declaration of that fact and his statement of the exact nature of such disability] is entitled to receive assistance in voting because by reason of illiteracy he is unable to read the names on the ballot or on the voting machine label or because he has a physical disability which renders him unable to see or mark the ballot or operate the voting machine or to enter the voting compartment or voting machine booth without assistance and if so his declaration of this fact and his statement of the exact nature of such disability (14) the designation of the political party of the elector for the purpose of voting at primaries (15) the affidavit of registration which shall be signed by the elector attested by the signature of the registrar commissioner [or] clerk or employe and dated by him (16) his height in feet and inches (17) the color of his hair (18) the color of his eyes and (19) the date of his birth or unless he claims to have been naturalized through either his father or mother or unless such date is otherwise material in the determination of citizenship a statement that he has attained his majority (20) if an applicant claims naturalization through her marriage to a citizen the date and place of marriage Each registration card shall also have a sufficient number of spaces thereon for the insertion of [(20)] (21) the ward and election district in which the elector resides and to which he may from time to time remove together with his street address in each such district and the street address therein where he may from time to time remove and the other data required to be given upon such removal [(21)] (22) the date of each election and primary at which the elector votes and the number of stub of ballot issued or number of admission to voting machine and party at primary [(22)] (23) the signature or initials of the election officer who enters the record of voting on the card Provided however That the commission may to more effectually carry out the provisions of this act from time to time alter or change the form of registration cards the order in which the information shall be recorded thereon and provide additional spaces for the recording of such other information concerning the identity of the applicant or naturalization data of foreign born applicants as it may deem necessary

(f) Any person employed in the service of this Commonwealth or in the service of the Federal Government and required thereby to be absent from the city wherein he resided when entering such employment his wife or her husband unless actually separated and living apart shall be registered as of the district wherein he or she shall have resided immediately prior to entering such service and be enrolled as a member of the political party he or she designates without declaring a residence by street and number All persons employed by this Commonwealth who register in this manner shall produce a certificate from the Auditor General under the seal of his office setting forth that said person or the husband or wife of said person is actually employed in the service of

this Commonwealth and also setting forth the nature of such employment and the time when such person first entered such employment

All persons employed by the Federal Government who register in this manner shall produce a certificate from the head of the proper department or chief of the proper department or chief of the proper division or bureau under the seal of his office setting forth that said person or the husband or wife of said person is actually employed in the service of the United State and also setting forth the nature of such employment and the time when such person first entered such employment

The commission shall retain such certificates and shall cause to be noted on the registration card of each person so registered the fact that such person is an imploye of this Commonwealth or of the Federal Government as the case may be

Section 13 The said act is hereby amended by adding thereto after section twenty a new section to read as follows

Section 20.1 When the registration of an elector registered thereafter has been completed the registrar commissioner employe or clerk shall deliver to such registered elector a written or printed statement signed by such registrar commissioner employe or clerk setting forth the name and address of the elector his ward and district the fact of registration designation of party enrollment the date thereof the serial number of the elector's registration card and such other information as the commission may deem advisable Each such statement shall contain a warning to the effect that the said statement relates only to the time of the issuance thereof and is not of itself evidence or proof of the elector's qualifications to vote at any election or primary Upon request made at the office of the commission by any registered elector who has been registered prior thereto the commission if satisfied that such elector is a qualified elector of the district in which he is registered shall mail or deliver such a statement of his registration to such elector

Section 14 Section twenty-one of said act is hereby amended to read as follows

Section 21 Who May Register Who May Vote Electors Need Register Only Once Exception

Every person who shall possess all the qualifications of an elector as provided in the Constitution and laws of this Commonwealth or who by continued residence in his election district will obtain such qualifications before the next ensuing general or municipal election shall be entitled to be registered as herein provided and [from and after the twentieth day of September one thousand nine hundred and thirty-seven] no person shall be permitted to vote at any election or primary held in such city unless he shall have been so registered [except by order of a court of common pleas as hereinafter provided] and no elector so registered shall be required to register again for any election or primary while he continues to reside at the same address or has removed his residence to another district in the city and has filed a removal notice as provided by this act unless his registration is cancelled by the commission by reason of his failure to vote during [a] the certain period [of four years] as hereinafter provided or for any other reason under the provisions of this act

Section 15 Section twenty-three of said act is hereby amended to read as follows

Section 23 Naturalized Applicants Applicants Whose Fathers Mothers or Husbands Were Naturalized All persons claiming the right to vote by reason of naturalization shall produce the proper naturalization papers or a certified copy thereof before they shall be registered Provided That any person claiming citzenship by reason of the naturalization of his father or mother [during his minority] may be registered either by the production of his father's or mother's original papers or a certified copy thereof or by making affidavit as to the court in which and time when his father or mother was naturalized and the date of his birth indicating that he the applicant [was] then [less than twenty-one years of age] acquired citizenship and that he is unable to produce his father's or mother's naturalization papers or a certified copy thereof stating the reason And provided further That any woman claiming citizenship by reason of her marriage prior to September twenty-second one thousand nine hundred and twenty-two may be registered either (a) by the production of her husband's original naturalization papers or a certified copy thereof or by making affidavit that her husband was naturalized prior to their marriage stating therein the date and place of their marriage the time when and the court in which such naturalization was effected and that she is unable to produce his original naturalization papers or a certified copy [of them] thereof stating the reason therefor or (b) by the production of evidence that her husband was a native born citizen of the United States or by making affidavit of such fact stating therein the place and date of her husband's birth and the date and place of their marriage Each such affidavit shall be filed with the registration affidavit of the person whose registration it affects and shall be returned therewith to the office of the registration commission

Section 16 Section twenty-five of said act is hereby amended to read as follows

Section 25 Appeal of Rejected Applicant Any person whose application to be registered has been denied by a registrar clerk or by a commissioner may file a petition with the commission not later than the fifteenth day [prior to an election or primary] thereafter setting forth the ground of his complaint under oath and praying to be registered The commission shall fix a time for a public hearing [thereof] thereon at its office not later than the tenth day [prior to the election or primary] after the filing of the petition At the time so fixed the commission shall hear and dispose of the petition having first given at least forty-eight hours' notice of the hearing to the registrar clerk or commissioner who rejected the petitioner's application for registration In the taking of testimony the commission shall not be bound by technical rules of evidence The commission if satisfied upon competent evidence that the petitioner is entitled to be registered shall direct a registrar employe clerk or commissioner to register him in the usual manner and shall amend accordingly the records affected by any registrar or inspector of registration or qualified elector of the city may appear and show cause why the petitioner should not be registered [the testimony presented at such hearing shall be stenographically recorded and made a part of the records of the commission The decision of the commission upon such petition shall be final and conclusive Provided however That the commission shall grant a rehearing in any case upon reasonable cause shown or where the interests of justice require it And provided further however That the said decision shall be subject to review by the court of common pleas of the county as hereinafter provided]

Section 17 Section twenty-six of said act is hereby amended to read as follows

Section 26 General Register A copy of the registration affidavits for the entire city shall be placed in [visible] cabinets in exact alphabetical order and [visibly] indexed as to name [and voting record] and shall be kept at the office of the commission in a place and in such manner as to be properly safeguarded These affidavits shall constitute the general register of such city and shall not be removed from the office of the commission nor open to public inspection except upon order of the court of common pleas of the county wherein such city is located upon sufficient cause having been shown

Section 18 Section twenty-seven of said act s hereby amended to read as follows

Section 27 District Registers [Street List Registers] Triplicate Registration Cards

(a) [District Registers] The original registration affidavits shall be filed by election districts and within each election district in exact alphabetical order or in the order in which their residences appear upon the streets of the election district and in exact alphabetical order for each residence as the commission may determine and shall be visibly indexed as to name and voting record The affidavits so filed for each election district shall constitute the district register for such district The district register shall be kept at the office of the commission except as

herein provided and shall be open to public inspection [at all times] subject ot reasonable safeguards rules and regulations and to the provisions of this act

[(b) Street List Register The triplicate registration affidavits shall be filed by election districts and within each district in the order in which their residences appear upon the streets of the election district and shall be open to public inspection at all times subject to reasonable safeguards rules and regulations]

(b) The commission shall safely retain all triplicate registration affidavits or cards now in its custody and such as it may under the provisions of this act hereafter require to be used in the registration of electors for the same period of time as the commission is required to retain all other registration affidavits or cards and in such order or manner as it may by regulation direct Any such triplicate registration affidavit or card may be substituted for a lost destroyed or mislaid original or duplicate affidavit or card of the same elector on order of the commission endorsed thereon and signed by a commissioner and such triplicate affidavit or card when so substituted shall be deemed and considered for all puposes as though it shall be the original or duplicate affidavit or card as the case may be

Section 19 Section twenty-eight of said act is hereby amended to read as follows

Section 28 Removal Notices (a) The commission shall provide forms of removal notices which it shall cause to be made available for the convenient use of registered electors These notices shall be printed upon cards suitable for mailing addressed to the office of the registration commission and shall contain spaces wherein the elector shall write (1) the street and number of his present residence and the specific location thereof including the number of the room apartment flat or floor in his residence if a portion only of a house (2) the street and number of the address from which he was last registered (3) the date of his removal to his present address (4) the serial number of his registration card [(4)] (5) space wherein the elector shall sign his name and insert the date of signing [(5)] (6) space wherein two registered electors of the district to which he has removed shall sign their names and addresses certifying to the truth of the statement on said notice as to his present place of residence The removal notice shall contain a statement that the elector may by filling out properly and signing a removal notice having it witnessed as aforesaid and returning it to the office of the commission secure the transfer of his registration to the election district in which he resides effective as to elections and primaries occurring at least two months after the date of his removal into the new district Each removal notice shall contain a warning to the elector that the notice will not be accepted as an application for transfer of the elector's registration unless the signature thereon can be identified by the commission with the elector's signature in the general and district register and that if he notifies the commission of a change of his residence address knowing or having reason to know that he is not entitled to have his residence address changed he shall be guilty of a misdemeanor and subject to the penalties as provided by this act Each removal notice to be effective must be received either through the mail or by delivery at the office of the commission postmarked or delivered as the case may be not later than the [thirtieth] fiftieth day prior to any general or primary [or] election [of which warning shall also be contained on the removal notice] and not later than the thirty-fifth day prior to any municipal election and must have been signed by the elector within ten days prior to the date of mailing or delivery Warning of these provisions shall also appear on each removal notice form

(b) Any elector who removes his residence from one place to another within the same election district shall notify the commission by filing a removal notice with the commission in the manner herein provided not later than ten days next preceding the primary or election

Section 20 Section twenty-nine of said act is hereby amended to read as follows

Section 29 Transfer of Registration Recording Change of Residence (a) Upon receipt [not later than the thirtieth day next preceding any primary or election] of a [signed] removal notice properly filled out and executed [or a signed request] on the form prescribed by the commission within the times and in the manner provided by this act containing the required information and setting forth a removal of residence to another location in the same city the commission shall cause the signature thereon to be compared with the signature on the registration affidavit of the elector from whom the removal notice purports to come and if the signature shall appear authentic shall enter the change of residence in the [general and district] registers and if the removal shall have been from one election district to another in the same city shall transfer the registration affidavit of the elector from the district register of the election district of his previous residence to the district register of the election district of his new residence In any case the commission shall advise the elector promptly in writing of its action

(b) Provided That when a [request for transfer] removal notice or application provided for in clause (d) of this section believed authentic by the commission as aforesaid shall have been received at the office of the commission and shows thereon a removal within the period of two months next preceding an election or primary and the removal shall have been from one election district to another the commission shall transfer the registration affidavit of the elector from the district register of the election district of his previous residence but shall not include it in the register of the district of his new residence until after the election or primary In any case the commission shall advise the elector promptly in writing of its action

(c) If the commission shall doubt that the request [for transfer] is authentic it shall without transferring the registration or entering the change of residence as the case may be promptly notify the elector that it will be necessary for him to apply in person at [the] any office of the commission [for the transfer of his registration] to have the transfer or change of residence entered in the registers

(d) No elector who is unable to write his name shall be permitted to apply for transfer of registration or the recording of his change of residence by use of a written removal notice but each such elector must apply in person at [the] any office of the commission or [before the registrars in the ward in which he resides] any place of registration on one of the days and at such time as prescribed for the registration of electors establish his identity and state under oath or affirmation to which he shall affix his mark in the presence of a registrar clerk or [a] commissioner who shall affix his own signature thereto as a witness the information required of registered electors in a removal notice Any other elector may also appear in person at any office of the commission or any place of registration on any of the said days and apply for the recording of his change of residence within the city in which case the signatures of two registered electors of the district shall not be required if such elector shall establish his identity and after stating under oath or affirmation the information required in a removal notice shall sign the same in the presence of a registrar clerk or commissioner who shall affix his own signature thereto as a witness

(e) Immediately upon the receipt of a removal notice by the commission it shall note thereon the date of receipt and number the same in the order of its receipt and shall forthwith mail to the elector at the address to which he has requested his registration to be transferred an acknowledgement of the receipt of such notice stating the date of receipt and the number assigned to it and that the elector will be advised by the commission of the action taken thereon Each acknowledgement so mailed shall contain on the outside a request to the postmaster to return it to the commission within five days if it cannot be delivered to the addressee at the address given thereon and not to forward the same to any other address In the event that any such removal notice shall be filed or application made for transfer of registration or the recording

of his change of residence as provided in clause (d) of this section by an elector at any place of registration or at any office of the commission a similar acknowledgement shall be delivered to him by the registrar clerk or employe receiving the same signed by him Provided however That such removal notices and applications shall be numbered by the registrar clerk or employe in the order of their receipt at the respective registration places or offices The commission may cause blank forms of acknowledgements to be physically attached to the removal notices and applications and may require the elector to insert his name and new address thereon before filing the same

(f) Nothing contained in this act shall be construed as to prevent any elector who after having been registered under the provisions hereof has removed his residence to another location in the city in lieu of filing a removal notice or application as provided herein from again applying for registration at any office of the commission or any place of registration and being registered as an elector of the district in which he shall then reside if such elector shall then be qualified The commission shall thereupon cancel such elector's prior registration or registrations

Section 21 Section thirty of said act is hereby amended to read as follows

Section 30 Change of Party Enrollment Notice Change of Enrollment of Political Party Cancellation of Party Enrollment Persons Suffering Disability after Registration to Have Fact Recorded Cancellation (a) The commission shall provide change of party enrollment notices which it shall cause to be available for the convenient use of registered electors Those notices shall be printed upon cards and shall contain spaces wherein shall be recorded under oath (1) the street and number of the elector's residence (2) his ward and election district (3) the political party in which he desires to be enrolled (4) the political party in which he is enrolled (5) the signature of the elector (6) the serial number of his registration card

(b) At any time prior to the thirtieth day next preceding [a] the primary election in the year one thousand nine hundred and forty-one and the fiftieth day next preceding the primary [or an] election in any subsequent year excepting the thirty days next following an election [and the five days next following each primary] any person who desires to change his party enrollment or who although registered has not hitherto enrolled as member of a party shall appear at [the] any office of the commission or before the registrars in this ward or district and sign the change of party enrollment notice containing the information required by sub-section (a) of this section stating the designation of the political party in which he desires to be enrolled Provided however That no registered elector shall be permitted to change his party enrollment or municipal election between any primary and the following general November election nor more than once between any primary election and the following primary election The commission shall cause the signature thereon to be compared with the signature on the general and district registers and if the signatures appear authentic shall enter the change of enrollment of political party in the [general district] registers unless such elector is prohibited from changing his party enrollment as aforesaid

(c) Any elector who is unable to write his name shall in addition establish his identity and shall affix his mark in lieu of his signature in the presence of a registrar clerk or commissioner who shall affix his own signature thereto as a witness to the information required in the change of party enrollment notice

(d) At any time not later than the [twentieth] thirtieth day preceding any primary any qualified elector of the city including any watcher may petition the commission to cancel the party enrollment of any registered elector of such city who has previously enrolled as a member of a party for the purpose of voting at primary elections setting forth under oath that he believes that such elector is not a member of the party with which he has been enrolled and also setting forth that due notice of the time and place when said petition would be presented had been given to the person so registered at least forty-eight hours prior to presentation of the same by delivering a copy of the said petition to him personally or by leaving it with an adult member of the family with which he resides If at or before the hearing of any such petition the elector against whom the petition is filed [appears] files an affidavit with the commission in which he [and] swears or affirms that at the last election at which he voted he voted for a majority of the candidates of the party [with] as a member of which he [was then] desires to be enrolled all of the candidates of a party for presidential elector being counted as two candidates the petition shall be refused otherwise the party enrollment of such elector shall be forthwith cancelled [The testimony presented at such hearing shall be stenographically recorded and made a part of the records of the commission]

(e) Any elector who has since the time of registration suffered a physical disability which renders him unable to see or mark the ballot or prepare the voting machine or to enter the voting compartment or voting machine booth without assistance shall at least seven days prior to the next succeeding primary or election personally make application under oath to the commission or [a registrar] registrars to have such fact entered on his registration affidavit together with the exact nature of his physical disability which entry shall be made accordingly

(f) When the commission shall ascertain that any elector who has declared his need for assistance is no longer illiterate or no longer suffers from the disability stated by him [or has voted without assistance] it shall [forthwith] cancel on his registration affidavit the entry relating to illiteracy or physical disability which authorized him to have assistance and shall forthwith notify such elector by mail of this action

Section 22 Clause (c) of section thirty-one of said act as amended by the act approved the ninth day of June one thousand nine hundred and thirty-nine (P. L. 283) is hereby further amended and clauses (d) (e) and (f) are hereby added to said section to read as follows

(c) All public service companies furnishing electricity or gas to householders in any city shall report in writing from time to time to the registration commission upon the request of the commission all cases of discontinuance of their service to residences together with the names of port in writing from time to time to the commission the persons who contracted for such service and the addresses to which such persons have removed if known to them All real estate brokers and rental agents shall upon the request of the commission all cases of residence property managed by them which have been vacated by the tenants and the addresses to which they have removed if known to them All persons firm and corporations operating vehicles for moving furniture and household goods in any city of the first class shall report in writing from time to time to the registration commission upon the request of the commission all cases of removals of furniture and household goods together with the names of such persons whose furniture or household goods have been removed and the addresses to which they have removed if known to them [The commission shall forthwith send to each such person who is found to be registered as an elector from the addresses given in said report and to all members of his family and household who are electors registered from the same addresses the notice provided for by section thirty-two of this act and shall proceed thereupon in accordance with the provisions of that section]

(d) The major of each city of the first class or other officer of such city charged with the duty of examination and licensing hotels and lodging houses under the provisions of the act approved the second day of July one thousand eight hundred and ninety-five (P. L. 428) entitled "An act to regulate and license public lodging houses in the different cities in this Commonwealth" shall from time to time at the request of the commission furnish to the registration commission the names and addresses of persons partnerships firms or corporations licensed under the provisions of that act together with the names or designations and addresses of hotels and lodging houses for which

licenses have been issued The registration commission may require each licensee of a hotel or lodging house to report from time to time the names of all persons who have resided in any hotel or lodging house owned or operated by such licensee for a period of two calendar months or more during the period of one year preceding the date of such request and to designate in such report whether or not such persons have removed and the addresses to which they have removed if known to the licensee

(e) The registration commission shall cause the information received under this section to be placed on file and retained for at least one year For this purpose the commission may in its discretion cause to be printed file cards of uniform size on which such information may be entered and from time to time corrected on the basis of new reports received by the commission

(f) Upon receipt of any report provided for in this section the commission shall forthwith cause to be sent by mail to each person so reported as having removed and to each member of his family and household who is registered under the provisions of this act a notice warning each such person that it will be necessary for him to execute and file a removal notice in order for him to be eligible to vote at ensuing elections if he continues to live in the city Where the report lists the residence address to which any such person shall have removed and such residence address is located in the city the notice together with a removal notice form shall be sent to the new residence address of such person Where the report does not list the residence address to which such person has removed it shall be sent to the last residence listed on the registration affidavit of the person reported or to the address listed on the report if they differ or to both addresses For the purpose of this subsection the commission shall cause to be printed postcards of suitable size in such manner that a removal notice in the form provided for by subsection (a) of section twenty-nine of this act shall be physically attached thereto The notice shall contain a direction to the postmaster that he is to forward the postcard or if no forwarding address is known to return the card within five days to the office of the commission

Section 23 Clause (d) of section thirty-two of said act is hereby amended to read as follows

(d) Upon the return by the post office of any such notice which it has been unable to deliver at the given address because the addressee cannot be found there or upon report by the post office that any registered elector does not reside at the address given on his registration card the commission shall direct an authorized employe to visit in person the address of the elector and if he shall find that the elector does not reside at the address he shall leave at such address the notice prescribed by section thirty-three of this act and the commission shall at the expiration of the time specified in such notice cancel the registration of such person unless his qualifications as an elector are proved [The testimony taken at such time shall be stenographically recorded and made a part of the records of the commission]

Section 24 Section thirty-four of said act is hereby amended to read as follows

Section 34 Comparison and Correction of Registers Street Lists (a) Commencing [thirty (30)] fifty days prior to each primary and each general election [or primary] and thirty-five days prior to each municipal election the commission shall compare and correct the general and district registers

(b) After the [fifth] Saturday preceding the Spring primary and after the last registration day in the fall of the even-numbered years and after the fifth Saturday preceding the Fall primary in odd-numbered years] last day preceding each primary municipal and general election when electors may be registered the [registration] commission shall prepare for each election district a street list of the names and addresses of all registered electors [as of that date] resident in the district arranged by streets and house numbers and except before each municipal election shall cause to be made at least a hundred exact copies of such list and not later than [twenty days following the aforesaid days] fifteen days preceding each primary and general election shall distribute copies of such lists among the inspectors and special inspectors of registration and the official concerned with the conduct of primaries and elections and among the parties bodies of electors candidates and organized bodies of citizens interested therein giving at least ten copies of each street list to the city committee of each political party or body of electors upon the written application of the chairman thereof and at least ten copies of each street list to the executive or governing board or committee of each organized body of citizens having as its purpose the investigation and prosecution of election frauds upon the written application of the presiding officer of such [a] body of citizens and at least one copy of each street list with which his candidacy is concerned to each candidate upon his written request and keeping two complete sets of such street lists on file at the office of the commission convenient for public inspection during all the hours when the other records of the commission are open to public inspection as herein provided Not later than the seventh day preceding election and primary the commission shall post or cause to be posted at each polling place in such city at a point accessible to the public one of the said street lists to be maintained at such place until the closing of the polls on the succeeding election day

Section 25 Section thirty-five of said act is hereby amended to read as follows

Section 35 Petitions to Strike Off Names Filing and Notice [Any] At any time not later than the twenty-fifth day preceding any election or primary any qualified elector of the city including any watcher registrar or inspector of registration [of the city] may [file his] petition [with] the commission [praying for the cancellation of] to cancel the registration of any registered elector of the city [upon such grounds as may be sent forth in such petition] setting forth under oath supported by the affidavits of at least two qualified electors of the city sufficient grounds for such cancellation One of the commissioners shall fix a time and place for a hearing thereon not later than [ten (10)] fifteen (15) days before any primary or election and the petitioners shall cause forty-eight (48) hours notice of the proceeding to be given to the person [whose registration is in question by a duly authorized employe of the commission] so registered by service by an adult person of known responsibility of a copy of the said petition with the time and place fixed for the hearing endorsed thereon either personally or by leaving a copy of the petition [with the time and place fixed for the hearing of the same endorsed thereon] so endorsed with an adult person at his place of residence as given by him and recorded in the registers if he cannot be found at the place given in the district register as his residence and upon the filing by such [duly authorized employe] person of an affidavit that the copy so endorsed has been so served by him or that there is no adult person residing at the address given the [commissioners] commission or commissioners assigned by the commission for that purpose shall proceed with [the] a public hearing [of] on the petition

Section 26 Section thirty-six of said act is hereby amended to read as follows

Section 36 Hearing on Petition to Strike off Names At the time so fixed the commission or any two commissioners not being enrolled as members of the same political party assigned by the commission for that purpose shall hear testimony not being bound by technical rules of evidence and if satisfied upon competent evidence that any such person is not legally entitled to be registered shall cancel the registration of such person and amend accordingly the registers and any other records affected thereby Provided however That the commission or any commissioner assigned for that purpose may without hearing cancel the registration of any such person and amend accordingly the registers and the other records affected if the petitioners shall have filed with the commission an affidavit by an adult person of known responsibility of

the service of a copy of the petition as provided in section thirty-five of this act and if the person so registered was not served personally that he could not be found at the place given in the district register as his residence and that the person in charge thereof or some other person having knowledge of the names of all persons residing at the address given as such residence to be mentioned by name had declared that he or she was well acquainted with the names of all persons residing at the address given as such residence and that the person so registered had never been or was no longer one of them or that no such person is residing at the address given or an affidavit that there is no adult person residing at the address given and although due inquiry has been made no information can be obtained as to the whereabouts of the person so registered unless he shall appear and show cause why the same should not be done [shall hear testimony not being bound by technical rules of evidence and if satisfied upon competent evidence that the said person is not legally entitled to be registered it shall cancel the registration of such elector and amend accordingly the general street and district registers and any other records affected thereby The testimony presented at such hearing shall be stenographically recorded and made a part of the records of the commission The decision of the commission upon such petition shall be final and conclusive Provided however That the commission shall grant a rehearing in any case upon reasonable cause shown or where the interests of justice require it And provided further however That the said decision shall be subject to review by the court of common pleas of the county as hereinafter provided]

Section 27 Section thirty-seven of said act is hereby amended by adding thereto a new clause to read as follows

Section 37 Delivery of District Registers to Commissioners in Charge of Elections

* * *

(c) In the event that any of said district registers when so delivered shall contain the names of registered electors not contained in the street list posted in the district as required by section thirty-four (b) or shall omit names of registered electors contained in said street list then the said registers shall be accompanied by a list showing such names as were added and such names as were omitted with a brief explanation or key showing the cause for such addition or omission Such list shall remain in the polling place on election day open to public inspection One copy of such list shall be posted at the offices of the commission at the time of the delivery of the binders and shall remain posted until after the next succeeding election and one copy of such list shall be furnished to the chairman of the city committee of each party entitled to a ballot at the preceding primary

Section 28 Clauses (a) (f) and (g) of section thirty-eight of said act is hereby amended to read as follows

(a) Any person whose registration affidavit appears [name is] in the district register of any election district in [such] the city and who upon applying to vote shall have signed his name to a voter's certificate in the form hereinafter provided as a means of identification and whose signature thereon shall have been compared by the election officers in the presence and view of the watchers with the signature of the applicant as recorded in the district register and shall have been deemed authentic by said election officers shall be entitled to vote in such district at any general municipal or special election unless it be shown to the satisfaction of the election officers that he has become disqualified by removal from the district since registration or that he has violated any law of this Commonwealth prohibiting bribery at elections [Provided That if] If however the signature on the voter's certificate as compared with the signature as recorded in the district register shall not be deemed authentic by any of the election officers such elector shall nevertheless not be denied the right to vote for that reason but shall be considered challenged as to identity and required to make the affidavit and produce the evidence as provided in [subsection] clause (e) of this section Provided however That any person applying to vote who claims that he is a duly registered and qualified elector of the election district shall be permitted to vote subject to all other requirements and provisions of this section although his registration affidavit does not appear in the district register if it shall appear by the street list posted in the district and the list accompanying the district register as hereinbefore provided that he is a registered elector of the district and that his registration affidavit should have appeared in the district register both inspectors of election agreeing as to his identity or if upon application the proper court of common pleas shall have ordered the election officers to accept such elector's vote Provided further that any such person shall be considered challenged as to identity and residence and be required to produce the evidence as provided in clause (e) of this section and shall also be required to swear or affirm to a special affidavit on forms prepared and furnished by the commissioners in charge of elections stating his name address the date when and place where he was registered that since having registered he has resided continuously at the same address or if he has since changed his registration to another address in the city that he has in all respects complied with the provisions of this act to secure the transfer of his registration to his present address stating the time when and the manner in which he complied with such provisions that his registration has not been cancelled for any reason that he is in all respects entitled to vote as a qualified and registered elector of the district and that the absence of his registration affidavit from the district register of the district is not due to any fault or omission on his part All such affidavits shall be numbered in the order in which they are executed and the election officer in charge of the voters' certificates shall note on the voters' certificate of any such person being so permitted to vote that fact the reason therefor as hereinbefore provided and the number of the special affidavit executed by him After the closing of the polls all such affidavits shall be arranged in numerical order by the election officers and together with such orders of the court or certified copies thereof received by them as aforesaid shall be sealed in an envelope to be furnished them by the commissioners in charge of elections and returned to the commission with the voting check list

(f) The commissioners in charge of elections shall cause to be printed for each election district a suitable number of Voter's Certificates which shall be in form approved by the Secretary of the Commonwealth substantially as follows

Voter's Certificate

Number (serially numbered) (Primary) (Election) ..... 19.... I hereby certify that I am qualified to vote at this (primary) (election)
Signature .....
Address .....
..... Pennsylvania
If voter's registration card is not in register insert the number of his special affidavit here .....
and check reason for permitting him to vote
Court order .....

It appears by street list posted and list accompanying District Register that he is a registered elector of this district both inspectors of election having agreed as to his identity .....
Approved .....
Refused .....
Number of stub of ballot issued (or number of admission to voting machine) .....
(and party at primary) .....

The voter's certificates shall be so prepared as to be capable of being inserted by the election officers in a suitable file or binder to be furnished by the commissioners conducting the election After a voter's certificate has been presented by an elector and has been compared with his signature in the district register and approved or in the case of an elector who is unable to write the notations [herein above] hereinbefore required have been made thereon one of the election officers who made the

comparison shall sign his name or initials thereon and if the elector's signature is not readily legible shall print such elector's name over his signature After the elector has been admitted to vote the number of the stub of the ballot issued to him or his number in the order of admission to the voting machines and at primaries a letter or abbreviation designating the party in whose primary he votes shall be entered on his voter's certificate and the same shall thereupon be inserted in the file or binder One such file or binder shall be furnished for each election district for each primary and election and shall have printed or written thereon the words "Voting Check List" and the name of the district and date of the primary or election The voter's Certificates so bound shall constitute the voting check list of the district All voter's certificates prepared by persons applying to vote whose applications to vote are refused by the election officers shall be carefully preserved and returned to the commission with the voting check list

(g) The district register shall constitute the ballot check list of the district As each voter is found to be qualified and votes unless such voter is permitted to vote notwithstanding the absence of his registration affidavit in the register as hereinbefore provided the election officer in charge of the district register shall write or stamp the date of the election or primary the number of the stub of the ballot issued to him or his number in the order of admission to the voting machines and at the primaries a letter or abbreviation designating the party in whose primary he votes and sign his name or initials in the proper space on the registration affidavit of such voter contained in the district register After the polls are closed the names of all electors on the district register so marked or stamped as having voted together with such others whose registration affidavits did not appear in the register who may nevertheless have been permitted to vote as aforesaid shall be immediately counted and the result compared with the number of persons voting shown by the voting check list and numbered lists of voters and announced and the cause of any difference ascertained if possible before the ballot box or voting machine is opened The district register [and] the voting check list the voters' certificates prepared by persons whose applications to vote are refused and the orders of the court or certified copies thereof and the special affidavits as provided in clause (a) of this section shall be immediately sealed or locked in envelopes or containers and shall be returned to the custody of the registration commission by the judge of election before noon on the day following the election or primary

Section 29 Clause (c) of section thirty-nine of said act is hereby amended to read as follows

(c) The commission specifically shall cause the signature of each elector on each voter's certificate to be compared with his signature in the district register or on such other records in its custody on which it may appear and shall report forthwith in writing to the district attorney any evidence or indication of probable fraud personation or forgery which may appear to the commission by reason of any comparison of the voter's certificates and registers [hereby prescribed] or other records in its custody

Section 30 Section forty of said act is hereby amended to read as follows

Section 40 Cancellation of Registration upon Failure to Vote Within [Four Years] Certain Periods Request for Reinstatement Correction of Errors of the Commission in Cancellation of Registrations Within three months after [any general or] municipal election held in the year one thousand nine hundred and forty-one and within three months after each general and municipal election held thereafter the commission shall cause all of the district registers [or general registers] to be examined and in the case of each registered elector who is not recorded as having voted at any election or primary within the period of four years immediately preceding the date of [said] municipal [or general] election held in the year one thousand nine hundred and forty-one and in the case of each registered elector who is not recorded as having voted at any election or primary within the period of two years immediately preceding any municipal or general election held in any subsequent year the commission shall send to such elector by mail at his address appearing upon his registration affidavit a notice setting forth that the records of the commission indicate that he has not voted within a period of four years or two years as the case may require and that his registration will be cancelled at the expiration of ten days from the date of mailing such notice unless he shall within that period file with the commission either personally or by mail a written request for reinstatement of his registration signed by him setting forth his place of residence [and signed by him A copy of said notice] A list of the persons to whom such notices shall have been mailed shall be sent promptly to the city chairman of the political party of which [such elector was] the electors were registered as [a member] members At the expiration of the time specified in the notice the commission shall cause the registration of such elector to be cancelled unless he has filed with the commission a signed request for reinstatement of his registration as above provided The cancellation of the registration of any such elector for failure to vote within a period of four years or two years as the case may require shall not affect the right of any such elector to subsequently register by personal application [to the commission or a registrar] in the manner provided by this act

Whenever the registration of an elector has been cancelled through error such elector may petition the commission for the reinstatement of his registration not later than the tenth day preceding any primary or election and after a hearing on said application if error on the part of the commission is proved the commission shall reinstate the registration of such elector [The testimony presented at such hearing shall be stenographically recorded and made a part of the records of the commission]

Section 31 Section forty-two of said act is hereby amended to read as follows

Section 42 Appeals to Court Time of Hearing Notice Postponement Hearing Decision of Court Costs and Fees (a) Any person whose claim for registration has been denied by the commission or whose name although previously registered has been removed and not restored by the commission upon a petition filed for that purpose as herein provided or any qualified elector of the city whose rights are impaired by any order of the commission not including registration of particular names by the commission on personal application made to it as aforesaid or refusals to remove names upon any petition of any kind aforesaid may file an appeal with the proper court of common pleas not later than the [seventh] eleventh day preceding any election or primary setting forth why he feels that an injustice has been done and praying for such order as will give him relief Provided That if the order of the commission appealed from was entered within [ten] thirteen days of any election or primary such appeal shall be filed within two days thereafter Thereupon any judge of the said court [may] shall fix a time and place for hearing the matter in dispute of which notice shall be served with a copy of said appeal by the appellant upon the commission or upon counsel of the commission and upon any elector or his attorney who opposed the contention of the appellant before the commission at least forty-eight hours before such matter may be reviewed by the court Proof of notice or the waiver thereof must be filed therein

(b) Any judge of said court may enlarge the time of notice or postpone such hearing as may be reasonable with due regard for the time remaining before the succeeding election or primary At the time so fixed the court or any judge thereof assigned for the purpose [shall review the record made before the commission Provided however That no additional testimony shall be taken before said court] shall hear all the witnesses and other evidence that may be offered de novo unless the issue can be decided in some other manner by agreement of the parties concerned

(c) [The said court on appeal from any decision or

action of the registration commission shall be limited to the determination of the regularity of such decision or action and whether the findings and decision of the registration commission are reasonable in the light of the competent evidence presented before said commission and in conformity with law] If after such public hearing the said court shall find that [the decision or action of the registration commission has been erroneous it shall direct the commission to correct its decision] an injustice has been done it may reverse or alter the decision of the commission and modify any order made by it accordingly and if necessary issue its mandate to the election officers of any election district to permit the appellant to vote at any designated election or primary although his name may not have been entered in or restored to the district [registry] register of such district If the appellant shall not satisfy the court that an injustice has been done the decision of the commission shall be affirmed

(d) The said court may compel the appellant unless his appeal is sustained or any opposing party other than the commission or in proper cases the county to pay all the witness fees and other legal costs of such appeal which may be taxed by the prothonotary in the usual manner

Section 32 Clause (b) and (c) of section forty-three of said act are hereby amended to read as follows

(b) The commission shall be a party appellee to all such appeals [but the commission shall not be obliged to answer any appeal and shall not be obliged by subpoena or otherwise to appear at any such hearing unless it shall deem it expedient to do so] and may itself appeal from any judgment order or decree made or entered by the court of common pleas to such court of appellate jurisdiction as may have jurisdiction over the subject matter of the controversy and shall be deemed and considered a proper party appellant and in interest to file and prosecute such appeal

[(c) The stenographic record of any proceeding required by this act to be stenographically recorded shall when certified by any commissioner present at such proceeding be prima facie evidence of the events therein recorded]

Section 33 Clause (n) of section forty-five of said act is hereby amended and a new clause (o) is hereby added to the said section to read as follows

(n) Any person who shall [serve any paper being or purporting to be a copy of a petition to strike a voter's name from the registers or a copy of a notice or order of the commission without being duly authorized so to serve as provided herein] intentionally remove deface or destroy a copy of a street list posted by the commission in accordance with section thirty-four (b) of this act shall be guilty of a misdemeanor and upon conviction thereof shall be sentenced to pay a fine not exceeding one [thousand ($1,000.00)] hundred ($100.00) dollars [and] or to undergo an imprisonment of not [less] more than [three] six months [nor more than three years] or both in the discretion of the court

(o) Any person who shall sign his name to the removal notice of any elector certifying to the truth of the statement therein as to the place of residence of such elector knowing that the statement is false shall be guilty of a misdemeanor and upon conviction thereof shall be sentenced to pay a fine not exceeding five hundred ($500.00) dollars or to undergo an imprisonment of not more than two (2) years or both in the discretion of the court

Section 34 It is the intention of the General Assembly that if this act cannot take effect in its entirety because of the judgment of any court of competent jurisdiction holding unconstitutional any part or parts thereof the remaining provisions of the act shall be given full force and effect as completely as if the part or parts held unconstitutional had not been included herein

Section 35 All acts and parts of acts inconsistent herewith are hereby repealed

Section 36 The respective provisions of this act shall not impair or affect any act done offense committed or right accruing accrued or acquired or liability duty obligation penalty judgment or punishment incurred prior to the time such provisions take effect but the same may be enjoyed asserted enforced prosecuted or inflicted as fully and to the same extent as if this act had not been passed

Section 37 Sections nineteen twenty twenty-four twenty-five twenty-six twenty-seven twenty-eight thirty-one thirty-two and thirty-three of this amending act shall become effective September fifteenth one thousand nine hundred and forty-one

Except as herein otherwise specifically provided the provisions of this act shall become effective immediately upon final enactment Provided however That in every case where the provisions of this amending act require any change in existing forms papers records or equipment or the use of new or different forms papers records or equipment such provisions shall not be deemed to prohibit the use of the forms papers records and equipment provided for under existing law until November fifteenth one thousand nine hundred and forty-one or until the officials responsible for such new changed or different forms papers records and equipment shall have the same prepared and available for use prior to said date

On the question,

Will the Senate agree to the Report.

Mr. STIEFEL. Mr. President, in connection with Senate Bill No. 561, I feel it is my duty to state that this is a step forward in improving the situation which exists in Philadelphia in connection with registration.

This bill is the result of ample consideration on the part of Senator Farrell and Mr. Rosenfeld of the House of Representatives. It does not bring the millenium to Philadelphia, but it has been tested in the crucible of experience, and I believe it is an improvement which will inure to the benefit of the people of Philadelphia.

Mr. President, I feel before we vote on this bill I want to pay my homage and gratitude to Senator Farrell and Mr. Rosenfeld for the work they have done in connection with this bill.

And the question recurring.

Will the Senate agree to the report?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—47

Bartlett,	Edmonds,	Mallery,	Stiefel,
Becker,	Farrell,	McCreesh,	Tallman,
Cavalcante,	Frey,	McGinnis,	Taylor,
Chapman,	Geltz,	McQuiddy,	Thomas,
Coleman,	Haluska,	Miller,	Tyler,
Cox,	Heyburn,	Mundy,	Wade,
Crider,	Homsher,	Reed,	Walker,
Crowe,	James,	Ruth,	Watkins,
Deitrick,	Jaspan,	Scarlett,	Wilson, H. I.,
Dent,	Kephart,	Shapiro,	Wilson, T. B.,
DiSilvestro,	Lanius,	Snowden,	Wiesenheim,
Ealy,	Letzler,	Stevenson,	

NAYS—1

Barr,

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present same to the House of Representatives for concurrence.

SENATE INSISTS UPON ITS AMENDMENTS NON-CONCURRED IN BY THE HOUSE TO HOUSE BILL No. 1365, AND APPOINTS COMMITTEE OF CONFERENCE

Mr. EALY. Mr. President, I move that a Committee of Conference be appointed to confer with a similar committee of the House of Representatives (already ap-

pointed) to consider the differences existing between the two houses in relation to said bill.

Mr. MILLER. Mr. President, I second the motion.

The motion was agreed to.

The PRESIDENT. The President Pro Tempore appoints Messrs. Snowden, Kephart, and Dent to be said committee on the part of the Senate, and directs that the Clerk inform the House of Representatives accordingly.

COMMITTEE OF CONFERENCE REPORT ON HOUSE BILL No. 1365

Mr. SNOWDEN. Mr. President, I am directed by the Committee of Conference to make a report on House Bill No. 1365, entitled:

An Act to amend the act approved the first day of May, one thousand nine hundred and twenty-nine, (P. L. 905), entitled "Vehicle Code" as variously amended; amplifying and changing provisions of said act relating to lighting and signal devices; redefining the term dealer; further regulating dealers in junked vehicles, permits for oversize and overweight vehicles, use of school buses, registration plates and cards, maximum size of vehicles, and medical examinations by physicians; providing for payment of certain fees by counties; limiting and providing new exemptions from the various provisions of said act; giving additional authority to peace officers and department employes in the matter of investigations; further regulating prosecutions; giving certain powers to cities for the regulation of traffic and the establishment of traffic courts; fixing additional fees, changing and imposing new penalties, and giving the secretary additional powers and duties.

The PRESIDENT. The Report will be printed for the use of the Senate.

RECESS

Mr. GELTZ. Mr. President, I move that the Senate do now take a recess for one hour.

Mr. TYLER. Mr. President, I second the motion.

The motion was agreed to.

AFTER RECESS

The PRESIDENT. The time of recess having elapsed the Senate will be in order.

HOUSE MESSAGE

SENATE BILL No. 913 RETURNED WITH AMENDMENTS

The Clerk of the House of Representatives being introduced, returned to the Senate, Senate Bill No. 913, entitled:

An Act authorizing and directing the Department of Revenue, to prepare airport approach plans for publicly owned airports; empowering and directing such department and also counties municipalities and other political subdivisions to promulgate administer and enforce airport zoning regulations, limiting the height of structures and objects of natural growth, and otherwise regulating the use of property in the vicinity of such airports; providing for the granting of zoning permits and variances and for appeals from zoning regulations; authorizing the acquisition by purchase, grant or condemnation of air rights and other interests in land, and providing penalties and remedies for violations of this act or of any ordinance or regulation made under the authority conferred thereby

with the information that the House has passed the same with amendments, in which the concurrence of the Senate is requested.

Mr. EALY. Mr. President, I move that Rule 21, which requires amended bills to be noted on the Calendar, be in this case dispensed with, and that the Senate proceed to the consideration of the amendments made by the House of Representatives to the foregoing bill.

Mr. MILLER. Mr. President, I second the motion.

The motion was agreed to.

SENATE CONCURS IN AMENDMENTS BY THE HOUSE TO SENATE BILL No. 913

Mr. EALY. Mr. President, I move that the Senate do now concur in the amendments made by the House to Senate Bill No. 913.

Mr. MILLER. Mr. President, I second the motion.

On the question,

Will the Senate agree to the motion?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—48

Barr,	Ealy,	Letzler,	Stevenson,
Bartlett,	Edmonds,	Mallery,	Stiefel,
Becker,	Farrell,	McCreesh,	Tallman,
Cavalcante,	Frey,	McGinnis,	Taylor,
Chapman,	Geltz,	McQuiddy,	Thomas,
Coleman,	Haluska,	Miller,	Tyler,
Cox,	Heyburn,	Mundy,	Wade,
Crider,	Homsher,	Reed,	Walker,
Crowe,	James,	Ruth,	Watkins,
Deitrick,	Jaspan,	Scarlett,	Wilson, H. I.,
Dent,	Kephart,	Shapiro,	Wilson, T. B.,
DiSilvestro,	Lanius,	Snowden,	Ziesenheim,

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk inform the House of Representatives accordingly.

SENATE BILL No. 559 RETURNED WITH AMENDMENTS

He also returned to the Senate, Senate Bill No. 559, entitled:

An Act prescribing additional powers and duties on the Joint State Government Commission to make a survey of the educational facilities of the Commonwealth conferring upon the commission full power to issue subpoenas to carry out such additional functions and duties conferring upon the commission full power to issue subpoenas and conferring upon the courts of common pleas power to enforce obedience to subpoenas so issued; imposing duties on departments and agencies of the State government and on colleges and universities; and making an appropriation.

with the information that the House has passed the same with amendments, in which the concurrence of the Senate is requested.

Mr. EALY. Mr. President, I move that Rule 21, which requires amended bills to be noted on the calendar, be in this case dispensed with, and that the Senate proceed to the consideration of the amendments made by the House of Representatives to the foregoing bill.

Mr. MILLER. Mr. President, I second the motion.

The motion was agreed to.

SENATE NON-CONCURS IN AMENDMENTS BY THE HOUSE TO SENATE BILL No. 559

Mr. EALY. Mr. President, I move that the Senate non-concur in the amendments made by the House to Senate Bill No. 559.

Mr. MILLER. Mr. President, I second the motion.

On the question,

Will the Senate agree to the motion?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—48

Barr,	Ealy,	Letzler,	Stevenson,
Bartlett,	Edmonds,	Mallery,	Stiefel,
Becker,	Farrell,	McCreesh,	Tallman,
Cavalcante,	Frey,	McGinnis,	Taylor,
Chapman,	Geltz,	McQuiddy,	Thomas,
Coleman,	Haluska,	Miller,	Tyler,
Cox,	Heyburn,	Mundy,	Wade,
Crider,	Homsher,	Reed,	Walker,
Crowe,	James,	Ruth,	Watkins,
Deitrick,	Jaspan,	Scarlett,	Wilson, H. I.,
Dent,	Kephart,	Shapiro,	Wilson, T. B.,
DiSilvestro,	Lanius,	Snowden,	Ziesenheim,

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk inform the House of Representatives accordingly.

SENATE BILL No. 575, RETURNED WITH AMENDMENTS

He also returned to the Senate, Senate Bill No. 575, entitled:

An Act to reenact and further amend the title and act, approved the third day of June, one thousand nine hundred and eleven (P. L. 639), entitled as amended, "An act relating to the right to practice medicine and surgery in the Commonwealth of Pennsylvania; and providing a Bureau of Medical Education and Licensure as a bureau of the Department of Public Instruction, and means and methods whereby the right to practice medicine and surgery and any of its branches may be obtained, and exemptions therefrom; and providing for an appropriation to carry out the provisions of said act, and providing for revocation and suspension of licenses by said bureau; and providing penalties for violations thereof, and repealing all acts or parts of acts inconsistent therewith" by defining certain terms; imposing certain additional duties upon the State Board of Medical Education and Licensure; further regulating the status of student internes; requiring foreign applicants to complete their citizenship; making provision for graduate students from other states and Canada, and providing for automatic revocation of registration in case of mental incompetency.

with the information that the House has passed the same with amendments, in which the concurrence of the Senate is requested.

Mr. EALY. Mr. President, I move that Rule 21, which requires amended bills to be noted on the calendar, be in this case dispensed with, and that the Senate proceed to the consideration of the amendments made by the House of Representatives to the foregoing bill.

Mr. DEITRICK. Mr. President, I second the motion.

The motion was agreed to.

SENATE CONCURS IN AMENDMENTS BY THE HOUSE TO SENATE BILL No. 575

Mr. EALY. Mr. President, I move that the Senate do now concur in the amendments made by the House to Senate Bill No. 575.

Mr. MILLER. Mr. President, I second the motion.

On the question,

Will the Senate agree to the motion?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—48

Barr,	Ealy,	Letzler,	Stevenson,
Bartlett,	Edmonds,	Mallery,	Stiefel,
Becker,	Farrell,	McCreesh,	Tallman,
Cavalcante,	Frey,	McGinnis,	Taylor,
Chapman,	Geltz,	McQuiddy,	Thomas,
Coleman,	Haluska,	Miller,	Tyler,
Cox,	Heyburn,	Mundy,	Wade,
Crider,	Homsher,	Reed,	Walker,
Crowe,	James,	Ruth,	Watkins,
Deitrick,	Jaspan,	Scarlett,	Wilson, H. I.,
Dent,	Kephart,	Shapiro,	Wilson, T. B.,
DiSilvestro,	Lanius,	Snowden,	Ziesenheim,

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk inform the House of Representatives accordingly.

HOUSE NON-CONCURS IN AMENDMENTS TO HOUSE BILL No. 448

He also informs the Senate that the House has non-concurred in amendments made by the Senate to House Bill No. 448, entitled:

An Act to amend the first paragraph of section nine of the act approved the twenty-fourth day of June, one thousand nine hundred and thirty-seven (P. L. 2051), entitled "Public Assistance Law," by redefining eligibility for assistance.

SENATE INSISTS UPON ITS AMENDMENTS NON-CONCURRED IN BY THE HOUSE TO HOUSE BILL No. 448

Mr. EALY. Mr. President, I move that the Senate insist upon its amendments non-concurred in by the House to the foregoing bill.

Mr. EDWARDS. Mr. President, I second the motion.

On the question,

Will the Senate agree to the motion?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—48

Barr,	Ealy,	Letzler,	Stevenson,
Bartlett,	Edmonds,	Mallery,	Stiefel,
Becker,	Farrell,	McCreesh,	Tallman,
Cavalcante,	Frey,	McGinnis,	Taylor,
Chapman,	Geltz,	McQuiddy,	Thomas,
Coleman,	Haluska,	Miller,	Tyler,
Cox,	Heyburn,	Mundy,	Wade,
Crider,	Homsher,	Reed,	Walker,
Crowe,	James,	Ruth,	Watkins,
Deitrich,	Jaspan	Scarlett,	Wilson, H. I.,
Dent,	Kephart,	Shapiro,	Wilson, T. B.,
DiSilvestro,	Lanius,	Snowden,	Ziesenheim,

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk inform the House of Representatives accordingly.

HOUSE NON-CONCURS IN AMENDMENTS TO HOUSE BILL No. 846

He also informs the Senate that the House has non-concurred in amendments made by the Senate to House Bill No. 846, entitled:

An Act to amend an act approved the eighteenth day of May, one thousand nine hundred eleven (P. L. 309), entitled "Public School Code" as amended, by requiring school boards in all school districts to grant leaves of absence to all school employes who shall volunteer or be called for military naval or similar service under the Selective Service Law of 1940 or subsequent laws of the United States of America and to all school employes in the National Guard, land or naval reserve forces who shall be called for active duty; preserving certain contracts, salaries, increments, retirement rights, seniority, State contributions and grants to local school boards, eligibility lists, re-employment; requiring school boards to employ substitutes in place of such employes; reserving all rights and privileges of employes granted leaves of absence under the provisions herein; superseding or repealing all contrary laws.

SENATE INSISTS UPON ITS AMENDMENTS NON-CONCURRED IN BY THE HOUSE TO HOUSE BILL No. 846

Mr. EALY. Mr. President, I move that the Senate insists upon its amendments non-concurred in by the House to the foregoing bill.

Mr. MILLER. Mr. President, I second the motion.

On the question,

Will the Senate agree to the motion?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—48

Barr,	Ealy,	Letzler,	Stevenson,
Bartlett,	Edmonds,	Mallery,	Stiefel,
Becker,	Farrell,	McCreesh,	Tallman,
Cavalcante,	Frey,	McGinnis,	Taylor,
Chapman,	Geltz,	McQuiddy,	Thomas,
Coleman,	Haluska,	Miller,	Tyler,
Cox,	Heyburn,	Mundy,	Wade,
Crider,	Homsher,	Reed,	Walker,
Crowe,	James,	Ruth,	Watkins,
Deitrick,	Jaspan,	Scarlett,	Wilson, H. I.,
Dent,	Kephart,	Shapiro,	Wilson, T. B.,
DiSilvestro,	Lanius,	Snowden,	Ziesenheim,

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk inform the House of Representatives accordingly.

HOUSE INSISTS UPON ITS AMENDMENTS NON-CONCURRED IN BY THE SENATE TO SENATE BILL No. 46

He also presented communication from the House of Representatives informing the Senate that the House insists upon its amendments non-concurred in by the Senate to Senate Bill No. 46, entitled:

An Act to amend the act approved the second day of May, one thousand nine hundred and twenty-nine (P. L. 1278), entitled "An act relating to counties of the second, third, fourth, fifth, sixth, seventh and eighth classes and revising, amending and consolidating the laws relating thereto," authorizing the county treasurer to appoint a solicitor and providing for his salary payable by the county.

SENATE INSISTS UPON ITS NON-CONCURRENCE IN THE AMENDMENTS MADE BY THE HOUSE TO SENATE BILL No. 46

Mr. EALY. Mr. President, I move that the Senate insists upon its non-concurrence in the amendments made by the House to Senate Bill No. 46.

Mr. MILLER. Mr. President, I second the motion.

On the question,

Will the Senate agree to the motion?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—48

Barr,	Ealy,	Letzler,	Stevenson,
Bartlett,	Edmonds,	Mallery,	Stiefel,
Becker,	Farrell,	McCreesh,	Tallman,
Cavalcante,	Frey,	McGinnis,	Taylor,
Chapman,	Geltz,	McQuiddy,	Thomas,
Coleman,	Haluska,	Miller,	Tyler,
Cox,	Heyburn,	Mundy,	Wade,
Crider,	Homsher,	Reed,	Walker,
Crowe,	James,	Ruth,	Watkins,
Deitrick,	Jaspan,	Scarlett,	Wilson, H. I.,
Dent,	Kephart,	Shapiro,	Wilson, T. B.,
DiSilvestro,	Lanius,	Snowden,	Ziesenheim,

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk inform the House of Representatives accordingly.

HOUSE INSISTS UPON ITS AMENDMENTS NON-CONCURRED IN BY THE SENATE TO SENATE BILL No. 236

He also presented communication from the House of Representatives informing the Senate that the House insists upon its amendments non-concurred in by the Senate to Senate Bill No. 236, entitled:

An Act to amend section six hundred fifty-four of article six of the act, approved the seventeenth day of May, one thousand nine hundred and twenty-one (P. L. 682), entitled "An act relating to insurance; amending, revising, and consolidating the law; providing for the incorporation of insurance companies and the regulation, supervision, and protection of home and foreign insurance companies, Lloyds associations, reciprocal and inter-insurance exchanges, and fire insurance rating bureaus, and the regulations and supervision of insurance carried by such companies, associations, and exchanges, including insurance carried by the State Workmen's Insurance Fund; providing penalties; and repealing existing laws," providing for appeals from any classification, rule, rate, or schedule of the Insurance Commissioner affecting insurance of employes and employers under the Workmen's Compensation Act of one thousand nine hundred and fifteen and the supplements and amendments thereto and exempting the State Workmen's Insurance Fund from the control of the Rating Bureau and the Insurance Commissioner.

SENATE INSISTS UPON ITS NON-CONCURRENCE IN THE AMENDMENTS MADE BY THE HOUSE TO SENATE BILL No. 236

Mr. EALY. Mr. President, I move that the Senate

insists upon its non-concurrence in the amendments made by the House to Senate Bill No. 236.

Mr. MILLER. Mr. President, I second the motion.

On the question,

Will the Senate agree to the motion?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—48

Barr,	Ealy,	Letzler,	Stevenson,
Bartlett,	Edmonds,	Mallery,	Stiefel,
Becker,	Farrell,	McCreesh,	Tallman,
Cavalcante,	Frey,	McGinnis,	Taylor,
Chapman,	Geltz,	McQuiddy,	Thomas,
Coleman,	Haluska,	Miller,	Tyler,
Cox,	Heyburn,	Mundy,	Wade,
Crider,	Homsher,	Reed,	Walker,
Crowe,	James,	Ruth,	Watkins,
Deitrick,	Jaspan,	Scarlett,	Wilson, H. I.,
Dent,	Kephart,	Shapiro,	Wilson, T. B.,
DiSilvestro,	Lanius,	Snowden,	Ziesenheim,

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk inform the House of Representatives accordingly.

COMMITTEE OF CONFERENCE APPOINTED ON SENATE BILL No. 236

Mr. EALY. Mr. President, I move that a Committee of Conference be appointed to confer with a similar committee of the House of Representatives (if the House of Representatives shall appoint such a committee) to consider the differences existing between the two houses in relation to said bill.

Mr. GELTZ. Mr. President, I second the motion.

The motion was agreed to.

The PRESIDENT. The President Pro Tempore appoints Messrs. Bartlett, Stevenson and Dent, to be said committee on the part of the Senate, and that the Clerk inform the House of Representatives accordingly.

HOUSE INSISTS UPON ITS AMENDMENTS NON-CONCURRED IN BY THE SENATE TO SENATE BILL No. 1044

He also presented communication from the House of Representatives informing the Senate that the House insists upon its amendments non-concurred in by the Senate to Senate Bill No. 1044, entitled:

An Act to further amend section eleven and section seventeen of the act approved the twenty-seventh day of June, one thousand nine hundred twenty-three (P. L. 858), entitled "An act establishing a State employes' retirement system, and creating a retirement board for the administration thereof; establishing certain funds from contributions by the Commonwealth and contributing State employes; defining the uses and purposes thereof, and the manner of payments therefrom, and providing for the guaranty by the Commonwealth of certain of said funds; imposing powers and duties upon the heads of departments in which State employes serve; excepting anuities, allowances, returns, benefits and rights from taxation and judicial process; and providing penalties" by permitting a member to borrow from his or her funds under certain provisions and regulating exemption from execution.

SENATE INSISTS UPON ITS NON-CONCURRENCE IN THE AMENDMENTS MADE BY THE HOUSE TO SENATE BILL No. 1044

Mr. EALY. Mr. President, I move that the Senate insists upon its non-concurrence in the amendments made by the House to Senate Bill No. 1044.

Mr. MILLER. Mr. President, I second the motion.

On the question,

Will the Senate agree to the motion?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—48

Barr,	Ealy,	Letzler,	Stevenson,
Bartlett,	Edmonds,	Mallery,	Stiefel,
Becker,	Farrell,	McCreesh,	Tallman,
Cavalcante,	Frey,	McGinnis,	Taylor,
Chapman,	Geltz,	McQuiddy,	Thomas,
Coleman,	Haluska,	Miller,	Tyler,
Cox	Heyburn,	Mundy,	Wade,
Crider,	Homsher,	Reed,	Walker,
Crowe,	James,	Ruth,	Watkins,
Deitrick,	Jaspan,	Scarlett,	Wilson, H. I.,
Dent.	Kephart,	Shapiro.	Wilson, T. B.,
DiSilvestro,	Lanius,	Snowden,	Ziesenheim,

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk inform the House of Representatives accordingly.

The PRESIDENT. The Committee of Conference has already been appointed.

HOUSE NON-CONCURS IN AMENDMENTS MADE BY THE SENATE TO HOUSE BILL No. 654

He also informed the Senate, that the House of Representatives has non-concurred in the amendments made by the Senate to House Bill No. 654, entitled:

An Act authorizing counties, cities, boroughs, towns, townships, school districts, poor districts and institution districts, at any sale of real property for the nonpayment of taxes or municipal claims to take title jointly in proportion to their tax claims; provide for the management of such real property and for the re-sale and conveyance of their interests to a purchaser.

SENATE INSISTS UPON ITS AMENDMENTS NON-CONCURRED IN BY THE HOUSE TO HOUSE BILL No. 654

Mr. EALY. Mr. President, I move that the Senate insists upon its amendments non-concurred in by the House to the foregoing bill.

Mr. MILLER. Mr. President, I second the motion.

On the question.

Will the Senate agree to the motion?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—48

Barr,	Ealy,	Letzler,	Stevenson,
Bartlett,	Edmonds,	Mallery,	Stiefel,
Becker,	Farrell,	McCreesh,	Tallman,
Cavalcante,	Frey,	McGinnis,	Taylor,
Chapman,	Geltz,	McQuiddy,	Thomas,
Coleman,	Haluska,	Miller,	Tyler,
Cox,	Heyburn,	Mundy,	Wade,
Crider,	Homsher,	Reed,	Walker,
Crowe,	James,	Ruth,	Watkins,
Deitrick,	Jaspan,	Scarlett,	Wilson, H. I.,
Dent,	Kephart,	Shapiro,	Wilson, T. B.,
DiSilvestro,	Lanius,	Snowden,	Ziesenheim,

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk inform the House of Representatives accordingly.

HOUSE CONCURS IN SENATE BILL No. 56

He also returned to the Senate, Senate Bill No. 56, entitled:

An Act providing for the observance of a Bill of Rights Week in the public schools of this Commonwealth.

with the information that the House has passed the same without amendments.

HOUSE CONCURS IN SENATE BILL No. 229

He also returned to the Senate, Senate Bill No. 229, entitled:

An Act creating a commission to make a study and investigation of the laws governing, and the practical operation of, the parole and penal systems of this Commonwealth, and other parole and penal systems; defining its powers and duties; and making an appropriation.

with the information that the House has passed the same without amendments.

HOUSE CONCURS IN SENATE BILL No. 257

He also returned to the Senate, Senate Bill No. 257, entitled:

An Act making an appropriation to the Nursing School of the University of Pittsburgh, Pittsburgh, Pennsylvania.

with the information that the House has passed the same without amendments.

HOUSE CONCURS IN SENATE BILL No. 258

He also returned to the Senate, Senate Bill No. 258, entitled:

An Act making an apropriation to the Medical School of the University of Pittsburgh, Pittsburgh, Pennsylvania.

with the information that the House has passed the same without amendments.

HOUSE CONCURS IN SENATE BILL No. 379

He also returned to the Senate, Senate Bill No. 379, entitled:

An Act to further amend section one of the act, approved the seventeenth day of June, one thousand nine hundred and thirteen (P. L. 507), entitled "An act to provide revenue for State and county purposes, and, in cities coextensive with counties, for city and county purposes; imposing taxes upon certain classes of personal property; providing for the assessment and collection of the same; providing for the duties and compensation of prothonotaries and recorders in connection therewith; and modifying existing legislation which provided for raising revenue for State purposes," by excluding proceeds of life insurance policies from the provisions thereof.

with the information that the House has passed the same without amendments.

HOUSE CONCURS IN SENATE BILL No. 480

He also returned to the Senate, Senate Bill No. 480, entitled:

An Act requiring the Department of Health to furnish free of charge all State and State-aided hospitals certain vaccines or serum used in the Pasteur treatment, and requiring such hospitals to furnish and inoculate all persons bitten by dogs in this Commonwealth with such vaccine or serum free of charge.

with the information that the House has passed the same without amendments.

HOUSE CONCURS IN SENATE BILL No. 489

He also returned to the Senate, Senate Bill No. 489, entitled:

An Act authorizing the Department of Property and Supplies to acquire by gift from the Pennsylvania State College, on behalf of the Commonwealth of Pennsylvania, that certain tract of land in Northumberland Borough, County of Northumberland, upon which is located the home of Joseph Priestley, and now the property of the Pennsylvania State College; providing for the control management and maintenance thereof by the said department and the Pennsylvania Historical Commission; authorizing the Pennsylvania Historical Commission to accept in trust from the American Chemical Society and other interested societies or individuals, such moneys as they may see fit to present to the Commonwealth to assist in the maintenance and development of this property as a permanent memorial; authorizing the Pennsylvania Historical Commission to accept as gifts or loan, such books, manuscripts, pamphlets, relics and furniture as interested societies or individuals may provide for the permanent utilization of the property as a museum of science; and making an appropriation.

with the information that the House has passed the same without amendments.

HOUSE CONCURS IN SENATE BILL No. 571

He also returned to the Senate, Senate Bill No. 571, entitled:

An Act making an appropriation to the Local Government Commission to continue its work.

with the information that the House has passed the same without amendments.

HOUSE CONCURS IN SENATE BILL No. 598

He also returned to the Senate, Senate Bill No. 598, entitled:

An Act to add section two thousand two and one-tenth to the act approved the eighteenth day of May, one thousand nine hundred eleven, (P. L. 309), entitled "An act to establish a public school system in the Commonwealth of Pennsylvania, together with the provisions by which it shall be administered, and prescribing penalties for the violation thereof; providing revenue to establish and maintain the same, and the method of collecting such revenue; and repealing all laws, general, special or local, or any parts thereof, that are or may be inconsistent therewith," providing for cooperation of State Teachers Colleges at the request of the State Council of Defense with other agencies in furthering national defense programs and activities.

with the information that the House has passed the same without amendments.

HOUSE CONCURS IN SENATE BILL No. 715

He also returned to the Senate, Senate Bill No. 715, entitled:

An Act to repeal certain obsolete acts relating to paupers and the management, control and operation of poor districts.

with the information that the House has passed the same without amendments.

HOUSE CONCURS IN SENATE BILL No. 1087

He also returned to the Senate, Senate Bill No. 1087, entitled:

An Act authorizing the Secretary of Property and Supplies to sell and convey certain tracts of coal lands in Hempfield Township, Westmoreland County, Pennsylvania.

with the information that the House has passed the same without amendments.

HOUSE CONCURS IN SENATE BILL No. 1172

He also returned to the Senate, Senate Bill No. 1172, entitled:

An Act making an appropriation to the Department of Health for the purpose of equipping and operating a sanitarium for the treatment of cancer and for cancer research.

with the information that the House has passed the same without amendments.

HOUSE CONCURS IN SENATE BILL No. 1188

He also returned to the Senate, Senate Bill No. 1188, entitled:

An Act making an appropriation for the purpose of reconstruction, preservation and maintenance of public roads, and improving and replacing bridges thereon through the Cornplanter Indian Reservation in Elk Township, Warren County, Pennsylvania.

with the information that the House has passed the same without amendments.

HOUSE CONCURS IN SENATE BILL No. 1190

He also returned to the Senate, Senate Bill No. 1190, entitled:

An Act making an appropriation to the Department of Public Instruction for the cost of improving, repairing, operating and maintaining the Thaddeus Stevens Industrial School at Lancaster, Pennsylvania.

with the information that the House has passed the same without amendments.

HOUSE CONCURS IN SENATE BILL No. 1257

He also returned to the Senate, Senate Bill No. 1257, entitled:

An Act to amend section one of the act, approved the twenty-fifth day of May, one thousand nine hundred thirty-three (P. L. 1016), entitled "An act relating to aeronautics; providing for the maintenance and operation of intermediate landing fields and air navigation facilities by the Commonwealth alone or in cooperation with the United States Government or political subdivisions of the Commonwealth; providing for the execution of leases or the issuance of licenses to the United States Government or to political subdivisions of the Commonwealth for the maintenance of navigation facilities on intermediate landing fields of the Commonwealth; conferring powers and duties on the Department of Revenue with respect thereto; and repealing certain acts and parts of acts," by extending the powers of the department in relation to air transport facilities.

with the information that the House has passed the same without amendments.

HOUSE CONCURS IN SENATE BILL No. 1259

He also returned to the Senate, Senate Bill No. 1259, entitled:

An Act to amend article twenty of the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 177) entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments commissions and officers thereof including the boards of trustees of State Normal Schools or Teachers Colleges abolishing creating reorganizing or authorizing the reorganization of certain administrative departments boards and commission defining the powers and duties of the Governor and other executive and administrative officers, and of the several administrative departments, boards, commissions and officers fixing the salaries of the Governor Lieutenant-Governor and certain other executive administrative officers providing for the appointment of certain administrative officers and of all deputies and other assistants and employes in certain departments boards and commissions and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments boards and commissions shall be determined" by authorizing the Department of Highways to construct repair and maintain certain facilities of airports.

with the information that the House has passed the same without amendments.

HOUSE CONCURS IN SENATE BILL No. 1260

He also returned to the Senate, Senate Bill No. 1260, entitled:

An Act to amend the act, approved the twenty-second day of June, one thousand nine hundred and thirty-one (P. L. 594) entitled "An act establishing certain township roads as State highways; authorizing their construction, maintenance, and improvement under certain conditions and restrictions; limiting the obligation of the Commonwealth in the construction of certain structures located on such highways; conferring certain powers upon the Department of Highways and local authorities, persons, associations and corporations for sharing the cost of the maintenance and construction of such highways; and making an appropriation to carry out the provisions of said act," as amended, by changing a certain route.

with the information that the House has passed the same without amendments.

HOUSE CONCURS IN SENATE BILL No. 1282

He also returned to the Senate, Senate Bill No. 1282, entitled:

An Act making an appropriation to the California State Teachers College, for the purchase of lands needed for the better operation of such college. Authorizing the Department of Property and Supplies with the approval of the Governor and the Board of Trustees of the California State Teachers College to acquire a certain tract of land for the use of said college and making an appropriation.

with the information that the House has passed the same without amendments.

HOUSE CONCURS IN SENATE BILL No. 1306

He also returned to the Senate, Senate Bill No. 1306, entitled:

An Act making an appropriation to the Trustees of the Pennsylvania State College for the use of the School of Mineral Industries.

with the information that the House has passed the same without amendments.

HOUSE CONCURS IN AMENDMENTS TO HOUSE BILL No. 1127

He also presented communication from the House of Representatives informing the Senate that the House has concurred in amendments made by the Senate to House Bill No. 1127, entitled:

An Act defining, regulating and providing for the licensing and registration of employment agents and their representatives, including private employment agents, theatrical employment agencies and nurses' registries; providing for revocation and suspension of licenses and registrations, subject to appeal, and for their reinstatement; defining the powers and duties of the Department of Labor and Industry and the Department of Public Instruction; providing penalties; and repealing existing laws.

HOUSE CONCURS IN AMENDMENTS TO HOUSE BILL No. 571

He also presented communication from the House of Representatives informing the Senate that the House has concurred in amendments made by the Senate to House Bill No. 571, entitled:

An Act making an appropriation to the Department of Public Assistance and providing for certain allocations therefrom for the purpose of carrying out the Public Assistance Law for the two fiscal years beginning June first one thousand nine hundred forty-one and for the payment of assistance and expenses accrued or incurred prior to and remaining unpaid on May thirty-first one thousand nine hundred forty-one

HOUSE CONCURS IN AMENDMENTS TO HOUSE BILL No. 657

He also presented communication from the House of Representatives informing the Senate that the House has concurred in amendments made by the Senate to House Bill No. 657, entitled:

An Act to amend sections one two three and four of the act approved the twenty-first day of May one thousand nine hundred thirty-seven (P. L. 787) entitled "An act authorizing the compromise or reduction of tax claims on real property purchased by any county city borough town school district or poor district at any sale for the nonpayment of taxes and the reconveyance or private sale of such property" extending the provisions of said act to properties purchased by said political subdivisions at sales for municipal claims and to the payment of such claims from the proceeds of such compromises or sales and changing the time when such compromises may be made.

HOUSE CONCURS IN AMENDMENTS TO HOUSE BILL No. 1487

He also presented communication from the House of Representatives informing the Senate that the House has concurred in amendments made by the Senate to House Bill No. 1487, entitled:

An Act providing for the construction and maintenance by the Department of Forests and Waters with the advice of the Bushy Run Battlefield Commission, of a Bushy Run Museum Building on land owned by the Commonwealth in Westmoreland County; and making an appropriation.

HOUSE CONCURS IN AMENDMENTS TO HOUSE BILL No. 1390

He also presented communication from the House of Representatives informing the Senate that the House has concurred in amendments made by the Senate to House Bill No. 1390, entitled:

An Act making an appropriation to the Treasury Department out of various funds to pay replacement checks issued in lieu of outstanding checks when presented.

HOUSE CONCURS IN AMENDMENTS TO HOUSE BILL No. 895

He also presented communication from the House of Representatives informing the Senate that the House has concurred in amendments made by the Senate to House Bill No. 895, entitled:

An Act to authorize cities, boroughs, incorporated towns, townships, school districts, poor districts and county institution districts to file tax and municipal claims not filed within the time specified by law and to file suggestions of nonpayment and averments of default or to sue out writs of scire facias on certain tax or municipal claims and to revive judgments where the lien of such claims or the judgments thereon have been lost and providing for the reinstatement of the liens of such claims and judgments

HOUSE CONCURS IN AMENDMENTS TO HOUSE BILL No. 522

He also presented communication from the House of Representatives informing the Senate that the House has concurred in amendments made by the Senate to House Bill No. 522, entitled:

An Act making an appropriation to the Department of Agriculture to advance the tobacco interest of this Commonwealth.

HOUSE CONCURS IN AMENDMENTS TO HOUSE BILL No. 1121

He also presented communication from the House of Representatives informing the Senate that the House has concurred in amendments made by the Senate to House Bill No. 1121, entitled:

A further Supplement to the act, approved the first day of April, one thousand eight hundred and sixty-three (P. L. 213), entitled "An act to accept the grant of Public Lands, by the United States, to the several states, for the endowment of Agricultural Colleges," making an appropriation for carrying the same into effect.

HOUSE CONCURS IN AMENDMENTS TO HOUSE BILL No. 971

He also presented communication from the House of Representatives informing the Senate that the House has

concurred in amendments made by the Senate to House Bill No. 971, entitled:

An Act to further amend sections fifteen and fifteen and three-tenths, and to repeal sections fifteen and one-tenth and fifteen and two-tenths, of the act approved the sixteenth day of May, one thousand nine hundred and twenty-three (P. L. 207), entitled "Municipal Claim and Tax Lien Law," as amended, by providing for the renewal, extension and continuation of liens for taxes and water, lighting, power and sewer rates, until such taxes and rates are fully paid and satisfied; and authorizing the filing and revival of liens heretofore lost, and in certain cases, reviving, validating, preserving and extending liens.

HOUSE CONCURS IN AMENDMENTS TO HOUSE BILL No. 1253

He also presented communication from the House of Representatives informing the Senate that the House has concurred in amendments made by the Senate to House Bill No. 1253, entitled:

An Act providing a method of annexation of parts of townships to cities of the first class and regulating the proceedings pertaining thereto

HOUSE CONCURS IN AMENDMENTS TO HOUSE BILL No. 1420

He also presented communication from the House of Representatives informing the Senate that the House has concurred in amendments made by the Senate to House Bill No. 1420, entitled:

An Act to amend the act, approved the seventeenth day of June, one thousand nine hundred and thirteen (P. L. 507), entitled "Intangible Personal Property Tax Law" as amended, by imposing the tax upon personal property held and managed in this Commonwealth, owned, held or possessed by residents as trustees, agents, or attorneys-in-fact jointly with one or more trustees, agents, or attorneys-in-fact domiciled in another state, and by imposing the tax upon equitable interests of residents in personal property held and managed in another state, where the legal title to such personal property is held by more than one trustee, agent or attorney-in-fact, one or more of whom are domiciled in another state and one or more of whom are domiciled within this Commonwealth.

COMMITTEE OF CONFERENCE APPOINTED ON HOUSE BILL No. 803

Mr. EALY. Mr. President, I move that a Committee of Conference be appointed to confer with a similar committee of the House of Representatives (already appointed) to consider the differences existing between the two houses in relation to said bill.

Mr. MILLER. Mr. President, I second the motion.

The motion was agreed to.

The PRESIDENT. The President Pro Tempore appoints Messrs. Letzler, Kephart and DiSilvestro to be said committee on the part of the Senate and that the Clerk inform the House of Representatives accordingly.

HOUSE INSISTS UPON ITS AMENDMENTS NON-CONCURRED IN BY THE SENATE TO SENATE BILL No. 51

He also presented communication from the House of Representatives informing the Senate that the House insists upon its amendments non-concurred in by the Senate to Senate Bill No. 51, entitled:

An Act authorizing and empowering school districts to furnish food, including milk to undernourished and poor school children in their districts.

COMMITTEE OF CONFERENCE ON SENATE BILL No. 24 ADOPTED BY THE HOUSE

He also informed the Senate that the House of Representatives has adopted the Report of the Committee of Conference on Senate Bill No. 24, entitled:

An Act defining and prohibiting unfair sales providing remedies for violations thereof, and establishing penalties therefor

HOUSE INSISTS UPON ITS AMENDMENTS NON-CONCURRED IN BY THE SENATE TO SENATE BILL No. 653

He also presented communication from the House of Representatives informing the Senate that the House insists upon its amendments non-concurred in by the Senate to Senate Bill No. 653, entitled:

An Act regulating and improving the civil service of certain departments and agencies of the Commonwealth, vesting in the State Civil Service Commission and a Personnel Director certain powers and duties providing for classification of positions adoption of compensation schedules and certification of payrolls, imposing duties upon certain officers and employes of the Commonwealth authorizing service to political sub-divisions of the Commonwealth in matters relating to civil service defining certain crimes and misdemeanors imposing penalties making an appropriation and repealing certain acts and parts thereof

HOUSE INSISTS UPON ITS AMENDMENTS NON-CONCURRED IN BY THE SENATE TO SENATE BILL No. 654

He also presented communication from the House of Representatives informing the Senate that the House insists upon its amendments non-concurred in by the Senate to Senate Bill No. 654, entitled:

An Act to amend sections two hundred two and four hundred fifty-two of the act approved the ninth day of April, one thousand nine hundred and twenty-nine (P. L. 177), entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof, and the administrative departments, boards, commissions and officers thereof, including the boards of trustees of State Normal Schools or Teachers Colleges, abolishing, creating, reorganizing or authorizing the reorganization of certain administrative departments, boards, and commissions, defining the powers and duties of the Governor and other executive and administrative officers and of the several administrative departments, boards, commissions and officers, fixing the salaries of the Governor, Lieutenant-Governor and certain other executive and administrative officers, providing for the appointment of certain administrative officers and of all deputies and other assistants and employes in certain departments, boards, and commissions and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments, boards and commissions shall be determined," as amended in order to establish the State Civil Service Commission as a departmental administrative commission in the Executive Department

HOUSE INSISTS UPON ITS AMENDMENTS NON-CONCURRED IN BY THE SENATE TO SENATE BILL No. 1029

He also presented communication from the House of Representatives informing the Senate that the House insists upon its amendments non-concurred in by the Senate to Senate Bill No. 1029, entitled:

An Act creating a Joint Legislative Committee for the purpose of making a thorough study and investigation of the State Employes Retirement System; providing for its appointment; authorizing the employment of necessary clerks and assistants; authorizing the subpoenaing of witnesses and records and making an appropriation.

HOUSE INSISTS UPON ITS AMENDMENTS NON-CONCURRED IN BY THE SENATE TO SENATE BILL No. 1308

He also presented communication from the House of Representatives informing the Senate that the House insists upon its amendments non-concurred in by the Senate to Senate Bill No. 1308, entitled:

An Act to further amend the first paragraph of section three of the act, approved the twenty-second day of May, one thousand nine hundred thirty-three (P. L. 912) entitled "An act to protect the public health; defining and providing for the licensing of bakeries, and regulating the inspection, maintenance, and operation of bakeries and premises, stores and shops connected therewith; defining and regulating the manufacture, sale, and offering for sale of bakery products; conferring powers on the Department of Agriculture; and providing penalties," by extending the exception from registration and licensing requirements.

HOUSE INSISTS UPON ITS AMENDMENTS NON-CONCURRED IN BY THE SENATE TO SENATE BILL No. 298

He also presented communication from the House of Representatives informing the Senate that the House insists upon its amendments non-concurred in by the Senate to Senate Bill No. 298, entitled:

An Act making an appropriation out of the Motor License Fund to the Department of Highways for allocation to and expenditure in cities, boroughs, towns and townships of the Commonwealth for maintenance, construction, reconstruction, resurfacing, or improvement of municipal roads, highways and bridges, during the calendar years one thousand nine hundred forty-two and one thousand nine hundred forty-three; permitting the use of the funds for maintenance and repair of municipal roads, highways and bridges under certain conditions; and providing for the method of payment to such political subdivisions.

HOUSE INSISTS UPON ITS AMENDMENTS NON-CONCURRED IN BY THE SENATE TO SENATE BILL No. 594

He also presented communication from the House of Representatives informing the Senate that the House insists upon its amendments non-concurred in by the Senate to Senate Bill No. 594, entitled:

An Act to amend the act, approved the twenty-fourth day of June, one thousand nine hundred and thirty-seven (P. L. 2051), entitled "An act relating to public assistance; providing for and regulating assistance to certain classes of persons designated and defined as dependent children, aged persons, blind persons and other persons requiring relief; providing for the administration of this act by the Department of Public Assistance and county boards of assistance hereby created for this purpose; authorizing the Department of Public Assistance to cooperate with, and to accept and disburse moneys received from, the United States Government for assistance to such persons; providing for the liquidation of the State Emergency Relief Board, Boards of Trustees of the Mothers' Assistance Fund, and Boards of Trustees of Pension Fund for the Blind; and repealing laws relating to mothers' assistance, pensions for the blind, old age assistance, and the State Emergency Relief Board," as amended, by redefining assistance to include work relief, and authorizing the Department of Public Assistance, with the approval of the Governor, to administer work relief projects.

COMMITTEE OF CONFERENCE APPOINTED ON SENATE BILL No. 1044

The PRESIDENT. The President, Pro Tempore appoints Messrs. Crowe, Wade and Cavalcante, to be a committee on the part of the Senate, to confer with a similar committee of the House of Representatives (if the House of Representatives shall appoint such a committee) to consider the differences existing between the two Houses in relation to said bill.

Ordered, That the Clerk inform the House of Representatives accordingly.

APPOINTMENT OF CONFERENCE COMMITTEE ON HOUSE BILL No. 846

The PRESIDENT. The President Pro Tempore appoints Messrs. Homsher, Crider and McGinnis, to be the committee on the part of the Senate to consider the differences existing between the two Houses in relation to House Bill No. 846.

COMMITTEE OF CONFERENCE REPORT ON SENATE BILL No. 1308 PRESENTED

Mr. HEYBURN. Mr. President, I am directed by the Committee of Conference to make a report on Senate Bill No. 1308, entitled:

An Act to further amend the first paragraph of section three of the act, approved the twenty-second day of May, one thousand nine hundred thirty-three (P. L. 912), entitled "An act to protect the public health; defining and providing for the licensing of bakeries, and regulating the inspection, maintenance, and operation of bakeries and premises, stores and shops connected therewith; defining and regulating the manufacture, sale, and offering for sale of bakery products; conferring powers on the Department of Agriculture; and providing penalties," by extending the exception from registration and licensing requirements.

The PRESIDENT. The report will lie over for printing.

COMMITTEE OF CONFERENCE REPORT ON SENATE BILL No. 1210 (HOUSE BILL No. 1729) PRESENTED

Mr. CROWE. Mr. President, I am directed by the Committee of Conference to make a report on Senate Bill No. 1210, (House Bill No. 1729), entitled:

An Act to further amend section seven of and to add section fourteen and one-tenth to the act approved the seventh day of August one thousand nine hundred and thirty-six (P. L. 106) entitled as amended "An act relating to flood control prescribing the powers and duties of the Water and Power Resources Board of the Department of Forests and Waters in relation to the creation of flood control districts adoption of plans for flood control works and improvements carrying into effect of such plans assistance aid and cooperation with public and private agencies and the Federal Government in Federal flood control works and improvements and entering into compacts and agreements with other states for flood control works and improvements conferring the power of eminent domain providing for the setting off of benefits imposing certain charges upon the Commonwealth providing for appeals and conferring certain powers on municipalities counties and townships and the Department of Highways" prohibiting the construction maintenance or operations of facilities, works and improvements for the generation or development of power and authorizing the Secretary of

Highways and the various political subdivisions with the approval of the Water and Power Resources Board to grant easements and flowage rights to the Federal Government over certain highways roads streets and bridges.

The PRESIDENT. The report will lie over for printing.

COMMITTEE OF CONFERENCE REPORT ON HOUSE BILL No. 481 PRESENTED

Mr. SCARLETT. Mr. President, I am directed by the Committee of Conference to make a report on House Bill No. 481, entitled:

An Act to amend section eighteen of the act approved the second day of July, one thousand nine hundred and thirty-five (P. L. 589), entitled "Milk Sanitation Law" requiring local ordinances in certain cases to conform to this act and the regulations made thereunder.

The PRESIDENT. The report will lie over for printing.

SENATE BILL No. 618, (HOUSE BILL No. 1734), CALLED UP FROM TABLE

Mr. LETZLER. Mr. President, I now call up Senate Bill No. 618, (House Bill No. 1734), which was returned from the Governor.

Mr. MILLER. Mr. President, I second the motion.

The motion was agreed to.

RECONSIDERATION OF SENATE BILL No. 618, (HOUSE BILL No. 1734), RECALLED FROM THE GOVERNOR

Mr. LETZLER. Mr. President, I move that the Senate do now reconsider the vote by which Senate Bill No. 618, (House Bill No. 1734), entitled:

An Act to further amend section two of the act, approved the sixteenth day of June, one thousand nine hundred thirty-three (P. L. 252, 1933-34), entitled, as amended "An act to regulate and restrain the traffic in malt and brewed beverages, as herein defined; providing for the licensing of the manufacture, transportation, sale and distribution of such beverages; imposing license and permit fees, and providing for collection and distribution thereof; restricting ownership and interest in licensed places; permitting municipalities and townships, by vote of the electors, to prevent the licensing therein of places where such beverages may be sold for consumption on the premises, and regulating elections for this purpose; imposing duties upon the Pennsylvania Liquor Control Board, quarter sessions courts, district attorneys, the Department of Justice, proper authorities of political subdivisions of the State, and election officers; providing penalties; and repealing existing acts," by permitting clubs to waive or reduce dues payable by members in military service.

was passed finally, July 11, 1941.

The PRESIDENT. How did the Senator vote?

Mr. LETZLER. Mr. President, I voted "aye".

Mr. MILLER. Mr. President, I second the motion.

The PRESIDENT. How did the Senator vote?

Mr. MILLER. Mr. President, I voted "aye".

The motion was agreed to.

And the question recurring,

Shall the bill pass finally?

Mr. LETZLER. Mr. President, I move to reconsider the vote by which the bill passed third reading.

The PRESIDENT. How did the Senator vote?

Mr. LETZLER. Mr. President, I voted "aye".

Mr. MILLER. Mr. President, I second the motion.

The PRESIDENT. How did the Senator vote?

Mr. MILLER. Mr. President, I voted "aye".

The motion was agreed to.

And the question recurring,

Will the Senate agree to the bill on third reading?

Mr. LETZLER. Mr. President, I ask unanimous consent to amend page 1, line 2 of the title, by striking out at the beginning of the line, with boldface brackets, the word: "[sixteenth]"; and inserting in lieu thereof the word: "third"; amend page 1, line 2 of the title, by striking out after the word "of" and before the word "one", with boldface brackets, the word: "[June]"; and inserting in lieu thereof the word: "May"; amend page 1, line 3 of the title, by striking out after "252", with boldface brackets, the following: "[1933-34]"; amend section 1, page 2, line 1 by striking out, with boldface brackets, at the end of the line the word: "[sixteenth]"; and inserting in lieu thereof the word: "third"; amend section 1, page 2, line 2 by striking out after the word "of" and before the word "one", with boldface brackets, the word: "[June]"; and inserting in lieu thereof the word: "May"; amend section 1, page 2, line 3 by striking out after "252", with boldface brackets, the following: "[1933-34]".

The PRESIDENT. Is there objection? The Chair hears none.

The amendments were agreed to.

On the question,

Will the Senate agree to the bill on third reading, as amended?

It was agreed to.

Ordered, That said bill be printed for the use of the Senate.

SENATE INSISTS UPON ITS NON-CONCURRENCE IN AMENDMENTS BY THE HOUSE TO SENATE BILL No. 169

Mr. EALY. Mr. President, I move that the Senate insist upon its non-concurrence in the amendments made by the House to Senate Bill No. 169.

Mr. MILLER. Mr. President, I second the motion.

On the question,

Will the Senate agree to the motion?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—48

Barr,	Ealy,	Letzler,	Stevenson,
Bartlett,	Edmonds,	Mallery,	Stiefel,
Becker,	Farrell,	McCreesh,	Tallman,
Cavalcante,	Frey,	McGinnis,	Taylor,
Chapman,	Geltz,	McQuiddy,	Thomas,
Coleman,	Haluska,	Miller,	Tyler,
Cox,	Heyburn,	Mundy,	Wade,
Crider,	Homsher,	Reed,	Walker,
Crowe,	James,	Ruth,	Watkins,
Deitrick,	Jaspan,	Scarlett,	Wilson, H. I.,
Dent,	Kephart,	Shapiro,	Wilson, T. B.,
DiSilvestro,	Lanius,	Snowden,	Ziesenheim,

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk inform the House of Representatives accordingly.

APPOINTMENT OF COMMITTEE OF CONFERENCE ON SENATE BILL No. 169

The PRESIDENT. The President Pro Tempore appoints Messrs. Geltz, Walker and Barr, to be a committee on the part of the Senate, to confer with a similar committee of the House of Representatives (if the House shall appoint such a committee) to consider the difference existing between the two Houses in relation to Senate Bill No. 169.

Ordered, That the Clerk inform the House of Representatives accordingly.

COMMITTEE OF CONFERENCE ON HOUSE BILL No. 448 APPOINTED

The PRESIDENT. The President Pro Tempore appoints Messrs. Miller, Bartlett and Cavalcante, to be a committee on the part of the Senate, to confer with a similar committee of the House of Representatives (already appointed) to consider the differences existing between the two houses in relation to House Bill No. 448.

Ordered, That the Clerk inform the House of Representative accordingly.

REPORT OF COMMITTEE OF CONFERENCE ON HOUSE BILL No. 846

Mr. HOMSHER. Mr. President, I am directed by the Committee of Conference to make a report on House Bill No. 846, entitled:

An Act to amend an act approved the eighteenth day of May, one thousand nine hundred eleven (P. L. 309), entitled "Public School Code" as amended, by requiring school boards in all school districts to grant leaves of absence to all school employes who shall volunteer or be called for military naval or similar service under the Selective Service Law of 1940 or subsequent laws of the United States of America and to all school employes in the National Guard, land or naval reserve forces who shall be called for active duty; preserving certain contracts, salaries, increments, retirement rights, seniority, State contributions and grants to local school boards, eligibility lists, re-employment; requiring school boards to employ substitutes in place of such employes; reserving all rights and privileges of employes granted leaves of absence under the provisions herein; superseding or repealing all contrary laws.

The report will lie over for printing.

REPORT OF COMMITTEE OF CONFERENCE ON HOUSE BILL No. 943

Mr. DEITRICK. Mr. President, I am directed by the Committee of Conference to make a report on House Bill No. 943, entitled:

An Act to reenact and amend section 441 of the act approved the second day of May, one thousand nine hundred twenty-nine (P. L. 1278) entitled "General County Law" by authorizing boards of county commissioners to appropriate county moneys for the support of charitable hospitals.

The report will lie over for printing.

REPORT OF COMMITTEE OF CONFERENCE ON SENATE BILL No. 594

Mr. HEYBURN. Mr. President, I am directed by the Committee of Conference to make a report on Senate Bill No. 594, entitled:

An Act to amend the act, approved the twenty-fourth day of June, one thousand nine hundred and thirty-seven (P. L. 2051), entitled "An act relating to public assistance; providing for and regulating assistance to certain classes of persons designated and defined as dependent children, aged persons, blind persons and other persons requiring relief; providing for the administration of this act by the Department of Public Assistance and county boards of assistance hereby created for this purpose; authorizing the Department of Public Assistance to cooperate with, and to accept and disburse moneys received from, the United States Government for assistance to such persons; providing for the liquidation of the State Emergency Relief Board, Boards of Trustees of the Mothers' Assistance Fund, and Boards of Trustees of Pension Fund for Blind; and repealing laws relating to mothers' assistance, pensions for the blind, old age assistance, and the State Emergency Relief Board," as amended, by redefining assistance to include work relief and authorizing the Department of Public Assistance, with the approval of the Governor, to administer work relief projects.

The report will lie over for printing.

SENATE BILL No. 1165, (HOUSE BILL No. 1678), ON THIRD READING AND FINAL PASSAGE CALLED UP

Mr. GELTZ. Mr. President, I now call up Senate Bill No. 1165, (House Bill No. 1678), on third reading and final passage, which went over in its order, on page 8 of the Calendar.

Mr. MILLER. Mr. President, I second the motion.

The motion was agreed to.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 1165, (House Bill No. 1678), as follows:

An Act to further amend section one thousand one hundred thirty-three of the act approved the eighteenth day of May one thousand nine hundred and eleven (P. L. 309) entitled "An act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith" by removing certain limitations of the appointment of district superintendents

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section one thousand one hundred thirty-three of the act approved the eighteenth day of May one thousand nine hundred and eleven (P. L. 309) entitled "An act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith" as amended by the act approved the twentieth day of June one thousand nine hundred and thirty-nine (P. L. 491) is hereby further amended to read as follows

Section 1133 The board of school directors in every school district of the first and second class shall and in every district of the third class may by a majority vote

of all the members thereof elect a properly qualified person as district superintendent together with such properly qualified assistant district superintendents as it deems wise The directors of any school district required or electing to have a district superintendent of schools shall not participate in the election of a county superintendent and the public schools of any district which has a district superintendent shall not be subject to the superintendence or supervision of a county or an assistant county superintendent but shall all be under the supervision of the district superintendent

[After the first day of July one thousand nine hundred and forty the board of school directors of any school district not employing a district superintendent at the effective date of this act shall before creating the office of district superintendent obtain the approval of the county board of school directors]

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—48

Barr,	Ealy,	Letzler,	Stiefel,
Bartlett,	Edmonds,	Mallery,	Tallman,
Becker,	Farrell,	McCreesh,	Taylor,
Carr,	Frey,	McGinnis,	Thomas,
Chapman,	Geltz,	McQuiddy,	Tyler,
Coleman,	Haluska,	Miller,	Wade,
Cox,	Heyburn,	Mundy,	Walker,
Crider,	Homsher,	Ruth,	Watkins,
Crowe,	James,	Scarlett,	Wilson, H. I.,
Deitrick,	Jaspan,	Shapiro,	Wilson, T. B.,
Dent,	Kephart,	Snowden,	Woodward,
DiSilvestro,	Lanius,	Stevenson,	Ziesenheim,

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

SENATE BILL No. 1303, (HOUSE BILL No. 1727), ON FINAL PASSAGE CALLED UP

Mr. GELTZ. Mr. President, I now call up Senate Bill No. 1303, (House Bill No. 1727), on final passage.

Mr. MILLER. Mr. President, I second the motion.

The motion was agreed to.

Agreeably to order,

The Senate resumed the third reading and consideration of Senate Bill No. 1303, (House Bill No. 1727), entitled:

An Act providing that bonds notes and other evidences of indebtedness issued by Authorities incorporated under the Municipality Authorities Act as amended and supplemented shall not be invalid by reason of certain circumstances.

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Will the Senate agree to the bill?

Mr. GELTZ. Mr. President, this is the bill which was amended last night by both the gentleman from Lackawanna and myself which amendments proved inconsistent; the bill also was amended by the gentleman from Philadelphia, Senator Kephart, earlier today.

Mr. EDMONDS. I think before this bill is voted on I ought to advise my colleagues of the fact that Senate Bill No. 783, which was a bill regulating municipal authorities, was defeated in the House tonight by an overwhelming vote; I think it was 117 to 18 or something like that. That means that certainly there is no regulatory legislation coming out of this session. The only thing that has happened is a white-wash bill on the compatibility proposition, and now this validating act on the bonds.

Personally I am going to vote for this validating bill. As I stated in the Senate last night, and I am stating it again with a great deal of clearness, to my mind these bonds are held by innocent third parties who have invested their money in them and they should be satisfied as to the legality of the bonds, and for that reason I am voting for it.

I wish to express my great disappointment in the fact that legislation which the people of the state had a right to expect has not resulted from this session, and I want to go even further than that and express my very keen regret that my feeling earlier in the evening, that there was possibly a smell about some of these transactions which would return to haunt the members of the General Assembly, has been justified so soon.

With that, Mr. President, I say farewell to this subject for this session.

Mr. MALLERY. I want to state, Mr. President, that several days ago, I think it was Tuesday morning—at what might not have seemed an early hour to the party that called me, but in view of the fact that I had been in bed for only a few hours, it seemed an usually early hour to me—my classmate in law school, Attorney James Rankin, called me relative to this bill and the companion bill, House Bill No. 1728. After discussing it at some little length, I told him a number of Senators with whom I had discussed the matter in the Senate, on both sides, considered that we should at least not do anything to invalidate the securities purchased by innocent holders and that we thought the bill was in proper shape. I told him I intended to vote for the bill and when I explained the bill to him, he told me he thought it would be a proper bill.

In making this explanation, Mr. President, of my vote upon bills that we have voted upon heretofore, I think I had better explain my vote or my action on another bill which was of great interest and had a great deal of consideration in this Senate, and that was the bill to set up a new charter for the great City of Philadelphia. One of the reasons I opposed that bill in its original form was that anyone who had experience in the government of Philadelphia, was prohibited from being a member of the commission that would determine the City Commission.

I feel that what we want to do is to obtain people who have special knowledge and information about matters that are to be done. This Senate voted for and approved a bill that would permit two members of a council to sit upon an authority board, and as my colleague from Philadelphia, Senator Kephart well stated, if two are properly permitted to sit upon that board I see no reason why three four or five should not be permitted to sit upon a board.

Mr. WALKER. Mr. President, I was not on the floor when House Bill No. 1728 was before the Senate, because we were engaged in conference with the House Conferees,

but I have been advised as the co-sponsor of Senate Bill No. 783 that it has been defeated in the House.

Mr. President, I had every intention in the world of trying to clear up this municipal authority situation to the best of my ability, and while I was suspicious of what might be contained in House Bills Nos. 1727 and 1728, I was determined to go along with them in the hope that with these three bills we would be able to work out some common meeting ground on municipal authorities.

There have been various quotations in the newspapers about these three bills, about the stormy course the bills had in the House, but most of the reports were conjecture and surmise on the part of those who were interested and on the part of those reporting the matters for the newspapers, and many of the conclusions arrived at were predicated or crystalized by newspaper opinions.

Mr. President, I am firmly of the opinion that the dynamic action taken by the House on the municipal authority bill, which was sponsored by the gentleman from Montgomery and myself, certainly bears out the conclusions that were arrived at, through that crystalization of conclusions by the newspaper reports and that there must be something wrong when they would deliberately sabotage that bill as soon as they discovered that House Bill No. 1728 was passed by the Senate.

Mr. President, I am sorry I am not recorded as having voted on that bill, because that precludes me from making a motion to reconsider the vote by which that bill passed the Senate. I want to say, Mr. President, I was firmly determined to vote for House Bill No. 1727 as well as House Bill No. 1728. It may be that House Bill No. 1727 is a good bill, and it may be that it will do no harm to the people of Pennsylvania and it may be that it will do some good; it may be that validating those bonds will be a good thing, but I am going to vote against my better judgment, I am going to vote my suspicion, I am going to vote against this bill, because I am firmly convinced the attitude of those manipulators in the House conclusively bears out the repeated warnings we have heard here on the floor of this Senate.

In a recent legislative day—my inability to remember whether we are still on Friday or Saturday prevents me from specifically naming the day—I made a speech here on the floor of the Senate in which I pointed out to the members of this body what would happen to Senate No. 783. At that time I warned the Senate it had been hopelessly pickled in committee. By coincidence, shortly after that speech, the bill came out of committee and it came out, as I understand it, as committed, and then it was amended on the floor of the House and the amendments were terrific. The only things that were left in the bill that the gentleman from Montgomery and I could recognize were the names of the sponsors and the number of the bill; they had ripped out everything else, a deliberate sabotaging of the bill.

When that was objected to, and when newspaper reports called the attention of those in power in the House to the vulnerable position in which they had placed themselves, they immediately back tracked and proceeded to put Senate Bill No. 783 back in a condition where it could be recognized by those who had voted for it in the Senate, and the bill got up to third reading and stayed there until House Bill Nos. 1727 and 1728 were acted upon by the Senate.

I do not know whether somebody tipped them off that House Bill No. 1727 had been passed by the Senate, but somebody must have told them that House Bill No. 1728 was passed by the Senate.

Immediately, Mr. President, that bill was defeated by an overwhelming majority, common legislative sabotage, and I say on suspicion and in spite of all the arguments, I presented in our Caucus in favor of this bill, I want to say here and now to my colleagues I am going to play my hunch and vote against House Bill No. 1727, even though I was of the opinion it was good legislation. I am not going to be a contributor to the things going on with regard to these municipal authorities. If I only for a moment had the power of the Chief Executive of the Commonwealth I certanly would take care of House Bill No. 1728 when it came before me.

Mr. BARR. Mr. President, earlier in the session I introduced a bill very similar to the bill which was defeated in the House of Representatives tonight. I will admit definitely that in all my work on that bill, with certain persons who were learned in public utility law, and certain attorney friends of mine, I did it in all sincereity, but I think I may have been carried off just a little bit by what happened in the Chester County Authority. In other words it probably was just slightly political.

This bill Senator Walker is weeping so much about that was defeated in the House tonight was just about the same bill that I introduced into this Senate I think in February of this year.

We cannot, after a lot of study, find there is anything wrong with those municipal authorities, that need so much correction by the Senate and the House of Representatives, as Mr. Walker thinks.

I remember Senator McGinnis' speech here earlier in the year about the pure-eyed reformers. In any authority and in any government now and then there will be something arise where someone may make a mistake and sometimes people call them political mistakes and sometimes they are called wrong. But what I am trying to do here is to say that I think we are making a great story out of something in which there really is nothing seriously wrong in the municipal authorities within the state.

Mr. MALLERY. Mr. President, I feel I should correct the statement made by the gentleman from Allegheny, Mr. Barr, when he said a bill which he introduced was the same or similar to the bill introduced by the gentleman from Allegheny, Senator Walker, and the gentleman from Montgomery, Senator Edmonds. I certainly think there was no similarity betwen the two bills when they were introduced and there was a great deal of difference between them when the bills finally passed. I personally felt that this was a matter which should have been given more consideration than the members of the Senate were able to give to this important matter, but we did give our time and attention to this important matter, and the bill that was finally voted upon in this Senate was in my consideration a very good bill.

As Senator Edmonds, one of the sponsors of the bill stated, it was not a perfect bill, there were some few minor matters which were considered in the belief that the House would take care of them. I believe that the defects which a great many members of the Senate stated that they hoped would be corrected at an early session of the Senate are provided for in the bill.

On the other hand, getting back to the bill that we have under consideration, first I want to state that I consider Senate Bill No. 783 the best approach to a solution of this problem that has been suggested or proposed by this Legislature. I want to state that in my opinion I think the courts which have ruled upon incompatibility have decided correctly under existing laws, but as I understand the problem it is within the province of this Legislature to change the laws at any time it sees fit.

Mr. President, I see no wrong in the passage of the bill now before the Senate, and I want to point out that if any member of a borough council commits a violation of any of the criminal laws or any of the laws of the Commonwealth of Pennsylvania, he can be duly punished and will be subject naturally to the criminal laws of the State of Pennsylvania.

Furthermore, Mr. President, by reason of the fact that in Senate Bill No. 783 we permit two members of a council to serve upon the board of an authority, as my colleague from Northampton, Senator Bartlett, so well expressed it tonight, I can see no reason why it would be criminal for three or four members to sit upon that board. I think a great alarm has been caused in the Legislature because of something that has happened some place here in the state, and we are forgetting about what might be the right thing to do.

I think I will be perfectly right in voting for this bill.

Mr. McGINNIS. Mr. President, I have observed in this state that the utilities of this state have always had a way of getting along with the Public Utility Commission, whether that commission was Democratic or Republican, and in the past—in the distant past—there have been some scandalous things that have happened through the Public Utility Commission.

I know they have the best lawyers in this state, I know they have the slickest, the slyest lobbyists, and I was greatly suspicious when I found out that the Public Utility Commission was trying to lay its hands on the authorities of this state. We have kept them out of the municipalities in this state—the Public Utility Commission has been kept out of the municipalities of this state—and as I see it, the authorities are nothing but creditors of municipalities, projects which the municipalities would have built themselves if they had the money, and this is merely another way of raising the money.

Mr. President, I am not so worried about Chester. Many things bad have happened down there in Delaware County before the authority was ever heard of. I am sure whatever happened down there did not happen because somebody was a member of a council and a member of an authority. That alone is not a crime, but if a crime were committed down there the courts have these crimes in their hands now, and I think that is sufficient.

I feel that Senate Bill No. 783 was a scheme of the utilities, through the Public Utility Commission, to keep its stranglehold on the consumers of Pennsylvania. There was not a word in that act to protect the consumer, not a single word, but merely to protect some of the utilities that might want to sell their properties to an authority. If they were so much concerned about the people of Pennsylvania in that act, that act would have provided something about the Public Utility Commission protecting the consumers of the product of those authorities, and therefore I am mighty glad Bill No. 783 was killed. I can not conceive that 276 councilmen in the State of Pennsylvania committed a crime or did anything wrong when they became members of municipal authorities. I cannot conceive that fifty-three of these authorities we have throughout Pennsylvania have been guilty of criminal acts.

If something happened down in Chester it happened there before we had any authorities, and I am sure that simply because a man happens to be a councilman and a member of an authority that there is no crime about that, if he is an honest man, and if he is a crook, whether he is a member of an authority or not, something wrong will happen; therefore I do not think there should be so much excitement on account of something wrong happening down in Chester.

There are fifty-three other authorities that I have not heard anything wrong about as yet, and I think that is a pretty good average. I feel that is a fairly good average in the ordinary dealings of human beings—if one authority went wrong, why condemn them all.

Mr. COX. Mr. President, last evening the gentleman from Allegheny, Senator Walker, who is sincerely interested in this question of what to do with the municipal authorities, was very angry because of what happened in the House, and castigated the members on this side for their failure to support this bill. I know since then he has recalled the fact that there were members on this side who voted for this bill. I was one of those members. I personally am deeply interested in this question and I felt that in many aspects this bill was very excellent, and I also felt that this was a solution to the problem we hoped to solve.

In the first place, Mr. President, it seems to me that it is the wrong thing to set up a municipal authority which is not accountable to the people in the district which it serves. For that reason, I personally feel there should be representatives of the local municipality, which the particular authority serves, on that authority. I feel, that there should be some board which would have the right of determining whether the price to be paid for an existing utility was a fair price. For that reason I felt that the only existing board in Pennsylvania, that had the facilities to make an investigation, the Public Utility Commission, was the right place to put that power. I felt, just as we would do in private industry that, at the end of any business year there should be a very careful audit made of the business of the utility, and this bill did that, it provided for auditors and certified public accountants to make an examination of the books of the authority. I felt that when an authority was financed and its bonds were sold, that there should be an investigation as to whether or not the proper legalities required by the laws of this state had been complied with, and the bill does that, because it gives the Department of Internal Affairs the right to examine financial transactions, just as we do in a municipality when a municipality sells bonds.

I personally am very sorry the House has killed this bill because that is what it amounts to. It seems to me the question of authorities transcends politics; it has no business in or relationship whatever to politics. We

set these authorities up, they are a huge creation, and it seems to me we would have done a better job in this General Assembly had we found some arrangement to put them within the ordinary municipal law.

Mr. President, as to House Bill No. 1727, the bill under consideration, my colleague from Allegheny, Senator Walker, voiced on this bill great suspicion, but he has not been able to point out in the bill anything which would arouse that suspicion.

I personally feel this way, the authorities being in existence, they have to be financed, and innocent people purchase the bonds, and anyone who knows anything about people who purchase bonds of municipalities realize they are in small estates, where the income is limited.

In this particular bill, House Bill No. 1727, we validate any financial transaction, that is, the issuance of any bonds, notes, or other evidences of indebtedness, and those bonds have been sold; it only applies to things which have been done in the past, and I see no reason why innocent persons should be penalized.

And the question recurring,

Will the Senate agree to the bill?

It was agreed to.

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—31

Barr,	Edmonds,	Letzler,	Stevenson,
Bartlett,	Farrell,	Mallery,	Stiefel,
Becker,	Geltz,	McGinnis,	Taylor,
Cavalcante,	Haluska,	McQuiddy,	Thomas,
Chapman,	Homsher,	Miller,	Tyler,
Cox,	James,	Mundy,	Wade,
Crowe,	Jaspan,	Scarlett,	Watkins,
Deitrick,	Kephart,	Snowden,	

NAYS—5

Coleman,	Heyburn,	Shapiro,	Walker,
Ealy,			

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same with amendment in which the concurrence of the House is requested.

SENATE BILL No. 1327, (HOUSE BILL No. 1952), ON FINAL PASSAGE CALLED UP

Mr. GELTZ. Mr. President, I now call up Senate Bill No. 1327, (House Bill No. 1952), on third reading and final passage.

Mr. MILLER. Mr. President, I second the motion.

The motion was agreed to.

Agreeably to order,

The Senate resumed the third reading and consideration of Senate Bill No. 1327, (House Bill No. 1952), entitled:

An Act to amend section four of the act, approved the first day of July, one thousand nine hundred and nineteen (P. L. 717), entitled "An act fixing the number, compensation mileage and duties of the officers and employes of the General Assembly, and providing for their election or appointment, term of office, and manner of filling vacancies," by providing for the appointment, compensation and duties of clerks and pages to the majority and minority floor leaders, respectively, of the Senate and of the House of Representatives, and making an appropriation.

And said bill having been read at length the third time, and agreed to.

And the amendments made thereto having been printed as required by the Constitution.

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as folows, viz:

YEAS—48

Barr,	Ealy,	Letzler,	Stiefel,
Bartlett,	Edmonds,	Mallery,	Tallman,
Becker,	Farrell,	McCreesh,	Taylor,
Carr,	Frey,	McGinnis,	Thomas,
Chapman,	Geltz,	McQuiddy,	Tyler,
Coleman,	Haluska,	Miller,	Wade,
Cox,	Heyburn,	Mundy,	Walker,
Crider,	Homsher,	Ruth,	Watkins,
Crowe,	James,	Scarlett,	Wilson, H. I.,
Deitrick,	Jaspan,	Shapiro,	Wilson, T. B.,
Dent,	Kephart,	Snowden,	Woodward,
DiSilvestro,	Lanius,	Stevenson,	Ziesenheim.

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same with amendment in which the concurrence of the House is requested.

REPORT OF COMMITTEE OF CONFERENCE ON SENATE BILL No. 1044

Mr. CROWE. Mr. President, I am directed by the Committee of Conference to make a report on Senate Bill No. 1044, entitled:

An Act to further amend section eleven and section seventeen of the act approved the twenty-seventh day of June, one thousand nine hundred twenty-three (P. L. 858), entitled "An act establishing a State employes' retirement system, and creating a retirement board for the administration thereof; establishing certain funds from contributions by the Commonwealth and contributing State employes; defining the uses and purposes thereof, and the manner of payments therefrom, and providing for the guaranty by the Commonwealth of certain of said funds; imposing powers and duties upon the heads of departments in which State employes serve; excepting annuities, allowances, returns, benefits and rights from taxation and judicial process; and providing penalties" by permitting a member to borrow from his or her funds under certain provisions and regulating exemption from execution.

The PRESIDENT. The report will lie over for printing.

COMMITTEE OF CONFERENCE APPOINTED ON SENATE BILL No. 559

The PRESIDENT. The President Pro Tempore appoints Messrs. Homsher, James and Cox, to be a committee on the part of the Senate, to confer with a similar committee of the House of Representatives (if the House shall appoint such a committee) to consider the differ-

ences existing between the two houses in relation to said bill.

Ordered, That the Clerk inform the House of Representatives accordingly.

RECESS

Mr. GELTZ. Mr. President, I move that the Senate do now take a recess for fifteen minutes.

Mr. MILLER. Mr. President, I second the motion.

On the question,

Will the Senate agree to the motion?

Mr. GELTZ. Mr. President, we are about to take a recess, but before doing so we are going to ask all members of conference committees who have not completed their work or filed their reports, to report back in the Senate Chamber at ten o'clock, eastern standard time, to resume their deliberations.

Mr. HALUSKA. Mr. President, I desire to interrogate the gentleman from Allegheny.

The PRESIDENT. Will the gentleman from Allegheny permit himself to be interrogated?

Mr. GELTZ. I will, Mr. President.

Mr. HALUSKA. Mr. President, did I understand the gentleman from Allegheny to say that the members of the conference committees are to report here at ten o'clock.

Mr. GELTZ. That is correct, Mr. President.

Mr. HALUSKA. The gentleman from Allegheny did not state what day.

Mr. GELTZ. Today, Mr. President.

Mr. HALUSKA. Mr. President, the record shows that the Senate did convene at one o'clock p. m., July 12th. Would it now be possible and constitutional to convene again at ten o'clock the same day?

Mr. GELTZ. Mr. President, we are not convening again. We are taking a recess, and we are coming back after a recess on the same legislative day.

Mr. HALUSKA. Mr. President, I understand we are coming back at ten o'clock on July 13th, whereby we convened on July 12th at one o'clock p. m., and now we are recessing until July 12th at ten o'clock a. m.

Mr. GELTZ. Mr. President, that seems to be one of the strange things in the world. The legislative clock seems to work differently than some other clocks.

POINT OF ORDER

Mr. HALUSKA. Mr. President, I rise to a point of order.

The PRESIDENT. The gentleman from Cambria will state his point of order.

Mr. HALUSKA. Mr. President, the gentleman from Allegheny stated that the conference committees were to report at ten o'clock a. m., not giving any date.

Mr. GELTZ. Mr. President, it may be that my colleague from Cambria misunderstood my motion. My motion was that we recess for fifteen minutes, and he certainly is welcome to be back here in fifteen minutes.

Mr. HALUSKA. Mr. President, the other day our colleagues were quoting from the Bible in their discussions. Permit me to remind them of one small paragraph which states that on the Sabbath, the seventh day, God ended his work which He had made and He rested on the seventh day from all His work which He had made.

Mr. President, yesterday I offered a resolution, anticipating some trouble. Now the Majority Floor Leader thinks it is possible to do in one day what you have failed to do in six months. I think that my colleagues ought to bow their heads in shame that after six and one-half months in this chamber, we must come back on the Sabbath and work throughout the entire day. It is inhuman, it is sickening, and I am certain we will get no credit from anyone if we do that. What we should do is that we should adjourn until twelve o'clock Sunday night, adjourn this session, reconvene at 12:01 o'clock tomorrow night and come back like men, physically and mentally fit, and finish this session.

Therefore, Mr. President, I now move that we do now adjourn until 12:01 a. m.

The PRESIDENT. There is a motion before the Senate. Therefore the motion of the gentleman from Cambria is out of order.

The question is on the motion of the gentleman from Allegheny, Mr. Geltz, seconded by the gentleman from Luzerne. Mr. Miller, that the Senate recess for fifteen minutes.

And the question recurring,

Will the Senate agree to the motion?

It was agreed to.

AFTER RECESS

The PRESIDENT. The time of recess having elapsed the Senate will be in order.

LEAVE OF ABSENCE

Mr. REED. Mr. President, this is the Sabbath Day. I belong to that old fashioned group of people in Pennsylvania that believe laws should not be made on this Holy Day. The greatest laws ever given to mankind the commandments, provide that we should remember the Sabbath Day and keep it holy; "six days thou shall labor and do all thy work."

Therefore, sincerely believing in those precepts, I ask leave of absence at this time.

The PRESIDENT. If there is no objection, leave of absence is granted to the gentleman from Washington.

PERMISSION TO ADDRESS SENATE

Mr. STIEFEL. Mr. President, I ask permission to address the Senate.

The PRESIDENT. The gentleman from Philadelphia, may proceed.

Mr. STIEFEL. Mr. President, on several occasions in the past, during this session, I have stressed the fact that the tax system of Pennsylvania is archaic and needs a complete revamping. For that reason, together with the Senator from Westmoreland, Senator Dent, we sponsored a resolution whereby the work of the Dent Indus-

trial Tax Study Commissions will be continued. I understand that today this resolution, after passing the Senate, to use the expression of Senator Bartlett, is peacefully resting in the House.

Mr. President, I want to stress the fact that I shall be very fervent in my efforts in the future to call the attention of the people of Pennsylvania to this archaic tax system and the need of improved methods of taxation in Pennsylvania and I hope in the future it will be possible to do something towards solving this problem.

RECESS

Mr. GELTZ. Mr. President, I move that the Senate do now take a recess for thirty minutes.

Mr. MILLER. Mr. President, I second the motion.

The motion was agreed to.

AFTER RECESS

The PRESIDENT. The time of recess having elapsed the Senate will be in order.

HOUSE MESSAGES

HOUSE INSISTS UPON ITS AMENDMENTS NON-CONCURRED IN BY THE SENATE TO SENATE BILL No. 236

The Clerk of the House of Representatives being introduced, presented communication from the House of Representatives informing the Senate that the House insists upon its amendments non-concurred in by the Senate to Senate Bill No. 236, entitled:

An Act to amend section six hundred fifty-four of article six of the act, approved the seventeenth day of May, one thousand nine hundred and twenty-one (P. L. 682), entitled "An act relating to insurance; amending, revising, and consolidating the law; providing for the incorporation of insurance companies and the regulation, supervision, and protection of home and foreign insurance companies, Lloyds associations, reciprocal and inter-insurance exchanges, and fire insurance rating bureaus, and the regulation and supervision of insurance carried by such companies, associations, and exchanges, including insurance carried by the State Workmen's Insurance Fund; providing penalties; and repealing existing laws," providing for appeals from any classification, rule, rate, or schedule of the Insurance Commissioner affecting insurance of employes and employers under the Workmen's Compensation Act of one thousand nine hundred and fifteen and the supplements and amendments thereto and exempting the State Workmen's Insurance Fund from the control of the Rating Bureau and the Insurance Commissioner.

HOUSE CONCURS IN AMENDMENTS TO HOUSE BILL No. 654

He also presented communication from the House of Representatives informing the Senate that the House has concurred in amendments made by the Senate to House Bill No. 654, entitled:

An Act authorizing counties, cities, boroughs, towns, townships, school districts, poor districts and institution districts, at any sale of real property for the nonpayment of taxes or municipal claims to take title jointly in proportion to their tax claims; provide for the management of such real property and for the re-sale and conveyance of their interests to a purchaser.

HOUSE CONCURS IN AMENDMENTS TO HOUSE BILL No. 605

He also presented communication from the House of Representatives informing the Senate that the House has concurred in amendments made by the Senate to House Bill No. 605 entitled:

An Act making an appropriation to the Pennsylvania State College for expenditure by the School of Mineral Industries thereof, under the supervision of the Department of Mines, for the purpose of developing new uses and markets for anthracite and bituminous coal.

REPORT OF COMMITTEE OF CONFERENCE ON SENATE BILL No. 561 ADOPTED BY HOUSE

He also informed the Senate, that the House of Representatives has adopted the Report of the Committee of Conference on Senate Bill No. 561, entitled:

An Act to amend the act approved the thirtieth day of March, one thousand nine hundred thirty-seven (P. L. 115), entitled "An act to provide for the permanent personal registration of electors in cities of the first class as a condition of their right to vote at elections and primaries, and their enrollment as members of political parties as a further condition of their right to vote at primaries, prescribing certain procedure for the conduct of elections and primaries and the challenge and proof of qualifications of electors and prescribing the powers and duties of citizens, parties, bodies of electors, registration commissions, commissioners, registrars, inspectors of registration and other appointees of registration, commission, election officers, municipal officers, departments and bureaus, police officers, courts, judges, prothonotaries, sheriffs, county commissioners, peace officers, county treasurers, county controllers, registrars of vital statistics, real estate brokers, rental agents, certain public service companies, persons, firms and corporations operating vehicles for moving furniture and household goods and boards of school directors and imposing penalties," as amended by amplifying and changing the powers and duties of the commission, its employes and commissioners, further regulating and changing the provisions of said act, relating to the appointment and removal of registrars and the powers, privileges, rights and duties of registrars, watchers, election officers, and electors, revising and changing the provisions of said act, relating to the times, places and manner of registering electors and their enrollment as members of political parties, change of party enrollment, cancellation of registrations, preparation and distribution of street lists, appeals to the commission and to courts and the procedure thereon; providing for appeals by the commission to appellate courts, changing certain provisions of said act, relating to removal notices providing for the manner of reckoning time, imposing additional duties on certain city officers, clairfying and coordinating certain provisions of said act and imposing additional penalties.

HOUSE CONCURS IN AMENDMENTS TO HOUSE BILL No. 1213

He also presented communications from the House of Representatives informing the Senate that the House has concurred in amendments made by the Senate to House Bill No. 1213, entitled:

An Act to amend an act approved the seventh day of June, one thousand nine hundred seventeen (P. L. 600) entitled "Status of Public Officers and Employes in Military Service in Time of War or Contemplated War Act," by more fully defining the times during which the benefits shall be payable and the amount thereof and to whom payable.

HOUSE INSISTS UPON ITS NON-CONCURRENCE IN AMENDMENTS TO HOUSE BILL No. 846

He also informed the Senate that the House insists on its non-concurrence in Senate amendments to House Bill No. 846, entitled:

An Act to amend an act approved the eighteenth day of May, one thousand nine hundred eleven (P. L. 309), entitled "Public School Code" as amended, by requiring school boards in all school districts to grant leaves of absence to all school employes who shall volunteer or be called for military naval or similar service under the Selective Service Law of 1940 or subsequent laws of the United States of America and to all school employes in the National Guard, land or naval reserve forces who shall be called for active duty; preserving certain contracts, salaries, increments, retirement rights, seniority, State contributions and grants to local school boards, eligibility lists, re-employment; requiring school boards to employ substitutes in place of such employes; reserving all rights and privileges of employes granted leaves of absence under the provisions herein; superseding or repealing all contrary laws

HOUSE INSISTS UPON ITS AMENDMENTS NON-CONCURRED IN BY THE SENATE TO SENATE BILL No. 559

He also presented communication from the House of Representatives informing the Senate that the House insists upon its amendments non-concurred in by the Senate to Senate Bill No. 559, entitled:

An Act prescribing additional powers and duties on the Joint State Government Commission to make a survey of the educational facilities of the Commonwealth conferring upon the commission full power to issue subpoenas to carry out such additional functions and duties conferring upon the commission full power to issue subpoenas and conferring upon the courts of common pleas power to enforce obedience to subpoenas so issued; imposing duties on departments and agencies of the State government and on colleges and universities; and making an appropriation.

HOUSE INSISTS UPON ITS AMENDMENTS NON-CONCURRED IN BY THE SENATE TO SENATE BILL No. 1044

He also presented communication from the House of Representatives informing the Senate that the House insists upon its amendments non-concurred in by the Senate to Senate Bill No. 1044, entitled:

An Act to further amend section eleven and section seventeen of the act approved the twenty-seventh day of June, one thousand nine hundred twenty-three (P. L. 853), entitled "An act establishing a State employes' retirement system, and creating a retirement board for the administration thereof; establishing certain funds from contributions by the Commonwealth and contributing State employes; defining the uses and purposes thereof, and the manner of payments therefrom, and providing for the guaranty by the Commonwealth of certain of said funds; imposing powers and duties upon the heads of departments in which State employes serve; excepting annuities, allowances, returns, benefits and rights from taxation and judicial process; and providing penalties" by permitting a member to borrow from his or her funds under certain provisions and regulating exemption from execution.

HOUSE INSISTS UPON ITS AMENDMENTS NON-CONCURRED IN BY THE SENATE TO SENATE BILL No. 46

He also presented communication from the House of Representatives informing the Senate that the House insists upon its amendments non-concurred in by the Senate to Senate Bill No. 46, entitled:

An Act to amend the act approved the second day of May, one thousand nine hundred and twenty-nine (P. L. 1278), entitled "An act relating to counties of the second, third, fourth, fifth, sixth, seventh and eighth classes and revising, amending and consolidating the laws relating thereto,' authorizing the county treasurer to appoint a solicitor and providing for his salary payable by the county

HOUSE INSISTS UPON ITS NON-CONCURRENCE IN AMENDMENTS TO HOUSE BILL No. 448

He also informed the Senate that the House insists on its non-concurrence in Senate amendments to House Bill No. 448, entitled:

An Act to amend the first paragraph of section nine of the act approved the twenty-fourth day of June, one thousand nine hundred and thirty-seven (P. L. 2051), entitled "Public Assistance Law," by redefining eligibility for assistance.

HOUSE CONCURS IN AMENDMENTS TO SENATE BILL No. 559 RECALLED FROM THE GOVERNOR

He also informed the Senate that the House has concurred in amendments made by the Senate to Senate Bill No. 559, entitled:

An Act prescribing additional powers and duties on the Joint State Government Commission to make a survey of the educational facilities of the Commonwealth conferring upon the commission full power to issue subpoenas to carry out such additional functions and duties conferring upon the commission full power to issue subpoenas and conferring upon the courts of common pleas power to enforce obedience to subpoenas so issued; imposing duties on departments and agencies of the State government and on colleges and universities; and making an appropriation.

Said bill having been recalled from the Governor for the purpose of amendment. The votes had on final passage and third reading were reconsidered in the Senate and the bill amended.

HOUSE INSISTS UPON ITS NON-CONCURRENCE IN AMENDMENT TO HOUSE BILL No. 1365 AND APPOINTS COMMITTEE OF CONFERENCE

He also informed the Senate that the House insists on its non-concurrence in Senate amendments to House Bill No. 1365, entitled:

An Act to amend the act approved the first day of May, one thousand nine hundred and twenty-nine (P. L. 905), entitled "Vehicle Code" as variously amended; amplifying and changing provisions of said act relating to lighting and signal devices; redefining the term dealer; further regulating dealers in junked vehicles, permits for oversize and overweight vehicles, use of school buses, registration plates and cards, maximum size of vehicles, and medical examinations by physicians; providing for payment of certain fees by counties; limiting and providing new exemptions from the various provisions of said act; giving additional authority to peace officers and department employes in the matter of investigations; further regulating prosecutions; giving certain powers to cities for the regulation of traffic and the establishment of traffic courts; fixing additional fees, changing and imposing new penalties, and giving the secretary additional powers and duties.

and has appointed Messrs. Corrigan, O'Brien, and Lichtenwalter as a Committee of Conference to confer with a similar committee of the Senate (if the Senate shall appoint such committee) to consider the differences existing between the two houses in relation to said bill.

HOUSE ADOPTS REPORT OF COMMITTEE OF CONFERENCE ON HOUSE BILL No. 1465

He also informed the Senate, that the House of Representatives has adopted the Report of the Committee of Conference on House Bill No. 1465, entitled:

An Act to amend the act approved the twenty-ninth day of April, one thousand nine hundred thirty-seven (P. L. 487) entitled "The Permanent Registration Act for Boroughs, Towns and Townships," as amended, by requiring and providing for the registration of persons in military service before they shall be entitled to vote at any election.

HOUSE ADOPTS REPORT OF COMMITTEE OF CONFERENCE ON HOUSE BILL No. 1466

He also informed the Senate, that the House has adopted the Report of the Committee of Conference on House Bill No. 1466, entitled:

An Act to amend the act approved the third day of June, one thousand nine hundred and thirty-seven (P. L. 1333), entitled "Pennsylvania Election Code," by changing the procedure for and regulating elections by persons in actual military service, imposing duties upon the Secretary of the Commonwealth, courts, county boards of elections, and county commissioners, providing for reimbursement of counties for actual expenses incurred for canvassing the vote of electors in actual military service.

HOUSE ADOPTS REPORT OF COMMITTEE OF CONFERENCE ON HOUSE BILL No. 1467

He also informs the Senate, that the House of Representatives has adopted the Report of the Committee of Conference on House Bill No. 1467, entitled:

An Act to amend the act approved the first day of June, one thousand nine hundred thirty-seven (P. L. 1132), entitled "The Permanent Registration Act in Cities of the Second Class A" as amended, by requiring and providing for the registration of persons in military service to entitle them to vote at any election.

HOUSE ADOPTS REPORT OF COMMITTEE OF CONFERENCE ON HOUSE BILL No. 1468

He also informs the Senate, that the House of Representatives has adopted the Report of the Committee of Conference on House Bill No. 1468, entitled:

An Act to amend the act approved the twenty-fifth day of May, one thousand nine hundred thirty-seven (P. L. 814), entitled "The Permanent Registration Act in Cities of the Second Class" as amended, by requiring and providing for the registration of persons in military service to entitle them to vote at any election.

HOUSE ADOPTS REPORT OF COMMITTEE OF CONFERENCE ON HOUSE BILL No. 1469

He also informs the Senate, that the House of Representatives has adopted the Report of the Committee of Conference on House Bill No. 1469, entitled:

An Act to amend the act approved the twenty-fifth day of May, one thousand nine hundred thirty-seven (P. L. 849) entitled "The Permanent Registration Act in Cities of the Third Class" as amended, by requiring and providing for the registration of persons in military service to entitle them to vote at any election.

HOUSE ADOPTS REPORT OF COMMITTEE OF CONFERENCE ON HOUSE BILL No. 1526

He also informs the Senate, that the House of Representatives has adopted the Report of the Committee of Conference on House Bill No. 1526, entitled:

An Act to amend section two hundred seven of the act approved the twenty-fourth day of June, one thousand nine hundred and thirty-one (P. L. 1206), entitled "First Class Township Laws," further prescribing method by which second class townships may be classified as first class townships; and providing for the costs and holding of special elections for that purpose.

HOUSE CONCURS IN AMENDMENTS TO HOUSE BILL No. 1728

He also presented communication from the House of Representatives informing the Senate that the House has concurred in amendments made by the Senate to House Bill No. 1728, entitled:

An Act relating to the compatibility of office of members of the Boards and officers of the Authorities incorporated under the Municipality Authorities Act, as amended and supplemented.

HOUSE MESSAGE

DESIGNATION JUNE TWENTY-FIRST AS "YOUTH'S DAY"

The Clerk of the House of Representatives being introduced, presented an extract from the Journal of the House of Representatives, which was twice read, considered and agreed to:

In the House of Representatives, July 12, 1941.

Be it Resolved (if the Senate concur), That the Governor shall, at an appropriate time, issue his proclamation designating and calling upon the schools, the Boy Scouts of America, other organizations devoted to promoting the interests and welfare of youth and the citizens of the Commonwealth in general to observe the birthday of Daniel Carter Beard, the great benefactor of boyhood, which is the twenty-first day of June.

This day shall be known as "Youth's Day," and shall be observed on the twenty-second day of June, one thousand nine hundred and forty-two, the twenty-first falling on a Sunday.

In pursuance of said proclamation of the Governor, appropriate exercises observing the anniversary of Daniel Beard's birth, reaffirming the principles so long advocated by him and furthering the interests and welfare of youth in general shall be held.

On the question,

Will the Senate agree to the Resolution?

Mr. MILLER. Mr. President, I move that the Senate concur in the Resolution.

Mr. GELTZ. Mr. President, I second the motion.

The motion was agreed to.

Ordered, That the Clerk inform the House of Representatives accordingly.

COMMITTEE OF CONFERENCE REPORT ADOPTED ON SENATE BILL No. 46

Mr. GELTZ. Mr. President, I move that the Senate do now proceed to the Report of the Committee of Conference on Senate Bill No. 46, (Printer's No. 622).

Mr. CHAPMAN. Mr. President, I second the motion.

The motion was agreed to.

The report was read as follows:

REPORT OF THE COMMITTEE OF CONFERENCE ON SENATE BILL No. 46

To the Members of the Senate and House of Representatives:

We, the undersigned, Committee of Conference on the part of the Senate and House of Representatives for the purpose of considering Senate Bill No. 46, entitled:

"An Act authorizing the county treasurer in counties of the first, second, third, fourth, fifth, sixth, seventh and eighth classes to appoint a solicitor and providing for his salary payable out of the treasury from which the county treasurer is paid."

Respectfully submit the following bill as our report:

L. E. CHAPMAN
A. H. LETZLER
JOSEPH M. BARR
Committee on the Part of the Senate

I. EDWARD PROSEN
PRESLEY N. JONES
WM. E. HABBYSHAW
Committee on the part of the House of Representatives

An Act authorizing the county treasurer in counties of the first second third fourth fifth sixth seventh and eighth classes to appoint a solicitor and providing for his salary payable out of the treasury from which the county treasurer is paid

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The treasurer of any county of the first second third fourth fifth sixth seventh and eighth classes may designate and appoint one person learned in the law to act as his solicitor at an annual salary payable out of the treasury from which the county treasurer is paid such salary to be fixed by the salary board and in those counties where there is no salary board by the county commissioners except that in counties of the first class such salary shall be fixed by the county treasurer Provided however That such salary shall not exceed the following amounts In counties of the first class four thousand two hundred dollars ($4,200) in counties of the second class four thousand two hundred dollars ($4,200) in counties of the third class three thousand dollars ($3,000) in counties of the fourth class one thousand dollars ($1,000) in counties of the fifth class eight hundred dollars ($800) in counties of the sixth class six hundred dollars ($600) in counties of the seventh class four hundred dollars ($400) and in counties of the eighth class three hundred dollars ($300) Such solicitor shall advise the treasurer upon all such legal matters as may be submitted to him and shall conduct any litigation desired by the county treasurer He shall hold office at the pleasure of the treasurer

Section 2 This act shall become effective immediately upon final enactment

On the question,

Will the Senate agree to the report?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—40

Bartlett,	DiSilvestro,	Letzler,	Stiefel,
Becker,	Farrell,	McCreesh,	Tallman,
Cavalcante,	Frey,	McGinnis,	Taylor,
Chapman,	Geltz,	McQuiddy,	Thomas,
Coleman,	Haluska,	Miller,	Tyler,
Cox,	Heyburn,	Mundy,	Wade,
Crider,	Homsher,	Ruth,	Walker,
Crowe,	James,	Scarlett,	Watkins,
Deitrick,	Jaspan,	Snowden,	Wilson, H. I.,
Dent,	Kephart,	Stevenson,	Wilson, T. B.,

NAYS—2

Ealy, Mallery,

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk inform the House of Representatives accordingly.

CONFERENCE COMMITTEE REPORT ADOPTED ON SENATE BILL No. 236

Mr. GELTZ. Mr. President, I move that the Senate do now proceed to the consideration of the Conference Committee Report on Senate Bill No. 236, (Printer's No. 621).

Mr. BARTLETT. Mr. President, I second the motion.

The motion was agreed to.

The report was read as follows:

REPORT OF THE COMMITTEE OF CONFERENCE ON SENATE BILL No. 236

To the Members of the Senate and House of Representatives:

We, the undersigned, Committee of Conference on the part of the Senate and House of Representatives for the purpose of considering Senate Bill No. 236, entitled:

"An Act to amend section six hundred fifty-four of article six of the act, approved the seventeenth day of May, one thousand nine hundred and twenty-one (P. L. 682), entitled 'An act relating to insurance, amending, revising, and consolidating the law providing for the incorporation of insurance companies, and the regulation, supervision and protection of home and foreign insurance companies, * * *' providing for appeals from any classification, rule, rate or schedule of the Insurance Commissioners affecting insurance of employes and employers under the Workmen's Compensation Act of one thousand nine hundred and fifteen and the supplements and amendments thereto, and exempting the State Workmen's Insurance Fund from the control of the Rating Bureau and the Insurance Commissioner."

Respectfully submit the following bill as our report:

C. A. P. BARTLETT
HENRY I. WILSON
JOHN H. DENT
Committee on the part of the Senate.

REUBEN E. COHEN
DAVID M. BOIES
DAVID P. REESE, JR.
Committee on the part of the House of Representatives

An Act to amend section six hundred fifty-four of article six of the act approved the seventeenth day of May one thousand nine hundred and twenty-one (P. L. 682) entitled "An act relating to insurance amending revising and consolidating the law providing for the incorporation of insurance companies and the regulation supervision and protection of home and foreign insurance companies Lloyds association recripocal and inter-insurance exchanges and fire insurance rating bureaus and the regulation and supervision of insurance carried by such companies associations and exchanges including insurance carried by the State Workmen's Insurance Fund providing penalties and repealing existing laws" providing for appeals from any classification rule rate or schedule of the Insurance Commissioner affecting insurance of employes and employers under the Workmen's Compensa-

tion Act of one thousand nine hundred and fifteen and the supplements and amendments thereto

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section six hundred fifty-four of article six of the act approved the seventeenth day of May one thousand nine hundred and twenty-one (P. L. 682), entitled "An act relating to insurance amending revising and consolidating the law providing for the incorporation of insurance companies and the regulation supervision and protection of home and foreign insurance companies Lloyds associations reciprocal and inter-insurance exchanges and fire insurance rating bureaus and the regulation and supervision of insurance carried by such companies associations and exchanges including insurance carried by the State Workmen's Insurance Fund providing penalties and repealing existing laws" is hereby amended to read as follows

Section 654 Classification of Risks Underwriting Rules Premium Rates and Schedule and Merit Rating Plans The classification of risks underwriting rules premium rates and schedule or merit rating plans for insurance of employers and employes under "The Workmen's Compensation Act of nineteen hundred and fifteen" and acts amendatory thereof shall be [established] proposed annually by one or more rating bureaus said rating bureau or bureaus to be situate within the Commonwealth of Pennsylvania subject to supervision and to examination by the Insurance Commissioner and approved by the Insurance Commissioner as adequately equipped to compile rates on an equitable and impartial basis. Such schedule or merit rating plans shall be applied only by the approval rating bureau or bureaus and in the preparation of schedules no employer shall be discriminated against or penalized because of physical impairment of any employe or because of the number of dependents of any employe

The classification of risks underwriting rules premium rates and schedule of merit or rating plans for insurance of employers and employes under "The Workmen's Compensation Act of nine hundred and fifteen" and acts amendatory thereof shall be filed with and shall be subject to review by the Insurance Commissioner and the Insurance Commissioner shall by order modify amend or approve the same Any person corporate or otherwise aggrieved by such order classification rule rate or schedule issued by the Insurance Commissioner may obtain a review thereof before the Insurance Commissioner and if still aggrieved by such reviewed order classification rule rate or schedule may obtain a further review thereof in the Common Pleas Court of Dauphin County of the Commonwealth of Pennsylvania by filing in the said court a written petition praying that the order classification rule rate or schedule issued by the Insurance Commissioner be modified amended or set aside in whole or in part The judgment and decree of said court modifying or enforcing or setting aside in whole or in part any such action of the Insurance Commissioner shall be final subject to review by the Superior Court of the Commonwealth of Pennsylvania upon certiorari or certificate as in such cases made or provided The commencement of proceedings under this section shall not unless specifically ordered by the court operate as a stay of the Insurance Commissioner's order

No risk classification underwriting rule premium rate or schedule or merit rating plan shall take effect without the consent of the Insurance Commissioner and he may withdraw his approval whenever in his judgment the same is inadequate or discriminates unfairly between risks of essentailly the same hazard

Neither the State Workmen's Insurance Fund nor any insurance corporation mutual association or company shall issue renew or carry any policy or contract of insurance against liability under "The Workmen's Compensation Act of one thousand nine hundred and fifteen" and acts amendatory thereof except in accordance with the classifications underwriting rules premium rates and schedules or merit rating [promulgated] proposed by the rating bureau aforesaid for the risk insured and as modified amended or approved by the Insurance Commissioner for such insurer

A complete copy of every policy or a true copy of the substantive provisions of any policy or contract of insurance against liability under "The Workmen's Compensation Act of one thousand nine hundred and fifteen" or acts amendatory thereof and a true copy of every endorsement upon any such policy and of every agreement pertaining thereto shall be filed with the rating bureau aforesaid within a reasonable time after the effective date of any such policy endorsement contract or agreement

Section 2 This act shall become effective immediately upon final enactment

On the question,

Will the Senate agree to the report?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—42

Bartlett,	DiSilvestro,	Letzler,	Stiefel,
Becker,	Ealy,	Mallery,	Tallman,
Carr,	Farrell,	McCreesh,	Taylor,
Cavalcante,	Frey,	McGinnis,	Thomas,
Chapman,	Geltz,	McQuiddy,	Tyler,
Coleman,	Haluska,	Miller,	Wade,
Cox,	Heyburn,	Ruth,	Walker,
Crider,	Homsher,	Scarlett,	Watkins,
Crowe,	James,	Snowden,	Wilson, H. I.,
Dettrick,	Jaspan,	Stevenson,	Wilson, T. B.,
Dent,	Kephart,		

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk inform the House of Representatives accordingly.

CONFERENCE COMMITTEE REPORT ON SENATE BILL No. 1308 ADOPTED

Mr. GELTZ. Mr. President, I move that the Senate do now proceed to the consideration of the Report of the Committee of Conference on Senate Bill No. 1308, (Printer's No. 617).

Mr. HOMSHER. Mr. President, I second the motion.

The motion was agreed to.

The report was read as follows:

REPORT OF THE COMMITTEE OF CONFERENCE ON SENATE BILL No. 1308

To the Members of the Senate and House of Representatives:

We the undersigned Committee of Conference on the part of the Senate and House of Representatives for the purpose of considering Bill No. 1308, entitled

"An act to amend section one further amend section three and to reenact section six of the act approved the twenty-second day of May one thousand nine hundred thirty-three (P. L. 912) entitled 'An act to protect the public health defining and providing for the licensing of bakeries and regulating the inspection maintenance and operation of bakeries and premises stores and shops connected therewith * * *' by redefining 'bakery' removing the exception from registration and licensing requirements requiring registered bakery products to show the fact of such registration making it unlawful for any person to sell offer for sale or have in possession with intent to sell unregistered bakery products or to import bakery products from bakeries not licensed hereunder and making possession prima facie evidence of intention to sell"

Respectfully submit the following bill as our report:

FREDERICK L. HOMSHER
WELDON B. HEYBURN
JOHN F. COX
(Committee on the Part of the Senate)

CHARLES MELCHIORRE
EDWIN A. LEE
GEORGE J. SARRAF
(Committee on the part of the House of Representatives)

An Act to amend section one further amend section three and to reenact section six of the act approved the twenty-second day of May one thousand nine hundred thirty-three (P. L. 912) entitled "An act to protect the public health defining and providing for the licensing of bakeries and regulating the inspection maintenance and operation of bakeries and premises stores and shops connected therewith defining and regulating the manufacture sale and offering for sale of bakery products conferring powers on the Department of Agriculture and providing penalties" by redefining "bakery" removing the exception from registration and licensing requirements requiring registered bakery products to show the fact of such registration making it unlawful for any person to sell offer for sale or have in possession with intent to sell unregistered bakery products or to import bakery products from bakeries not licensed hereunder and making possession prima facie evidence of intention to sell

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section 1 of the act approved the twenty-second day of May one thousand nine hundred thirty-three (P. L. 912) entitled "An act to protect the public health defining and providing for the licensing of bakeries and regulating the inspection maintenance and operation of bakeries and premises stores and shops connected therewith defining and regulating the manufacture sale and offering for sale of bakery products conferring powers on the Department of Agriculture and providing penalties" is hereby amended to read as follows

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That Definitions The following words and terms as used in this act shall be construed as follows

"Bakery" means and includes all buildings and parts of buildings cellars and basements used for the manufacture and handling of bakery products intended for sale and for the mixing and other preparation of ingredients and materials entering into the manufacture of bakery products where more than fifty pounds of flour flour substitute flour mixture or potatoes are used each week in the preparation of such products

"Bakery products" means and includes bread rolls cakes cookies crackers ice cream cones crullers doughnuts biscuits pies macaroni spaghetti noodles alimentary pastes pretzels potato chips and all other products whatever manufactured in a bakery and intended for human consumption as well as the ingredients and materials entering into their manufacture

"Persons" means an individual copartnership association and corporation

"Department" means the Department of Agriculture of the Commonwealth of Pennsylvania

Section 2 Section three of said act as amended by section one of the act approved the first day of July one thousand nine hundred thirty-seven (P. L. 2676) is hereby further amended to read as follows

Section 3 Annual License and License Fee It shall be the duty of every person whether a resident or nonresident of this Commonwealth operating a bakery to apply to the Department of Agriculture for a license to do so and to register with the department all bakery products baked prepared manufactured or compounded in such bakeries before the first day of January one thousand nine hundred thirty-four and annually thereafter before the first day of January of each succeeding year and pay to the Department of Agriculture at the time said application for registration and license is filed an annual fee as follows For bakeries using less than one hundred barrels of flour per week five dollars ($5.00) for bakeries using one hundred barrels and less than two hundred barrels of flour per week ten dollars ($10.00) and bakeries using two hundred barrels or more per week twenty dollars ($20.00) [Provided however That any person operating a bakery in Pennsylvania who does not use more than fifty pounds of flour substitute flour mixture or potatoes a week in the preparation of bakery products shall not be required to register such bakery products pay a license fee or obtain a license]

The application for a license and registration shall be made on a form to be supplied by the department and shall show trade names of all products and principal address of bakery The application shall have attached thereto the affidavit of the person applying for the license that the facts set forth therein are true and correct

From and after the first day of January one thousand nine hundred and thirty-four it shall be unlawful for any person to operate a bakery for the manufacture of bakery products unless said bakery is duly licensed in accordance with the provisions of this act

Upon approval of application for registration and license and payment of required license fee and also upon approval of sanitary conditions in a bakery and every store or shop connected therewith the Department of Agriculture shall issue to each applicant a license or certificate of registration which shall expire at the end of each calendar year and which will authorize the operation of said bakery and the baking compounding manufacturing and sale of said bakery products for the calendar year or portion thereof for which a license or certificate of registration shall be issued

All wrappers caddies boxes packages or containers of any kind whatsoever in which bakery products shall be wrapped packaged boxed or contained shall be printed or marked in a clear and legible manner with the trade name or kind of bakery product which it purports to be and with the name of the bakery manufacturing such bakery product or with the name and address of the distributor or wholesale dealer distributing such bakery product preceded by the words "distributed by" or followed by the word "distributor" as the case may be and in all cases the words "Registered with Pennsylvania Department of Agriculture" or any abbreviation thereof approved by the department Provided That when transparent wrappers are employed such printed or legible statement may be inserted in a conspicuous position between such transparent wrapper and the top of the loaf or other bakery product or by printed band or wrapper around the top of the loaf or other bakery product

Section 3 Section 6 of said act as added by section two of the act approved the first day of July one thousand nine hundred thirty-seven (P. L. 2676) is hereby reenacted as follows

Section 6 Sale and Importation of Bakery Products It shall be unlawful for any person

(a) To sell offer for sale or have in his position with intent to sell a bakery product which is not registered with the department as provided in this act Possession of any bakery product shall be deemed prima facie evidence of an intent to sell such bakery product

(b) To import into this Commonwealth for sale within this Commonwealth any bakery products manufactured in a bakery in another state that is not licensed according to the laws of this Commonwealth

Section 4 The provisions of this act shall become effective immediately upon final enactment

On the question,

Will the Senate agree to the report?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—42

Bartlett,	DiSilvestro,	Letzler,	Stevenson,

Becker,	Ealy,	Mallery,	Stiefel,
Carr,	Farrell,	McCreesh,	Tallman,
Cavalcante,	Frey,	McGinnis,	Taylor,
Chapman,	Geltz,	McQuiddy,	Thomas,
Coleman,	Haluska,	Miller,	Wade,
Cox,	Heyburn,	Mundy,	Walker,
Crider,	Homsher,	Ruth,	Watkins,
Crowe,	James,	Scarlett,	Wilson, H. I.,
Deitrick,	Jaspan,	Snowden,	Wilson, T. B.,
Dent.	Kephart,		

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk inform the House of Representatives accordingly.

CONFERENCE COMMITTEE REPORT ON SENATE BILL No. 624 ADOPTED

Mr. GELTZ. Mr. President, I move that the Senate do now proceed to the consideration of Senate Bill No. 624. (Printer's No. 615), which is a bill providing for fourth class school districts.

Mr. HOMSHER. Mr. President, I second the motion.

The motion was agreed to.

The report was read as follows:

REPORT OF THE COMMITTEE OF CONFERENCE ON SENATE BILL No. 624.

To the Members of the Senate and House of Representatives

We, the undersigned, Committee of Conference on the part of the Senate and House of Representatives for the purpose of considering Senate Bill No. 624, entitled:

"An Act to further amend clause seven of section one thousand two hundred ten of the act, approved the eighteenth day of May, one thousand nine hundred eleven (P. L. 309), entitled 'An act to establish a public school system in the Commonwealth of Pennsylvania, together with the provisions by which it shall be administered, and prescribing penalties for the violation thereof, providing revenue to establish and maintain the same, and the methods of collecting such revenue; and repealing all laws, general, special or local, or any parts thereof, that are or may be inconsistent therewith' by increasing the minimum salaries of teachers and providing annual increments in school districts of the fourth class and requiring the Commonwealth to make certain payments on account of such salaries."

Respectfully submit the following bill as our report:

FREDERICK L. HOMSHER
HOWARD I. JAMES
FRANK W. RUTH
(Committee on the Part of the Senate.)

J. DEAN POLEN
FRANCIS E. PETTIT
D. RAYMOND SOLLENBERGER
(Committee on the part of the House of Representatives.)

An Act to further amend clause seven of section one thousand two hundred ten of the act approved the eighteenth day of May one thousand nine hundred eleven (P. L. 309) entitled "An act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that the or may be inconsistent therewith" by increasing the minimum salaries of teachers and providing annual increments in school districts of the fourth class and requiring the Commonwealth to make certain payments on account of such salaries

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Clause seven of section one thousand two hundred ten of the act approved the eighteenth day of May one thousand nine hundred eleven (P. L. 309) entitled "An act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith" as last amended by the act approved the twenty-third day of May one thousand nine hundred twenty-three (P. L. 328) is hereby further amended to read as follows

Section 1210 One The minimum salaries of all teachers supervisors principals and superintendents in the public schools of the Commonwealth except as otherwise hereinafter provided shall be paid by the several classes of districts in which such persons are employed in accordance with the following schedules

* * * *

Seven Districts of the fourth class Elementary teachers minimum [monthly salary one hundred dollars ($100)] annual salary one thousand dollars ($1,000) minimum annual increment fifty dollars ($50) minimum number of increments two (2) high school teachers minimum [monthly salary one hundred thirty dollars ($130)] annual salary of one thousand two hundred dollars ($1,200) minimum annual increment fifty dollars ($50) minimum number of increments two (2) The first increments provided for hereby shall apply for the school year one thousand nine hundred forty-two one thousand nine hundred forty-three

In addition to the payments now required by law to be made by the Commonwealth to school districts of the fourth class on account of salaries of members of the teaching staff the Commonwealth shall pay for each elementary and high school teacher the full amount of the excess prescribed by these amendments over the minimum salary theretofore required by law on the basis of the length of the school term maintained in the district during the school year one thousand nine hundred forty one thousand nine hundred forty-two

Provided that the salaries of teachers employed under contract prior to the effective date of these amendments at annual salaries greater than the minimum salaries hereby prescribed shall in no case be decreased through the operation of these amendments

Section 2 The provisions of this act shall become effective immediately upon final enactment

On the question,

Will the Senate agree to the report?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—42

Bartlett,	DiSilvestro,	Letzler,	Stevenson,
Becker,	Ealy,	Mallery,	Stiefel,
Carr,	Farrell,	McCreesh,	Tallman,
Cavalcante,	Frey,	McGinnis,	Taylor,
Chapman,	Geltz,	McQuiddy,	Thomas,
Coleman,	Haluska,	Miller,	Wade,
Cox,	Heyburn,	Mundy,	Walker,
Crider,	Homsher,	Ruth,	Watkins,
Crowe,	James	Scarlett,	Wilson, H. I.,
Deitrick,	Jaspan,	Snowden,	Wilson, T. B.,
Dent,	Kephart,		

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk inform the House of Representatives accordingly.

CONFERENCE COMMITTEE REPORT ON SENATE BILL No. 594 ADOPTED

Mr. GELTZ. Mr. President, I move that the Senate do now proceed to the consideration of Senate Bill No. 594, (Printers No. 618), the State WPA Bill.

Mr. SHAPIRO. Mr. President, I second the motion.

The motion was agreed to.

The report was read as follows:

REPORT OF THE COMMITTEE OF CONFERENCE ON SENATE BILL No. 594

To the Members of the Senate and House of Representatives:

We, the undersigned, Committee of Conference on the part of the Senate and House of Representatives for the purpose of considering Senate Bill No. 594 entitled:

"An Act to amend the act approved the twenty-fourth day of June one thousand nine hundred and thirty-seven (P. L. 2051) entitled 'An act relating to public assistance * * *' as amended by redefining assistance to include work relief providing for the appointment of an Administrator to supervise coordinate and regulate work relief projects authorizing the Department of Public Assistance with the approval of the Governor to contribute funds to and cooperate in the operation of work relief projects subject to certain provisions and conditions making certain acts unlawful and imposing penalties."

Respectfully submit the following bill as our report:

JAMES A. GELTZ
WELDON B. HEYBURN
HARRY SHAPIRO
(Committee on the Part of the Senate.)

LEO A. ACHTERMAN
WILLIAM A. SHAW
ROBERT E. WOODSIDE, JR.
(Committee on the part of the House of Representatives)

An Act to amend the act approved the twenty-fourth day of June one thousand nine hundred and thirty-seven (P. L. 2051) entitled "An act relating to public assistance providing for and regulating assistance to certain classes of persons designated and defined as dependent children aged persons blind persons and other persons requiring relief providing for the administration of this act by the Department of Public Assistance and county boards of assistance hereby created for this purpose authorizing the Department of Public Assistance to cooperate with and to accept and disburse moneys received from the United States Government for assistance to such persons providing for the liquidation of the State Emergency Relief Board Boards of Trustees of the Mothers Assistance Fund and Boards of Trustees of Pension Fund for the Blind and repealing laws relating to mothers' assistance pensions for the blind old age assistance and the State Emergency Relief Board" as amended by redefining assistance to include work relief providing for the appointment of an administrator to supervise coordinate and regulate work relief projects authorizing the Department of Public Assistance with the approval of the Governor to contribute funds to and cooperate in the operation of work relief projects subject to certain provisions and conditions making certain arts unlawful and imposing penalties

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section two of the act approved the twenty-fourth day of June one thousand nine hundred and thirty-seven (P. L. 2051) entitled "An act relating to public assistance providing for and regulating assistance to certain classes of persons designated and defined as dependent children aged persons blind persons and other persons requiring relief providing for the administration of this act by the Department of Public Assistance and county boards of assistance hereby created for this purpose authorizing the Department of Public Assistance to cooperate with and to accept and disburse moneys received from the United States Government for assistance to such persons providing for the liquidation of the State Emergency Relief Board Boards of Trustees of the Mothers Assistance Fund and Boards of Trustees of Pension Fund for the Blind and repealing laws relating to mothers' assistance pensions for the blind old age assistance and the State Emergency Relief Board' as last amended by the act approved the twenty-sixth day of June one thousand nine hundred thirty-nine (P. L. 1089) and the act approved the twenty-sixth day of June one thousand nine hundred thirty-nine (P. L. 1091) is hereby further amended to read as follows

Section 2 Definitions As used in this act unless otherwise indicated

"Assistance" means assistance in money milk goods shelter medical care work relief or services provided from or with State or Federal funds for indigent persons who reside in Pennsylvania and need assistance to enable them to maintain for themselves and their dependents a decent and healthful standard of living and for indigent homeless or transient persons The word assistance shall be construed to include pensions for those blind persons who are entitled to pensions as provided in this act and to include also burial for those indigent persons who were receiving assistance at the time of their death

"General Assistance" means assistance provided from or with State funds only to persons entitled under this act to assistance other than dependent children aged persons and blind persons

"Local Board" means any county board of assistance established under the provisions of this act

The masculine pronoun includes the feminine

Section 2 Section four of said act as amended by the act approved the twenty-sixth day of June one thousand nine hundred thirty-nine (P. L. 1089) and the act approved the twenty-sixth day fo June one thousand nine hundred thirty-nine (P. L. 1091) is hereby further amended by adding after clause (k) a new clause to be known as clause (l) and to read as follows

Section 4 General Powers and Duties of Department of Public Assistance The Department of Public Assistance shall have the power and its duty shall be

* * * * *

(l) Subject to the approval of the Governor to contribute to the cost of and cooperate in the operation of work relief projects approved by him and submitted by any State administrative department board or commission or by any political subdivision of the Commonwealth under and subject to the following provisions and conditions

1 That all work relief projects under this act shall be voluntary on the part of any political subdivision of the Commonwealth

2 That employment on such projects shall be limited to employable persons receiving general assistance

3 That compensation for work on such projects shall be the prevailing rate of pay for that type of employment in the locality in which the employment is being performed

4 That funds contributed to any such project by the Department of Public Assistance shall be used only for the purpose of paying the labor cost of such project and such contribution shall not exceed an amount equivalent to fifty per centum (50%) of the amount of general assistance grant that would otherwise be payable to the recipients of general assistance who are employed upon any such project

5 That the Governor shall appoint and fix the compensation of an administrator who shall serve directly under the Governor and whose duty it shall be to examine all proposed work relief project agreements and the financial arrangements pertaining thereto for the purpose of recommending to the Governor whether or not such projects should be approved or disapproved Subject to the approval of the Governor the administrator shall also have

the power and duty to determine all disputes regarding prevailing rates and to supervise coordinate and regulate the operation of all work relief projects

6 That all proposed work relief project agreements shall be in writing and approved by the sponsors thereof

7 It is hereby declared to be the legislative intent that the work relief authorized by this act shall not be in competition with work relief of the Federal Works Progress Administration The Federal Works Progress Administration shall have precedence in requisitioning available employables receiving general assistance from the Department of Public Assistance No work relief project shall in any event be in substitution of existing projects sponsored under existing Federal Work programs or work which the State or political subdivisions have undertaken or contracts entered into by them so as to decrease the Federal funds available for work projects or so as to displace any present or contemplated employment but the work relief to which such employables are assigned shall be in addition and supplementary to any existing Federal Work projects or to any existing projects work or contracts now being performed undertaken or to be performed or undertaken in the usual and regular course of the needs and requirements of the State or any political subdivision Provided however That the foregoing limitation shall not be construed to prevent the State undertaking operating or completing Federal Works Projects which because of employment quotas lack of funds or for any other reason the Federal Works Project Administration may be found to be unable to undertake operate or complete

8 That upon the termination of the employment of any employe assigned to any work relief project the general assistance grant to such employe shall be resumed immediately if such employe is otherwise eligible for assistance

9 That the Speaker of the House of Representatives upon his request shall have authority to examine any and all records books or papers in the office of the Administrator relating to work relief projects undertaken or to be undertaken under the provisions of this act and for this purpose shall have free and full access to any and all such records books or papers

10 That any employe assigned to any project shall be dismissed if such employe shall be a member of a political committee or an officer of a political organization or shall solicit make or receive a contribution for political purposes or shall injure or benefit another employe or threaten or promise to do so because of withholding a contribution for political purposes because of any past or future vote or because of taking or refraining from taking any political action

Section 3 Section thirteen of said act as amended by the act approved the twenty-sixth day of June one thousand nine hundred thirty-nine (P. L. 1091) is hereby further amended by adding after subsection (b) a new subsection to read as follows

Section 13 Penalties

* * * * *

(c) It shall be unlawful for any person directly or indirectly to promise any employment position work compensation or other benefit provided for in clause (1) of section four of this act to any person as consideration favor or reward for any political activity or for the support of or opposition to any candidate in any election or any political party

It shall be unlawful for any person directly or indirectly to deprive attempt to deprive or threaten to deprive by any means any person of any employment position work compensation or other benefit provided for in clause (1) of section four of this act on account of race creed color or any support of or opposition to any candidate or any political party in any election.

supervising work relief projects under the provisions of clause (1) of section four of this act to use such authority or influence for the purpose of interfering with an election or affecting the results thereof

Any person violating the provisions of this subsection shall be immediately removed from any position or office if any held under the provisions of clause (1) of section four of this act and in addition whereof he shall be sentenced to pay a fine not to exceed one thousand dollars ($1,000) and to imprisonment not to exceed one (1) year or both

Section 4 This act shall become effective immediately upon final enactment

On the question,

Will the Senate agree to the report?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—39

Bartlett,	Farrell,	McCreesh,	Stiefel,
Becker,	Frey,	McGinnis,	Tallman,
Cavalcante,	Geltz,	McQuiddy,	Taylor,
Chapman,	Heyburn,	Miller,	Thomas,
Cox	Housher,	Mundy,	Wade,
Crider,	James,	Ruth,	Walker,
Crowe,	Jaspan,	Scarlett,	Watkins,
Deitrick,	Kephart,	Shapiro,	Wilson, H. I.,
DiSilvestro,	Letzler,	Snowden,	Wilson, T. B.,
Ealy,	Mallery,	Stevenson,	

NAYS—3

Coleman,	Dent,	Haluska,

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk inform the House of Representatives accordingly.

CONFERENCE COMMITTEE REPORT ADOPTED ON SENATE BILL No. 51

Mr. GELTZ. Mr. President, I move that the Senate do now proceed to consideration of Senate Bill No. 51, (Printer's No. 614). This bill provide for supplying milk to certain school districts.

Mr. KEPHART. Mr. President, I second the motion.

The motion was agreed to.

The report was read as follows:

REPORT OF THE COMMITTEE OF CONFERENCE ON SENATE BILL No. 51

To the Members of the Senate and House of Representatives:

We, the undersigned, Committee of Conference on the part of the Senate and House of Representatives for the purpose of considering Senate Bill No. 51, entitled:

"An act authorizing and empowering school districts of the first and second class to furnish food including milk to undernourished and poor school children in their districts and providing that the acceptance and distribution of surplus commodities furnished by the Federal Government to such school districts shall not affect or limit the provisions hereof"

Respectfully submit the following bill as our report:

A. EVANS KEPHART
G. HAROLD WATKINS
HENRY E. LANIUS
(Committee on the Part of the Senate.)

JOSEPH P. BRADLEY
ELMER F. McSURDY
HARRY P. O'NEILL
(Committee on the part of the House of Representatives.)

An Act authorizing and empowering school districts of the first and second class to furnish food including milk to undernourished and poor school children in their districts and providing that the acceptance and distribution of surplus commodities furnished by the Federal Government to such school districts shall not affect or limit the provisions hereof

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 That the directors of school districts of the first and second class be and they are hereby authorized and empowered to furnish food including milk to the undernourished and poor school children attending the schools within their districts at the expense of the school district The provisions of this act shall not be limited or affected by the acceptance and distribution by school directors of surplus commodities made available by the Federal Government

Section 2 The provisions of this Act shall become effective immediately upon its final enactment

On the question,

Will the Senate agree to the report?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—42

Bartlett,	Edmonds,	Mallery,	Stevenson,
Becker,	Farrell,	McCreesh,	Stiefel,
Cavalcante,	Frey,	McGinnis,	Tallman,
Chapman,	Geltz,	McQuiddy,	Taylor,
Coleman,	Haluska,	Miller,	Thomas,
Cox,	Heyburn,	Mundy,	Wade,
Crider,	Homsher,	Ruth,	Walker,
Crowe,	James,	Scarlett,	Watkins,
Dent.	Jaspan,	Shapiro,	Wilson, H. I.,
DiSilvestro,	Kephart,	Snowden,	Wilson, T. B.,
Ealy,	Letzler,		

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk inform the House of Representatives accordingly.

SENATE BILL No. 618 RECALLED FROM THE GOVERNOR ON FINAL PASSAGE

Mr. GELTZ. Mr. President, I move that the Senate do now proceed to the consideration of Senate Bill No. 618, (House Bill No. 1734), on final passage recalled from the Governor.

Mr. WALKER. Mr. President, I second the motion.

The motion was agreed to.

BILL ON FINAL PASSAGE RECALLED FROM GOVERNOR

Agreeably to order,

The Senate resumed the third reading and consideration of Senate Bill No. 618, (House Bill No. 1734), entitled:

An Act to further amend section two of the act, approved the sixteenth day of June, one thousand nine hundred thirty-three (P. L. 252, 1933-34), entitled, as amended "An act to regulate and restrain the traffic in malt and brewed beverages, as herein defined; providing for the licensing of the manufacture, transportation, sale and distribution of such beverages; imposing license and permit fees, and providing for collection and distribution thereof; restricting ownership and interest in licensed places; permitting municipalities and townships, by vote of the electors, to prevent the licensing therein of places where such beverages may be sold for consumption on the premises, and regulating elections for this purpose; imposing duties upon the Pennsylvania Liquor Control Board, quarter sessions courts, district attorneys, the Department of Justice, proper authorities of political subdivisions of the State, and election officers; providing penalties; and repealing existing acts," by permitting clubs to waive or reduce dues payable by members in military service.

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—42

Bartlett,	Ealy,	Mallery,	Stiefel,
Becker,	Farrell,	McCreesh,	Tallman,
Cavalcante,	Frey,	McGinnis,	Taylor,
Chapman,	Geltz,	McQuiddy,	Thomas,
Coleman,	Haluska,	Miller,	Tyler,
Cox,	Heyburn,	Ruth,	Wade,
Crider,	Homsher,	Scarlett,	Walker,
Crowe,	James,	Shapiro,	Watkins,
Deitrick,	Jaspan,	Snowden,	Wilson, H. I.,
Dent,	Kephart,	Stevenson,	Wilson, T. B.,
DiSilvestro,	Letzler,		

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same with amendment in which the concurrence of the House is requested.

REPORT OF COMMITTEE OF CONFERENCE ON SENATE BILL No. 298

Mr. MALLERY. Mr. President, I am directed by the Committee of Conference to make a report on Senate Bill No. 298, entitled:

An Act making an appropriation out otf the Motor License Fund to the Department of Highways for allocation to and expenditure in cities, boroughs, towns and townships of the Commonwealth for maintenance, construction, reconstruction, resurfacing, or improvement of municipal roads, highways and bridges, during the calendar years one thousand nine hundred forty-two and one thousand nine hundred forty-three; permitting the use of the funds for maintenance and repair of municipal roads, highways and bridges under certain conditions; and providing for the method of payment to such political subdivisions.

The PRESIDENT. The report will be printed for the the use of the Senate.

CONFERENCE COMMITTEE REPORT ON HOUSE BILL No. 1176

Mr. MALLERY. Mr. President, I am directed by the Committee of Conference to make a report on House Bill No. 1176, entitled:

An Act making an appropriation out of the Motor License Fund to the Department of Highways for allocation to and expenditure in the second class townships

of the Commonwealth for maintenance, construction, reconstruction, resurfacing or improvement of township roads and bridges during the calendar years one thousand nine hundred forty-two and one thousand nine hundred forty-three; permitting the use of the funds for maintenance and repair of township roads and bridges under certain conditions; and providing for the methods of payment to townships.

The PRESIDENT. The report will be printed for the use of the Senate.

REPORT OF CONFERENCE COMMITTEE ON SENATE Bill No. 1044

Mr. GELTZ. Mr. President, on Senate Bill No. 1044, Printer's No. 590, the report of the Conference Committee is that the Committee cannot agree. This is the bill which provides for state retirement system amendments.

REPORT RECEIVED AND COMMITTEE DISCHARGED

Mr. GELTZ. Mr. President, I move that the Report of the Committee be received and that the committee be discharged.

Mr. FARRELL. Mr. President, I second the motion.

The motion was agreed to.

Mr. HALUSKA. Mr. President, I desire to be recorded as voting "no."

The PRESIDENT. The vote of the gentleman from Cambria will be so recorded.

BILL DROPPED FROM CALENDAR

Mr. GELTZ. Mr. President, I move that Senate Bill No. 1044, (House Bill No. 1817), on final passage postponed, entitled:

An Act to further amend section eleven and section seventeen of the act approved the twenty-seventh day of June, one thousand nine hundred twenty-three (P. L. 858), entitled "An act establishing a State employers' retirement system, and creating a retirement board for the administration thereof; establishing certain funds from contributions by the Commonwealth and contributing State employes; defining the uses and purposes thereof, and the manner of payments therefrom, and providing for the guaranty by the Commonwealth of certain of said funds; imposing powers and duties upon the heads of departments in which State employes serve; excepting annuities, allowances, returns, benefits and rights from taxation and judicial process; and providing penalties" by permitting a member to borrow from his or her funds under certain provisions and regulating exemption from execution.

be dropped from the Calendar.

Mr. FARRELL. Mr. President, I second the motion.

The motion was agreed to.

CONFERENCE COMMITTEE REPORT ON HOUSE BILL No. 692 ADOPTED

Mr. GELTZ. Mr. President, I move that the Senate do now proceed to the consideration of the Committee of Conference Report on House Bill No. 692.

Mr. MILLER. Mr. President, I second the motion.

The motion was agreed to.

The report was read as follows:

REPORT OF THE COMMITTEE OF CONFERENCE ON HOUSE BILL No. 692

To the Members of the Senate and House of Representatives

We the undersigned Committee of Conference on the part of the Senate and House of Representatives for the purpose of considering House Bill No. 692, entitled:

"An Act to amend the act approved the ninth day of April one thousand nine hundred and twenty-nine (P. L. 177) entitled 'An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof * * *' as amended by making further provisions for the granting of easements or right-of-ways or other interests in upon across over under or along lands and waters of the Commonwealth making further provision for the granting of commissions to certain air pilots authorizing the Pennsylvania Historical Commission to charge certain admission fees conferring power upon the Department of Property and Supplies to control and supervise certain buildings devised to the Commonwealth authorizing the micro-filming of records in the various administrative departments boards or commissions and authorizing the leasing of Indiantown Gap Military Reservation any State airport or landing field and certain other real estate of the Commonwealth to the United States"

Respectfully submit the following bill as our report:

ROBERT M. MILLER
JOHN H. COX
J. G. SNOWDEN
(Committee on the Part of the Senate)

REUBEN E. COHEN
WM. E. HABBYSHAW
ALBERT S. READINGER
(Committee on the part of the House of Representatives.)

An Act to amend the act approved the ninth day of April one thousand nine hundred and twenty-nine (P. L. 177 entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments boards commissions and officers thereof including the boards of trustees of State Normal Schools or Teachers Colleges abolishing creating reorganizing or authorizing the reorganization of certain administrative departments boards and commissions defining the powers and duties of the Governor and other executive and administrative officers and of the several administrative departments boards commissions and officers fixing the salaries of the Governor Lieutenant-Governor and certain other executive and administrative officers providing for the appointment of certain administrative officers and of all deputies and other assistants and employes in certain departments boards and commissions and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments boards and commissions shall be determined" as amended by making further provision for the granting of easements or rights-of-way or other interests in upon across over under or along lands and waters of the Commonwealth making further provision for the granting of commissions to certain air pilots authorizing the Pennsylvania Historical Commission to charge certain admission fees conferring power upon the Department of Property and Supplies to control and supervise certain buildings devised to the Commonwealth authorizing the micro filming of records in the various administrative departments boards or commissions and authorizing the leasing of Indiantown Gap Military Reservation any state airport or landing field and certain other real estate of the Commonwealth to the United States

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section five hundred fourteen of the act approved the ninth day of April one thousand nine hundred and twenty-nine (P. L. 177) entitled "An act providing

for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments boards commissions and officers thereof including the boards of trustees of State Normal Schools or Teachers Colleges abolishing creating reorganizing or authorizing the reorganization of certain administrative departments boards and commissions defining the powers and duties of the Governor and other executive administrative officers and of the several administrative departments boards commissions and officers fixing the salaries of the Governor Lieutenant-Governor and certain other executive and administrative officers providing for the appointment of certain administrative officers and of all deputies and other assistants and employes in certain departments boards and commissions and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments boards and commissions shall be determined" as last amended by the act approved the twenty-second day of May one thousand nine hundred thirty-five (P. L. 241) and the act approved the twelfth day of July one thousand nine hundred thirty-five (P. L. 791) is hereby further amended to read as follows

Section 514 Sale of Real Estate and Grants of Rights of Way or Other Rights Over or in Real Estate Tapping Water Lines of Institutions and Sanatoria (a) Except as otherwise in this act expressly provided a department board or commission shall not sell or exchange any real estate belonging to the Commonwealth or grant any easement right of way or other interest over or in such real estate without specific authority from the General Assembly so to do but a department board or commission may with the approval of the Governor grant a license to any public service corporation to place upon in or over any dry or submerged land or bridge of or maintained by the Commonwealth any public service line if such line will enable any State building or State institution to receive better service or if such line is necessary for the service of [persons living adjacent to the Commonwealth's land upon in or over which it is proposed to run the line] the public and it is necessary or reasonably required to cross the Commonwealth's land to afford such service or if the running of such line over a bridge will be more economical than the erection of a separate bridge for the line Every such license shall be revocable for reasonable cause upon six months' written notice by the Commonwealth and [upon] also after like notice for violation of such [other] proper terms and conditions as the department board or commission with the approval of the Governor shall prescribe when the license issues [and unless] Unless any such line is primarily for the benefit of a State building or State institution the license shall provide for the payment to the Commonwealth of compensation for the use of its property in such amount as the department board or commission granting it shall with the approval of the Governor prescribe

But nothing herein contained shall authorize the Commonwealth to impose and collect from any municipality or township any compensation for a license granted to such municipality or township for the runnig of a public service line over any such bridge

This section shall be deemed the exclusive system for the granting of licenses consents and permits to place public service lines upon in or over any dry or submerged lands of the Commonwealth In the case of submerged lands such licenses shall be granted only by the Water and Power Resources Board and the permit shall prescribe such terms and conditions as shall be deemed necessary by the board to protect the interests of the public In the case of dry lands licenses shall be issued by the department board or commission having the management of such lands

(b) Any department board or commission having control over lands of the Commonwealth underlaid with veins of coal may with the approval of the Governor exchange part of such coal for coal in place owned by private interests which may be necessary to insure lateral or surface support for any building reservoir or structure erected or to be erected on such lands of the Commonwealth Provided That the coal given by the department board or commission to private interests shall be approximately equivalent in value to the coal received in exchange therefor every such department board or commission is hereby authorized and empowered to execute and deliver and to receive legal instruments and deeds necessary to effectuate any exchange authorized hereunder which instruments and deeds shall have the prior approval of the Department of Justice and a copy thereof shall be filed with the Department of Internal Affairs

(c) Any department board or commission having control over any water supply serving any State institution or sanitorium may with the approval of the Governor permit and authorize the public authorities of any political subdivision to which no other source of supply is available under suitable regulations to tap the lines of any such water supply for the purpose of supplying water to the people of any community living in proximity to such institution or sanitorium and may impose reasonable charges payable periodically by such political subdivision for the water so furnished All moneys received under the provisions of this clause shall be paid into the State Treasury through the Department of Revenue

(d) In the event that the facilities of any corporation heretofore created under the act approved the twenty-ninth day of April one thousand eight hundred seventy-four (P. L. 73) section two clause eleven as amended by the act approved the eighth day of May one thousand eight hundred eighty-nine (P. L. 136) are located by virtue of a permanent easement right of way upon across over under or along lands of the Commonwealth which lands were acquired by it subject to such easement or right of way and in the interest of National Defense such corporation consents or is required to remove or dispose of such facilities and abandon such easement or right of way any department board or commission having control over such lands of the Commonwealth may with the approval of the Governor and upon the surrender to the Commonwealth of the easement or right of way pertaining to such facilities grant to such corporation a permanent easement or right of way upon across over under or along lands of the Commonwealth in the same locality Every such department board or commission is hereby authorized and empowered to execute and deliver and to receive deeds or other legal instruments necessary to effectuate such grant and surrender which deeds or instruments shall have the prior approval of the Department of Justice and a copy thereof shall be filed with the Department of Internal Affairs

(e) Subject to the approval of the Governor any administrative department board or commission may in the interest of National Defense grant to the United States of America any easement right of way or other interest over on or in any real estate belonging to the Commonwealth upon such terms and conditions and for such periods of time as such department board or commission may prescribe

Section 2 Paragraph (j) of section seven hundred one of the said act which was added to said section by the act approved the twenty-first day of June one thousand nine hundred thirty-seven (P. L. 1865) is hereby amended to read as follows

Section 701 The Governor The Governor shall have the power and it shall be his duty

* * * * *

(j) To grant to pilots engaged in [the] aeronautical work [of the Department of Revenue] under the provisions of The Aeronautical Code of May twenty-five one thousand nine hundred thirty-three (P. L. 1001) and its amendments commissions of such grades as the Governor may prescribe

Section 3 Paragraph (f) of section one thousand three hundred nine of the said act is hereby enacted to read as follows

Section 1309 Pennsylvania Historical Commission Subject to any inconsistent provisions in this act contained the Pennsylvania Historical Commission shall have the power

* * * * *

(f) To assume the preservation care and maintenance of historical buildings grounds monuments or antiquities

committed to its custody by the General Assembly and to make and enforce rules and regulations for the visitation of such places by the public and its discretion to charge admission fees therefor such fees to be paid into the State Treasury through the Department of Revenue and credited to the General Fund

Section 4 Paragraph (a) of section two thousand four hundred two of the said act as amended by the act approved the sixteenth day of May one thousand nine hundred forty (Act No. 7) is hereby further amended to read as follows paragraph (i) of said section is hereby amended to read as follows paragraph (k) of said section as added by the act approved the twenty-first day of June one thousand nine hundred and thirty-seven (P. L. 1865) is hereby amended to read as follows paragraph (1 of said section as added by the act approved the sixteenth day of May one thousand nine hundred and forty (Act No. 7) is hereby amended to read as follows and said section is hereby further amended by adding at the end thereof a new paragraph to read as follows

Section 2402 Grounds Buildings and Monuments in General The Department of Property and Supplies shall have the power and its duty shall be

(a) Subject to the powers by this act vested in the Board of Commissioners of Public Grounds and Buildings to control and supervise the State Capitol Building and the public grounds and buildings connected with the State Capitol including the State Arsenal any building or buildings that may have been devised or may hereafter be devised to the Commonwealth within the City of Harrisburg the Northwest Office Building now occupied by the Pennsylvania Liquor Control Board and the Executive Mansion and to make or supervise the making of all repairs alterations and improvements in and about such grounds and buildings including the furnishing and refurnishing of the same and also to have general supervision over repairs alterations and improvements to all other buildings lands and property of the State except as in this act otherwise provided

* * * * *

(i) To rent to individuals firms or corporations or the Government of the United States or any branch or agency thereof such real estate owned by the Commonwealth as is not being used in connection with the work of any department board or commission thereof upon such terms and conditions as the Secretary of Property and Supplies may prescribe with the approval of the Governor in writing Provided however That no lease executed under the authority hereby conferred shall be for a longer term than one year and so on from year to year

* * * * *

[(k)] (l) To establish standards for and supervise generally the operation of all mechanical and electrical equipment used in connection with the operation of any State institution or other State building

[(l)] (m) To supervise the work of employes of the Pennsylvania Liquor Control Board who are employed by the board for the cleaning care preservation and protection of the Northwest Office Building and the furnishings records and other matters therein and for the operation of the mechanical plants in such building

(n) To lease the whole or any part of the Indiantown Gap Military Reservation or any State airport or landing field to the Government of the United States or any branch or agency thereof upon such terms and conditions and for such periods of time as the Adjutant General in the case of the Indiantown Gap Military Reservation or the Secretary of Revenue in the case of any State airport or landing field may prescribe with the approval of the Governor in writing

Section 5 Article five of the said act is hereby amended by adding at the end thereof a new section to be known as section five hundred twenty-five and to read as follows:

Section 525 Any administrative department board or commission may with the approval of the Executive Board have micro film records made of any correspondence records or other papers for the purpose of protecting and safeguarding the original correspondence records or other papers or for the purpose of conserving filing space and such micro film reproduction shall when properly identified be admitted in evidence in any proceedings in place of the original correspondence records or other papers

Section 6 All acts or parts of acts inconsistent herewith are hereby repealed

Section 7 The provisions of this act shall become effective immediately upon final enactment

On the question,

Will the Senate agree to the report?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—42

Barr,	Ealy,	Mallery,	Stevenson,
Bartlett,	Farrell,	McCreesh,	Stiefel,
Becker,	Frey,	McGinnis,	Tallman,
Cavalcante,	Geltz,	McQuiddy,	Taylor,
Chapman,	Haluska,	Miller,	Thomas,
Coleman,	Heyburn,	Mundy,	Wade,
Cox,	Homsher,	Ruth,	Walker,
Crider,	James,	Scarlett,	Watkins,
Crowe,	Jaspan,	Shapiro,	Wilson, H. I.,
Dent,	Kephart,	Snowden,	Wilson, T. B.,
DiSilvestro,	Letzler,		

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk inform the House of Representatives accordingly.

CONFERENCE COMMITTEE REPORT ON HOUSE BILL No. 551 ADOPTED

Mr. GELTZ. Mr. President, I move that the Senate do now proceed to the consideration of the Conference Committee Report on House Bill No. 551.

Mr. STEVENSON. Mr. President, I second the motion.

The motion was agreed to.

The report was read as follows:

REPORT OF THE COMMITTEE OF CONFERENCE ON HOUSE BILL No. 551

To the Members of the Senate and House of Representatives:

We, the undersigned, Committee of Conference on the part of the Senate and House of Representatives for the purpose of considering House Bill No. 551, entitled:

"A Supplement to the act approved the twenty-seventh day of June, one thousand nine hundred thirty-nine (Appropriation Acts, page 60), entitled 'An act to provide for the ordinary expenses of the Executive, Legislative and Judicial Departments of the Commonwealth, interest on the public debt, and the support of the Public Schools for two years, beginning June first, one thousand nine hundred and thirty-nine, and for the payment of bills incurred and remaiing unpaid at the close of the fiscal year ending May thirty-first, one thousand nine hundred and thirty-nine,' providing for a deficiency in the appropriation to the Department of Property and Supplies for the fiscal biennium ending May thirty-first, one thousand nine hundred forty-one, providing for payment out of revenues of the fiscal biennial period beginning June first, one thousand nine hundred forty-one, and preventing lapsing,"

Respectfully submit the following bill as our report:

ANTHONY J. GERARD
FRED MARKS
ROBERT E. WOODSIDE, JR.
Committee on the part of the House of Representatives

GEORGE B. STEVENSON
CYRUS B. TYLER
B. B. McGINNIS
Committee on the part of the Senate

A Supplement to the act approved the twenty-seventh day of June one thousand nine hundred thirty-nine (Appropriation Acts page 60) entitled "An act to provide for the ordinary expenses of the Executive Legislative and Judicial Departments of the Commonwealth interest on the public debt and the support of the Public schools for two years beginning June first one thousand nine hundred and thirty-nine and for the payment of bills incurred and remaining unpaid at the close of the fiscal year ending May thirty-first one thousand nine hundred and thirty-nine" providing for a deficiency in the appropriation to the Department of Property and Supplies for the fiscal biennium ending May thirty-first one thousand nine hundred forty-one providing for payment out of revenues of the fiscal biennial period beginning June first one thousand nine hundred forty-one and preventing lapsing

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The sum of one hundred and five thousand dollars ($105,000) or as much thereof as may be necessary for deficiencies in the appropriation made to the Department of Property and Supplies by the act to which this is a supplement is hereby specifically appropriated to the Department of Property and Supplies for the cost of alterations furnishing equipment books and necessary improvements on space in the main Capitol building now occupied or to be occupied by the Senate the House of Representatives and the Legislative Reference Bureau The deficiency appropriation hereby made may be paid out of the revenues of the fiscal biennial period beginning June first one thousand nine hundred forty-one

Section 2 Neither this appropriation nor the unexpended balance of the appropriation for said purposes made by the act to which this is a supplement shall lapse until such purposes are fully completed

Section 3 This act shall become effective immediately upon final enactment

On the question,

Will the Senate agree to the report?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—42

Bartlett,	Ealy,	Mallery,	Stiefel,
Becker,	Farrell,	McCreesh,	Tallman,
Cavalcante,	Frey,	McGinnis,	Taylor,
Chapman,	Geltz,	McQuiddy,	Thomas,
Coleman,	Haluska,	Miller,	Tyler,
Cox,	Heyburn,	Ruth,	Wade,
Crider,	Homsher,	Scarlett,	Walker,
Crowe,	James,	Shapiro,	Watkins,
Deitrick,	Jaspan,	Snowden,	Wilson, H. I.,
Dent,	Kephart,	Stevenson,	Wilson, T. B.,
DiSilvestro,	Letzler,		

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk inform the House of Representatives accordingly.

HOUSE NON-CONCURS IN THE SENATE AMENDMENTS TO HOUSE BILL No. 413

The Clerk of the House of Representatives being introduced, informed the Senate that the House has non-concurred in the amendments made by the Senate to House Bill No. 413, entitled:

An Act prohibiting the employment by the Commonwealth or any political subdivision thereof, of persons whose philosophy proposes the charge of the government of the United States by means not provided for in the Constitution of the United States: declaring inoperative any contract or civil service law or regulation providing for tenure in employment; and repealing inconsistent acts.

Mr. MILLER. Mr. President, some time during this present legislative day, I rose on the floor of this Senate with a prepared address of some five and one-half pages and asked in deference to the members that it be spread upon the Journal of this Assembly. Certain happenings which have transpired in the House of Representatives have prompted me to make a statement, and I relustantly ask my colleagues to bear with me while I set forth this statement.

Mr. President, I rise to speak on a measure that holds the interest of every citizen, of all the patriotic and civic organizations of this Commonwealth, those individuals and organizations who place Americanism and love of country and our institutions above that personal gain or political party advancement.

Representing a veteran's organization during this session which has constantly fought for legislation with teeth in it as a patriotic endeavor to curb un-American and subversive activities, I again voice my protest and resentment at the actions of a strictly Democratic House, the action of that body today on House Bill No. 413, in refusing to concur in the Senate amendments to this bill.

In the national emergency which now exists, un-American and subversive activities are a great danger, and those who are enemies of our Democratic form of government should be prohibited from gaining empolyment in the departments of the state, any political sub-division or or school district, where valuable information concerning national defense production transportation of supplies in so far as destination, route of travel or point of origin might be concerned, or local police and fire protection. There should be proper precautions to prevent the teaching to the youth of our land—who soon will be the citizens of tomorrow charged with the responsibility of government and those philosophies of foreign "isms." There may not be a great number of those unprincipled individuals among us, but the fact that recently some thirty spies were captured in a few of our most vital defense plants should be evidence that these groups are at work.

We as taxpayers cannot prevent these unprincipled individuals from gaining employment in private enterprises, but we as Legislators charged with the responsibility of protecting the welfare of our government, can, by the passage of legislation, purge them from the governmental payroll.

The President of this great nation has requested full cooperation from the people. Why protect those in public jobs who carry memberships, or are actively engaged in suspicious and questionable activities? Our duty as legislators is to protect and defend our Commonwealth from any possible danger. Why tolerate those who would tear down a government that furnishes employment and expect that they be retained in public positions of trust?

This Senate in a commendable manner passed legislation on which hours of study had been applied, as to its constitutionality, the protection of the innocent, and its general application towards the safety and security of our Commonwealth, measures to remove those who advocate the overthrow of our form of government by force or violence from the ballot, the removal from our schools of those teachers who advocate foreign policies in the classroom, the legislation in regard to sabotage, setting up a little Dies Committee, and—many other important national defense measures, only to have them rest in committees of the House, in order that similar bills, full of loop holes, Democratic sponsored, and then only after orders from high command of the minority party, due to public demand are brought out and finally passed in the final days of this legislative session.

Now, Mr. President and fellow members of the Senate, it is with deep regret that I must rise to ask you to recede from the Senate amendments to House Bill No. 413. These amendments bar from public office and from our schools persons who advocate, in addition to subversive un-American doctrines, Communism, Naziism and Fascism. Mr. President, I am informed, by a striking vote, the Democratic majority in the House refused to concur in the amendments on Communism, Fascism and Naziism. It is a sad commentary on our loyalty and patriotism to democratic government and institutions, when the Democratic high Command can take orders from that subversive power and pass on orders to the Democrats in the House to defeat an amendment which today is vital.

Mr. President, this bill will be weak when we recede, but I believe we ought to still vote for it and give notice now to those un-American and un-democratic elements that they have no place in our American Government.

By accepting this weak bill we are serving notice on these subversive groups and individuals that the people of Pennsylvania are aware of the danger, and awakened to those realities they will definitely be on guard against their activities and that through the acts of the Republicans in this General Assembly the people have been aroused to this realization.

SENATE RECEDES FROM ITS NON-CONCURRENCE IN AMENDMENTS TO HOUSE BILL No. 413

Mr. MILLER. Mr. President, I now move that the Senate do now recede from its insisting on its amendments non-concurred in by the House to House Bill No. 413, Printer's No. 1179.

Mr. GELTZ. I second the motion, Mr. President.

On the question,

Will the Senate agree to the motion?

Mr. SHAPIRO. Mr. President, I desire to interrogate the gentleman from Luzerne, Mr. Miller.

The PRESIDENT. Will the gentleman from Luzerne permit himself to be interrogated?

Mr. MILLER. I will, Mr. President.

Mr. SHAPIRO. Will the gentleman from Luzerne state whether or not Communism is un-American?

Mr. MILLER. I would say yes, Mr. President.

Mr. SHAPIRO. Will the gentleman from Luzerne state whether or not Naziism is un-American?

Mr. MILLER. I would say yes, Mr. President.

Mr. SHAPIRO. And will the gentleman from Luzerne state whether or not Fascism is un-American.

Mr. MILLER. I would say yes, Mr. President.

Mr. SHAPIRO. And all the members of those parties in the gentleman's opinion, preach and advocate un-American doctrines; is that correct.

Mr. MILLER. I believe it is, Mr. President.

Mr. SHAPIRO. Does Senate Bill No. 413, in the form in which it was adopted by the House, prohibit the employment of persons who teach un-American doctrines?

Mr. MILLER. May I ask the gentleman from Philadelphia to repeat his interrogation?

Mr. SHAPIRO. In the opinion of the gentleman from Luzerne, does House Bill No. 413, in the form in which it was passed by the House and in the form in which this Senate will accept it, if the motion is adopted, prohibit the employment of persons who teach un-American doctrines.

Mr. MILLER. I believe it does, Mr. President.

Mr. SHAPIRO. Then, Mr. President, I should like the gentleman from Luzerne to tell me what is the trouble with this bill. It is simply because the House has taken out of the bill the words, undescribed and undefined, "naziism," "communism" and "fascism," does that spoil the bill?

Mr. MILLER. That is one objection, Mr. President, yes.

Mr. SHAPIRO. In what way is that an objection, if the bill itself prohibits the teaching of those doctrines which the gentleman has himself described as un-American?

Mr. MILLER. I would say that by the amendment inserted by the House it makes it almost necessary to be specific, to produce one specific act tending to overthrow our government.

Mr. SHAPIRO. Will the gentleman from Luzerne point out in the bill on what basis his argument is made?

Mr. MILLER. On what basis, Mr. President?

Mr. SHAPIRO. What part of the bill is the basis for the statement it will be necessary to prove an overt act?

Mr. MILLER. The bill reads that "no person who hereafter advocates or participates by an overt act or acts in un-American or subversive doctrines" shall be permitted to be employed in any capacity."

Mr. SHAPIRO. Mr. President, did the Senate remove from the bill the words "overt act"?

Mr. MILLER. I do not believe the Senate did, Mr. President.

Mr. SHAPIRO. All the Senate did was to say any person who was guilty of Naziism, that was an overt act, is that not right; it would have to be an overt act even if you add the words which the Senate added.

Mr. MILLER. That is correct.

Mr. SHAPIRO. Then, Mr. President, the House has done nothing more nor less than adopt a definition of what is a doctrine which advocates the overthrow of this government by force it has given a definition of what the Senate has not given; is that not true?

Mr. MILLER. The Senate has not given a definition in this bill, Mr. President; it is a House definition.

Mr. SHAPIRO. But the Senate has not inserted in this bill any definition of Naziism, Communism or Fascism, has it?

Mr. MILLER. No, Mr. President, it has not, but they are defined.

Mr. SHAPIRO. Where, Mr. President?

Mr. MILLER. I would say, Mr. President, they are defined in the latest dictionary.

Mr. SHAPIRO. Will the gentleman from Luzerne give us the definition from the latest dictionary?

Mr. MILLER. Mr. President, I believe I can quote a definition from Funk and Wagnals on Communism: a doctrine or practice calling for the complete abolition of all private property of every description and the absolute control by the community in all matters pertaining to labor, religion and social relations, etc.; a phase of extreme socialism shading into anarchy exemplified in France after the overthrow of Napoleon III in 1870. That is the definition I find, Mr. President.

Mr. SHAPIRO. That, Mr. President, of course, amounts to advocacy of doctrines to overthrow or attempt to overthrow a democratic form of government; is that not correct?

Mr. MILLER. I would say it relates to the overthrow of a Democratic form of government.

Mr. SHAPIRO. Well, Mr. President, if it does not, it would not do any good to put the mere word "communism" into this bill, would it.

Mr. MILLER. In my opinion Mr. President, Communism to me has a certain definition.

Mr. SHAPIRO. What is the definition of the gentleman from Luzerne?

Mr. MILLER. Mr. President, my definition might not be the same as I related here, but I am of the opinion that the communistic doctrine as advocated, we will say, in Soviet Russia, is the overthrow of a form of government by force.

Mr. SHAPIRO. Well, Mr. President, would the gentleman from Luzerne say that Communists are not included in the bill as it was drawn by the House, as it is now drawn.

Mr. MILLER. They are to a certain extent yes, Mr. President.

Mr. SHAPIRO. Why to a certain extent? Does the gentleman think that the statement that those who are guilty of teaching the doctrine of overthrowing this government would exclude communism, naziism or fascism?

Mr. MILLER. No, Mr. President, it would not.

Mr. SHAPIRO. I thank the gentleman from Luzerne.

On a matter as serious as this I agree with the gentleman from Luzerne that we ought not to hestitate to act, but I think it is unfair to quibble and to try to fasten upon a party a crime which has not been committed. Everyone in this room has seen the difficulty the gentleman from Luzerne had in describing or defining communism—and it is not his fault; I could not describe it any more than he could.

We live under a Democratic form of government and if we commit an offense we ought to be told what the offense is. When we say that a man guilty of larceny shall be sent to prison, in the same law we define what is larceny; when we say a man guilty of treason shall be sent to prison, we in the same law describe what is treason. If we art going to talk about democracy and at the same time be un-democratic, we are inconsistent.

I dislike communists just as much as any man in this room. I have no ability to describe what a communist is. One of the reasons I have norability is because I have been so angry at them I have never been able to take the trouble to clearly define just what communism is. I want to be just as democratic as they are un-democratic. I am perfectly willing to concede that the Democratic Party in the House has made mistakes, and so has the Republican Party in the Senate, in my opinion, but that is no reason why I will charge either of them with any less patriotism than I have, whether I belong to a patriotic organization or not. I say in all sincerity to the gentleman from Luzerne, Mr. Miller, I believe he feels there is something wrong about this bill, but I suggest to him that he calm his fears and with the same sincerity as he has expressed his opinion, I express mine, that this bill is in better shape now than it ever was, that this bill is much better than ranting about Communists and Fascists and Nazis. This bill protects us by saying that anybody guilty of something, the effect of which might be the overthrow of this form of government, or anybody who teaches something, the very teaching itself is an overt act, which this bill speaks of, the effect of which is to help, to advocate or to result in an attempt to overthrow this government. When this bill says that it has done something more than using mere words, and let us not be unfair or quibble about it. As the gentleman from Luzerne, Mr. Miller himself, has admitted, if anyone of those three parties that he talks about, if their doctrines are or if their members do advocate the overthrow of this government, they are within the terms of the bill, and I am satisfied with it. If the gentleman from Luzerne can suggest any improvement, outside of using mere names, I will go along with him.

And the question recurring,

Will the Senate agree to the motion?

The yeas and nays were required by Mr. GELTZ and were as follows, viz:

YEAS—42

Bartlett,	Ealy,	Mallery,	Stiefel,
Becker,	Farrell,	McCreesh,	Tallman,
Cavalcante,	Frey,	McGinnis,	Taylor,
Chapman,	Geltz,	McQuiddy,	Thomas,
Coleman,	Haluska,	Miller,	Tyler,
Cox,	Heyburn,	Ruth,	Wade,
Crider,	Homsher,	Scarlett,	Walker,
Crowe,	James,	Shapiro,	Watkins,
Deitrick,	Jaspan,	Snowden,	Wilson, H. I.,
Dent,	Kephart,	Stevenson,	Wilson, T. B.,
DiSilvestro,	Letzler,		

NAYS—0

So the question was determined in the affirmative.

Ordered, That the Clerk inform the House of Representatives accordingly.

PERMISSION TO ADDRESS SENATE

Mr. COLEMAN. Mr. President, I desire to make a short statement but before doing so I desire to interrogate the gentleman from Cumberland.

The PRESIDENT. Will the gentleman from Cumberland permit himself to be interrogated?

Mr. WADE. I will, Mr. President.

Mr. COLEMAN. I desire to ask the gentleman from Cumberland whether or not it is true the committee considering Senate Bill No. 507, dealing with congressional apportionment, is hopelessly deadlocked?

Mr. WADE. Mr. President, if I might amend that statement, I would say we are deadlocked.

Mr. COLEMAN. I desire to interrogate the gentleman from Dauphin.

The PRESIDENT. Will the gentleman from Dauphin permit himself to be interrogated?

Mr. TAYLOR. I will, Mr. President.

Mr. COLEMAN. Mr. President, I desire to ask the gentleman from Dauphin whether it is true the Committee of Conference on Senate Bill No. 507 is in complete disagreement and that the possibility of an agreement is extremely remote, if not definitely out of the question.

Mr. TAYLOR. Well, Mr. President, I will have to answer that in my own way. It is not remote as far as we are concerned, but I will illustrate it in this way: more than fifty years ago I worked down in the mills with a deaf and dumb man and in a year or so I learned their alphabet. Of course, my education has been neglected, I am sorry to admit that, and I can only go so far, but if I could have used that alphabet maybe we could have gotten an expression from our Democratic colleagues. I can except Dr. Mundy from that and say I am sorry there were not two more Dr. Mundys on that committee, because he was eminently fair, but it was practically impossible to reach an agreement. We submitted proposition after proposition, and they would walk out and see somebody and then come back and say, "no, it is out of the window."

That was done constantly and repeatedly, I do not know how often. We repeatedly asked them to submit a counter proposition but we have not received one up to this minute. As far as I am concerned I would like to see Congressional reapportionment and I am willing to stay here as long as any member of the Senate to get it, but when we can not get any expression about the matter, of course, we are temporarily or permanently deadlocked.

Mr. COLEMAN. Mr. President, I desire to interrogate the gentleman from Luzerne, Senator Mundy.

The PRESIDENT. Will the gentleman from Luzerne permit himself to be interrogated?

Mr. MUNDY. Yes, Mr. President.

Mr. COLEMAN. I desire to ask the gentleman from Luzerne, as the minority conferee on the part of the Senate, if it is true as newspaper and other reports have indicated, that the committee is hopelessly deadlocked.

Mr. MUNDY. Well, Mr. President, the committee so far has not made very much progress in handling this situation. We have, as the Senator from Dauphin stated, entertained a number of propositions in trying to arrive at a solution of this problem, but we find it very difficult for this reason, that each proposition that we take up presents some very serious objection. I agree with the Senator from Dauphin in saying that all of the Senate members of the committee have tried to handle this thing in a non-partisan manner; we feel the responsibility placed upon us is very grave, that it is a serious problem, and affects all of the people of the State of Pennsylvania, and we have tried to discharge that responsibility to the best of our ability, but it is a very perplexing problem. I think some of us have felt that we have reached a position where this thing is hopelessly deadlocked, but we have been somehow carried on by the enthusiasm on the part of the Senator from Cumberland, Senator Wade, who always recurs with some idea whereby the committee might yet arrive at some favorable conclusion.

If the gentleman from Lackawanna wishes me to express my personal opinion, I would say the outlook at the present time is not very bright.

POINT OF ORDER

Mr. COLEMAN. I rise on a point of order, Mr. President.

The PRESIDENT. The gentleman from Lackawanna will proceed.

Mr. COLEMAN. I rise to the point of order, Mr. President, that the conferees appointed by the President Pro Tempore on the part of the Senate to consider Senate Bill No. 507, having made their report to the Senate body that they are hopelessly deadlocked, that the committee is automatically discharged and that the bill is in the physical possession of the Senate and the question recurs on the adoption of the amendments inserted by the House.

The PRESIDENT. The Chair rules the point of order of the gentleman from Lackawanna is not well taken.

Mr. COLEMAN. I desire to interrogate the gentleman from Cumberland, Mr. President.

The PRESIDENT. Will the gentleman from Cumberland permit himself to be interrogated?

Mr. WADE. I will, Mr. President.

Mr. COLEMAN. I desire to ask the gentleman from Cumberland whether or not, as Chairman of the Committee on Congressional Apportionment, he is willing to have a recess of the Senate for the purpose of having the committee meet to consider the resolution introduced by myself, the gentleman from Westmoreland, Senator Dent, the gentlemen from Allegheny, Senator Cox and Senator Barr, which would have the effect of preventing this Legislature from adjourning sine die without having passed a legislative apportionment bill.

Mr. WADE. Mr. President, before answering the interrogation, I should like to make a short statement, if the gentleman from Lackawanna will permit.

The PRESIDENT. If there is no objection, the gentleman from Cumberland will proceed.

Mr. WADE. Mr. President, on behalf of the conferees on Senate Bill No. 507, I would like to add a word to what Senator Taylor and Senator Mundy have already said. We have held repeated meetings of this committee; we have had, I think, possibly fifteen meetings and those meetings were extended. As a matter of fact, I still retain in my mind the memories of the efforts I have made, together with the Senator from Luzerne, Dr. Mundy, and the Senator from Dauphin, Mr. Taylor. We have done everything within our power in order to reach a satisfactory conclusion.

If I may, Mr. President, I will tell you that we have presented seven different propositions and have had in return not a single indication that the opposing side wished the matter to be solved, or any solution whatever

of the problem, except the one which was amended into the bill in the House, which is inherently very unfair to the problem to be solved. It takes a county, for instance, similar to the County of Montgomery—it takes the actual county of Montgomery, which now has a population of 288,856, just about 11,000 short of the actual quota by dividing the state by the number of congressmen to be elected, and ties it to a county that has a population of 107,658, which would make the total district almost a hundred thousand larger; also it takes two counties which have entirely different interests.

The counter-propositions that we have made, being seven in number, are as follows:

1. Philadelphia should lose one, Allegheny lose one, and add one to the present heavy district of Luzerne.

2. Take one out of Philadelphia, the reason being that the population has shrunk almost twenty thousand.

3. Combine Berks and Montgomery.

4. Take one away from Allegheny County.

5. Combine Bucks and Montgomery, Berks and Lehigh, take one away from Philadelphia and elect one at large.

6. Take one away from Philadelphia, one away from Allegheny, elect one at large.

7. The O'Connor proposition, which readjusts a number of the central Pennsylvania districts.

In view of that, Mr. President, and in view of the fact that we have done everything from our angle—and I sincerely appreciate the cooperation of Dr. Mundy and Senator Taylor—I think that our side of this political question, and it must be somewhat of a political question, has done everything that they could in order to adjust the matter equitably and honestly.

However, Mr. President, in answer to the interrogation of the gentleman from Lackawanna I might say that we are not through, from our side of the Senate, we are perfectly willing to hold further meetings of this committee and to consider this resolution or to do anything else within reason so that the matter may be adjusted as it should be.

MOTION THAT SENATE RECESS

Mr. COLEMAN. Mr. President, I move that the Senate now recess for ten minutes, if it is agreeable to the chairman of the committee, for the purpose of calling a meeting to consider the resolution on congressional apportionment.

Mr. DENT. Mr. President, I second the motion.

On the question,

Will the Senate agree to the motion?

QUESTION OF PARLIAMENTARY INQUIRY

Mr. SHAPIRO. I rise on a question of parliamentary inquiry, Mr. President.

The PRESIDENT. The gentleman from Philadelphia will proceed.

Mr. SHAPIRO. Mr. President, suppose we take a recess for ten minutes for the purpose of that committee having a meeting, and it does not have a meeting, what are we going to do about it?

The PRESIDENT. In that event the Senate would then reconvene.

Mr. SHAPIRO. May I ask, Mr. President, what is the validity of a motion which says we shall take a recess for the purpose of holding a meeting of that committee; is not a motion to that effect out of order.

The PRESIDENT. The Chair did not understand the gentleman from Lackawanna made a motion to that effect; he simply moved that the Senate recess.

Mr. COLEMAN. Mr. President, I will explain the reason I made the motion and the reason I phrased it in the language I did. I assumed from the statement of the gentleman from Cumberland he was perfectly agreeable to call a meeting of the committee considering the bill on congressional apportionment. If I am in error on that I would like to be corrected.

Mr. President, I desire to interrogate the gentleman from Cumberland, Mr. Wade.

The PRESIDENT. Will the gentleman from Cumberland permit himself to be interrogated.

Mr. WADE. I will, Mr. President.

Mr. COLEMAN. Mr. President, I desire to ask the gentleman from Cumberland, whether or not, if the Senate recesses for a period of ten minutes, it will be agreeable to him to call a meeting of the Committee on Congressional Reapportionment to consider the resolution referred to.

Mr. WADE. Mr. President, in answer to the inquiry of the gentleman from Lackawanna, I might say that I am informed by the leaders of this body that there is important business now before the Senate that should be cleared first. After that I shall agree with the gentleman who is making the interrogation to call a meeting of the Committee on Congressional Apportionment.

Mr. COLEMAN. Mr. President, I desire to interrogate the gentleman from Allegheny, the Majority Floor Leader, Mr. Geltz.

The PRESIDENT. Will the gentleman from Allegheny permit himself to be interrogated.

Mr. GELTZ. I will, Mr. President.

Mr. COLEMAN. Mr. President, I desire to ask the gentleman from Allegheny if he considers there is any more important business before the Senate of Pennsylvania or the General Assembly than congressional reapportionment.

Mr. GELTZ. Mr. President, I consider congressional reapportionment very important business and I am sorry that apparently the Democratic members of the conference committee on congressional reapportionment, from the House, do not so consider, or at least do not consider it as important as their political standing.

Mr. COLEMAN. Mr. President, in answer to the gentleman from Allegheny, I am not concerned about the responsibility for the deadlock of the committee, I am concerned, however, about the breakdown of the election machinery and the disfranchisement of hundreds of thousands of voters throughout the Commonwealth. I desire to ask the gentlemen whether or not, when the important business referred to has been completed, if he will be agreeable to a recess in order that the gentleman from Cumberland, Senator Wade, can call a meeting of the Committee on Congressional Reapportionment.

Mr. GELTZ. Mr. President, I will be perfectly agreeable to a meeting of the Committee on Congressional Reapportionment when the proper time comes. If my colleague from Lackawanna, Senator Coleman, was as interested in this matter, sincerely so as he says and professes to be, it seems to me, instead of endeavoring to do something like he is doing now, he could have done a great deal more

good by endeavoring to see if he could not have had some activity on the part of his Democratic colleagues in the House.

Mr. BARR. Mr. President, I desire to ask the gentleman from Lackawanna if he will yield for a moment.

Mr. COLEMAN. I will be delighted, Mr. President.

Mr. BARR. Mr. President, I would like to hear the last answer of the gentleman from Cumberland to the interrogation by the gentleman from Lackawanna.

(The answer referred to was repeated by the reporter as follows):

"Mr. WADE. Mr. President, in answer to the inquiry of the gentleman from Lackawanna, I might say that I am informed by the leaders of this body that there is important business now before the Senate that should be cleared first. After that I shall agree with the gentleman who is making the interrogation to call a meeting of the Committee on Congressional Apportionment."

Mr. BARR. Mr. President, did the gentleman refer to leader or leaders?

Mr. WADE. Majority leaders, Mr. President; I am informed by the leaders of this party.

Mr. BARR. I would like to know to whom the gentleman was referring, Mr. President. I think that is very important, Mr. President, as to whether he is talking about the majority or the minority side.

The PRESIDENT. The question before the Senate is a motion by the gentleman from Lackawanna.

MOTION WITHDRAWN

Mr. COLEMAN. Mr. President, I withdraw the motion, having had the assurance of the chairman of the committee and the Majority Floor Leader, that when the other business has been disposed of, there will be a meeting of the Committee on Congressional Reapportionment. Accordingly, I withdraw the motion at this time.

Mr. DENT. I withdraw my seconding of the motion, Mr. President.

CONFERENCE COMMITTEE REPORT ON HOUSE BILL No. 846 ADOPTED

Mr. GELTZ. Mr. President, I move that the Senate do now proceed to the consideration of the Conference Committee Report on House Bill No. 846.

Mr. CRIDER. Mr. President, I second the motion.

The motion was agreed to.

The Report was read as follows:

REPORT OF THE COMMITTEE OF CONFERENCE ON HOUSE BILL No. 846

To the Members of the Senate and House of Representatives:

We, the undersigned, Committee of Conference on the part of the Senate and House of Representatives for the purpose of considering House Bill No. 846, entitled:

"An act requiring school boards in all school districts and boards of directors of all vocational school districts to grant leaves of absence to all school employes who shall volunteer or be called for military or naval service in time of war or during a state of national emergency, preserving certain contracts, salaries, increments, retirement rights, seniority, State contributions and grants to local school boards, eligibility lists re-employment, authorizing school boards, and boards of directors of vocational schools to employ substitutes in place of such employes requiring school districts and vocational school districts to make additional payments into the School Employes' Retirement Fund, reserving all rights and privileges of employes granted leaves of absence under the provisions herein, and superseding or repealing all contrary laws."

Respectfully submit the following bill as our report:

FRED L. HOMSHER
PAUL M. CRIDER
B. B. McGINNIS
(Committee on the Part of the Senate.)

EDWIN A. LEE
JOHN B. HERING
WALTER GRYSKEWICZ
(Committee on the part of the House of Representatives.)

An Act requiring school boards in all school districts and boards of directors of all vocational school districts to grant leaves of absence to all school employes who shall volunteer or be called for military or naval service in time of war or during a state of national emergency preserving certain contracts salaries increments retirement rights seniority State contributions and grants to local school boards eligibility lists reemployment authorizing school boards and boards of directors of vocational schools to employ substitutes in place of such employes requiring school districts and vocational school districts to make additional payments into the School Employes' Retirement Fund reserving all rights and privileges of employes granted leaves of absence under the provisions herein and superseding or repealing all contrary laws

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The Congress of the United States of America has enacted and the President of the United States has approved a statute entitled "An act to provide for the common defense by increasing the personnel of the armed forces of the United States and providing for its training" in which it is provided that certain male citizens of the United States shall be liable for training and service in the land or naval forces of the United States under a system of compulsory selective induction into such forces

Under said statute and subsequent statutes of the United States of America and under the laws of the United States concerning the National Guard and the land and naval reserve forces employes of school districts and vocational school districts in the Commonwealth of Pennsylvania may volunteer or be selected and assigned to military or naval service in defense of this nation.

It Is Hereby Declared To Be The Intention of this act that such employes so affected shall retain all of the rights and privileges they shall have acquired prior to assignment to service under said Federal statutes or any such rights and privileges they would have acquired or received if they had not been assigned to such service it is intended that such employes assigned to such service shall be considered in all respects to be continuing in the service of the school board or board of directors of vocational schools for which they were last working prior to such assignment to military or naval service

Section 2 (a) Any employe of any school district or vocational school district within the Commonwealth who shall have been regularly employed by said school district or vocational school district for a period of not less than one year prior thereto and who shall volunteer or be called for military or naval service by the United States of America in time of war or during a state of national emergency shall within thirty days of the receipt of notice to said effect send a copy of such notice to the secretary of the school board or board of directors of vocational school by which he is employed

(b) The secretary of the school board or board of directors of vocational schools shall verify the information contained in the notice from any employe concerning

selection or induction into military or naval service and upon verification of such facts shall record the same in the records of the school board or board of directors of vocational schools and send notice thereof to said employe

(c) Without further action by the board of school directors or board of directors of vocational schools the employe inducted into military or naval service shall forthwith be considered to be upon leave of absence for the entire duration of such service all rights and privileges shall be reserved to such employe as if he continued in the service of said school board or board of directors of vocational schools provided however that no such leave of absence shall be granted unless said employe shall in writing agree upon termination of the said leave to return to employment in said school district or vocational school district for a period of not less than one school year

Section 3 (a) Wherever a contract is required by law and wherever a contract actually exists between the school board or board of directors of vocational schools and the employe the same shall be considered to continue in full force and effect during said leave of absence

(b) Upon termination of the military or naval service of an employe in time of war or during a state of national emergency the school board or boards of directors of vocational schools shall immediately return said employe to the same position in the same school or schools vocational school or vocational schools from which said employe was granted leave of absence or if this is impracticable in the opinion of the board then to a similar position

(c) During the leave of absence under the aforesaid conditions the school board or board of directors of vocational schools shall be required to pay to the dependent wife dependent child or children or dependent parent or parents of the employe the difference between his regular salary and the salary paid to any substitute employe temporarily engaged because of such absence but in no event more than half of the employe's regular salary from the school district or vocational school district provided that no school district or vocational school district shall pay to the dependent or dependents of any employe in military or naval service a total of more than two thousand dollars ($2000) per annum

No school district or vocational school district shall pay to the dependent or dependents of any employe more than the difference between the military or naval pay including communtation and allowance of said employe and the regular salary that said employe would have received if he were actually performing the duties of his regular position as an employe of the school district or vocational school district

No allowance shall be paid under the provisions of this Act to the dependent or dependents of any employe if his military or naval pay including commutation and allowance exceeds the regular salary that said employe would have received if he were actually performing the duties of his regular position

(d) Increments shall not be abated during the said leave of absence but shall continue to accrue to such employes

(e) The school district or vocational school district shall pay into the School Employes' Retirement Fund on behalf of each such employe in addition to the contributions required by law to be made by it the full amount of the contribution required by law to be paid by the employe so that such employe's retirement rights shall in no way be affected by such leave of absence In all cases where any part of the salary of any employe is payable to his dependents under the provisions of this act the school district or vocational school district shall deduct from the part of his salary so payable in so far as the same is sufficient therefor all moneys paid by it into the retirement fund on account of the employe's contributions

(f) The period of said leave of absence shall be considered as service to the school board or board of directors of vocational schools in the matter of seniority rights and credit toward the time necessary for sabbatical leave Such leave shall not be regarded as a Sabbatical Leave

Section 4 During the period of said leave of absence if a qualified substitute is employed the Commonwealth shall pay the school board or board of directors of vocational schools the full amount of State contribution or grant as if the said employe were performing his regular school duties for the said school board or board of directors of vocational schools

Section 5 (a) No person who shall have acquired a place upon the eligibility list for any position in any schoool district or vocational schoool district shall suffer the loss of such listing and the position thereon as the result of such induction into military or naval service it shall be the duty of the school board or board of directors of vocational schools to provide a fair and equitable method of preserving rights of such persons

(b) Any person who shall have entered the military or naval services as aforesaid and whose name shall be reached upon said eligibility list for any position in any school district or vocational school district shall be appointed to said position as if such person were in fact available for actual service in said position and such person shall be so notified by the secretary of the school board or board of directors of vocational schools of said district and thereafter all of the provisions of this act shall apply

Section 6 The act approved the seventh day of June one thousand nine hundred and seventeen (P. L. 600) entitled "An act providing that appointive officers and employes employed by the Commonwealth of Pennsylvania in its civil service or by any department bureau commission or office thereof or by any county municipality township or school district shall not be deemed or held to have resigned or abandoned their offices or employments by reason of enlistment enrollment or draft in the military or naval service of the United States or any branch or unit thereof in time of war or contemplated war prohibiting the removal from their offices or employments of such officers and employes during the perid of their service in the Army or Navy directing that one-half of the salaries or wages of such officers or employes as have dependent wives children or parents and not exceeding two thousand dollars per annum be paid during the term of their service in the Army or Navy to such dependents authorizing the employment during said term of substitutes to perform the duties theretofore performed by such officers or employes respectively and providing for the compensation of such substitutes" is hereby repealed in so far as it applies to employes of school districts and vocational school districts

All other acts and parts of acts inconsistent herewith or supplied hereby are hereby repealed

Section 7 This act shall become effective immediately upon final enactment any employe inducted into military or naval service as aforesaid prior to the final enactment hereof shall nevertheless be entitled to all of the benefits hereof

Section 8 This act shall apply to all employes of all school districts and of vocational school districts who volunteer or are inducted into the military or naval services under the laws of the United States of America

Section 9 The provisions of this act are severable If any provision shall be construed or deemed to be in violation of the Constitution of the Commonwealth or of the United States or otherwise invalid then the other provisions herein shall not be affected thereby but shall be enforced

On the question,

Will the Senate agree to the report?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—42

Barr,	DiSilvestro,	Letzler,	Stiefel,
Bartlett,	Ealy,	Mallery,	Tallman,
Becker,	Farrell,	McCreesh,	Taylor,
Cavalcante,	Frey,	McGinnis,	Thomas,
Chapman,	Geltz,	McQuiddy,	Tyler,

Coleman,	Haluska,	Miller,	Wade,
Cox,	Heyburn,	Ruth,	Walker,
Crider,	Homsher,	Shapiro,	Watkins,
Crowe,	James,	Snowden,	Wilson, H. I.,
Deitrick,	Jaspan,	Stevenson,	Woodward,
Dent,	Kephart,		

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk inform the House of Representatives accordingly.

CONFERENCE COMMITTEE REPORT ON HOUSE BILL No. 1365 ADOPTED

Mr. GELTZ. Mr. President, I move that the Senate do now proceed to the consideration of the Conference Committee Report on House Bill No. 1365, which is the amendment to the Motor Vehicle Code.

Mr. SNOWDEN. Mr. President, I second the motion.

The motion was agreed to.

The report was read as follows:

REPORT OF THE COMMITTEE OF CONFERENCE ON HOUSE BILL No. 1365

To the Members of the Senate and House of Representatives:

We the undersigned Committee of Conference on the part of the Senate and House of Representatives for the purpose of considering House Bill No. 1365 entitled:

"An Act to amend the act approved the first day of May one thousand nine hundred and twenty-nine (P. L. 905) entitled 'An act for the protection of the public safety regulating the use of highways and the operation of vehicles tractors street cars trackless trolley omnibuses bicycles pedestrians and the riding of animals upon the highways of this Commonwealth * * *' as variously amended authorizing the Secretary of Revenue to establish a system of permanent registration of vehicles providing for the issuance of limited operator's licenses in certain cases and further regulating the operation of vehicles and the suspension of registration and operating privileges giving the Pennsylvania Turnpike Commission power to regulate traffic on turnpikes extending the time limit for cities of the second class A to make certain changes in traffic signals extending the liability of political subdivisions to include negligent operation of their vehicles drawn by animal power amplifying and changing provisions of said act relating to lighting signal and warning devices and the transportation of vehicles * * *"

Respectfully submit the following bill as our report:

J. G. SNOWDEN
A. EVANS KEPHART
JOHN H. DENT
(Committee on the part of the Senate)

JOHN P. CORRIGAN
JOSEPH M. O'BRIEN
FRANKLIN H. LICHTENWALTER
(Committee on the part of the House of Representatives)

An Act to amend the act approved the first day of May one thousand nine hundred and twenty-nine (P. L. 905) entitled "An act for the protection of the public safety regulating the use of highways and the operation of vehicles tractors street cars trackless trolley omnibuses bicycles pedestrians and the riding of animals upon the highways of this Commonwealth providing for the titling including liens encumbrances and legal claims registration of certain vehicles and licensing the operators thereof upon payment of prescribed fees prescribing and limiting the powers of local authorities to deal with the subject matter of this act conferring powers and imposing duties upon the Department of Revenue the Department of Highways peace officers mayors burgesses magistrates aldermen justices of the peace the courts and the clerks thereof owners of vehicles and garage keepers providing that records are admissible as evidence imposing upon owners counties cities boroughs incorporated towns townships within the Commonwealth liability for damages caused by the negligent operation of their motor vehicles imposing penalties imposing certain costs upon counties providing for the disposition of fines forfeitures fees and miscellaneous receipts making an appropriation and providing for refunds" as variously amended authorizing the Secretary of Revenue to establish a system of permanent registration of vehicles providing for the issuance of limited operator's licenses in certain cases and further regulating the operation of vehicles and the suspension of registrations and operating privileges giving the Pennsylvania Turnpike Commission power to regulate traffic on turnpikes extending the time limit for cities of the second class A to make certain changes in traffic signals extending the liability of political subdivisions to include negligent operation of their vehicles drawn by animal power amplifying and changing provisions of said act relating to lighting signal and warning devices and the transportation of vehicles redefining the term dealer further regulating dealers in junked vehicles permits for oversize and overweight vehicles use of school buses registration plates and cards maximum size of vehicles and medical examinations by physicians providing for payment of certain fees by counties limiting and providing new exemptions fro mthe various provisions of said act giving additional authority to peace officers and department employes in the matter of investigations further regulating prosecutions giving certain powers to local authorities for the regulation of traffic and the establishment of traffic courts changing and fixing additional fees changing and imposing new penalties giving the secretary additional powers and duties imposing additional duties on keepers and employers of garages and repair shops providing refunds to certain persons entering Federal services making it a misdemeanor for committing malicious mischief to motor vehicles parts or accessories thereof and establishing penalties therefore and making an appropriation

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section one hundred and two of the act approved the first day of May one thousand nine hundred and twenty-nine (P. L. 905) entitled "An act for the protection of the public safety regulating the use of highways and the operation of vehicles tractors street cars trackless trolley omnibuses bicycles pedestrians and the riding of animals upon the highways of this Commonwealth providing for the titling including liens encumbrances and legal claims registration of certain vehicles and licensing the operators thereof upon payment of prescribed fees prescribing and limiting the powers of local authorities to deal with the subject matter of this act conferring powers and imposing duties upon the Department of Revenue the Department of Highways peace officers mayors burgesses magistrates aldermen justices of the peace the courts and the clerks thereof owners of vehicles and garage keepers providing that records are admissible as evidence imposing upon owners counties cities boroughs incorporated towns townships within the Commonwealth liability for damages caused by the negligent operation of their motor vehicles imposing penalties imposing certain costs upon counties providing for the disposition of fines forfeitures fees and miscellaneous receipts making an appropriation and providing for refunds" as last amended by the act approved the twenty-seventh day of June one thousand nine hundred and thirty-nine (P. L. 1135) is hereby further amended to read as follows

Section 102 Definitions The following words and phrases when used in this act shall for the purpose of this act have the meanings respectively ascribed to them in this section except in those instances where the context clearly indicates a different meaning

"Approved" Having been favorably passed upon by the secretary as suitable for the purpose designed

"Auxiliary Driving Lamp" A complete road illuminating device [in addition to or supplementing the head lamps] located upon the front of a motor vehicle and intended for use in pairs instead of the head lamps or singly in conjunction with the head lamps

"Bicycle with Motor Attached" Every vehicle except a motorcycle as herein defined which is self-propelled by an engine not exceeding four (4) horsepower

"Business District" The territory contiguous to a highway when fifty (50) per cent or more of the frontage thereon for a distance of three hundred (300) feet or more is occupied by buildings in use for business

"Chassis" The chassis of a motor vehicle to be propelled by an internal combustion or steam engine shall consist of an assembly of all essential parts with protective housings ready for operation on the highway including as minimum equipment a set of tires attached to wheels driver's seat including cab front wheel fenders running board or mounting step tool compartment priming coat on all parts to be painted pair of front lamps and one rear lamp license brackets jack and a set of tools commonly used for making adjustments and minor repairs on the highway water oil and fuel

"Clearance Lamp" A lamp or lamps arranged to mark the extreme sides of the motor vehicle and so arranged to show white green or amber to the front and red to the rear

"Commercial Motorcycle" Every motorcycle designed to travel on three wheels in contact with the ground and designed for carrying freight merchandise implements or articles of any kind or service in connection with calling for and delivering automobiles to patrons

"Commercial Motor Vehicle" Any motor vehicle designed for carrying freight or merchandise Provided however That a motor vehicle originaly designed for passenger transportation to which has been added a removable box body without materially altering said motor vehicle when owned and used by a farmer shall not be deemed a "commercial motor vehicle" for the purpose of this act And further provided That any motor vehicle of the bus type operated under contract with or owned by any school district of this Commonwealth for the transportation of school children shall be deemed a "commercial motor vehicle"

"Crosswalk" That portion of a highway ordinarily included within the prolongation of curb and property lines at intersections or any portion of a highway clearly indicated for pedestrian crossing by lines or other markings on the surface

"Cushion Rubber Tire" A tire molded on a steel base having a longitudinal cavity running circumferentially at the center line of the tire extending from its base with a height of no less than one half the overall standing height of the time such tires when new being no less than four and one-half (4½) inches high over all including steel base

"Dealer" [Any person firm corporation or association engaged in the purchase and sale of motor vehicles trailers and semi-trailers and who has an established place of business or any person regularly engaged in the business of transporting new vehicles on their own wheels and who has an established place of business] (1) A person actively and principally engaged in and devoting a substantial portion of his time to the business of buying selling or exchanging new motor vehicles trailers or semi-trailers on commission or otherwise who maintains a salesroom or garage devoted exclusively to the motor vehicle business and who holds a contract in writing with a manufacturer giving such person selling rights for new motor vehicles trailer or semi-trailers or with a jobber of such vehicles who as such jobber holds a manufacturer's franchise or contract giving selling rights on new motor vehicles trailers or semi-trailers in this Commonwealth or (2) a person actively and principally engaged in and devoting a substantial portion of his time to the business of buying selling or exchanging used motor vehicles trailers or semi-trailers and who maintains a salesroom garage or used car lot actually occupied by such person either continuously or at regular intervals and upon which or adjacent thereto is a building owned or rented by such person where his books and records are kept and which is devoted exclusively to the motor vehicle business in which the repair of motor vehicles is subordinate or incidental to the business of buying selling or exchanging the same or (3) any person regularly engaged in the business of transporting new motor vehicles trailers or semi-trailers on their own wheels and who has an established place of business or (4) a person who is duly authorized to do business in this Commonwealth and is actively engaged in the business of financing sales or making loans on security of motor vehicles Provided however That a person entitled to dealer registration under clause (3) hereof may only use dealer's registration plates for the purpose of transporting new motor vehicles trailers or semi-trailers on their own wheels and a person entitled to dealer registration under clause (4) hereof may only use dealer's registration plates for the purpose of moving or operating a motor vehicle trailer or semi-trailer which he is repossessing or which after repossession he is moving for the purpose of repairing or having repaired demonstrating for sale or which he is moving for delivery to a bona fide purchaser in the regular course of his business

"Department" The Department of Revenue of this Commonwealth

"Emergency Brake" The means of applying braking effort to at least two (2) wheels on a motor vehicle normally operated by the operator's hand Provided however That where there are two (2) brakes both designed to be operated by the foot the one (1) equipped with a ratchet or other device for holding the brake in the applied position shall be considered the "Emergency Brake" and the requirements shall be the same as herein set forth

"Essential Parts" All integral parts and body parts the removal alteration or substitution of which will tend to conceal the identity or substantially alter the appearance of the vehicle

"Explosives" Any chemical compound or mechanical mixture that is commonly used or intended for the purpose of producing an explosion that contains any oxidizing and combustible units or other ingredients in such proportions quantities or packing that any ignition by fire by friction by concussion by percussion or by detonator of any part of the compound or mixtures may cause such a sudden generation of highly heated gases that the resultant gaseous pressures are capable of producing destructive effects on contiguous objects or of destroying life or limb

"Flammable Liquid" Any liquid which has a flash point of seventy degree Fahrenheit or less as determined by a tabliabue or equivalent closed cup test device

"Fog or Adverse Weather Lamps" A complete road illuminating device mounted in pairs upon the front of a motor vehicle and intended for use only during adverse weather conditions

"Foreign Vehicles" Every motor vehicle trailer or semi-trailer which shall be brought into this Commonwealth otherwise than in the ordinary course of business by or through a manufacturer or dealer and which has not been registered in this Commonwealth

"Gross Weight" The combined weight of the vehicle or combination of vehicles and its or their load or loads exclusive of the operator

"Headlamp" A complete road illuminating device located upon the front of a motor vehicle the rays from which are projected forward other than a sidelight clearance lamp auxiliary driving lamp fog or adverse weather lamp searchlight or spot lamp

"Highway" Every way or place of whatever nature open to the use of the public as a matter of right for purposes of vehicular travel The term "highway" shall not be deemed to include a roadway or driveway upon grounds owned by private persons colleges universities or other institutions

"Intersection" The area embraced within the prolongation of the lateral curb lines or if none then the lateral

boundary lines of two or more highways which join one another at an angle whether or not one such highway crosses the other

"Jobber" Any person firm or corporation or association engaged in the purchase and sale of new motor vehicles trailers or semi-trailers and their sale directly to dealers

"Learner's Permit" A permit issued to any person to learn to operate a motor vehicle or tractor

"License Plate Lamp" A lamp designed to illuminate the rear registration plate with a white light without directing the white light to the rear It may be separate from or in combination with the rear lamp

"Local Authorities" Every county municipal and other local board or body having authority to adopt local police regulations under the Constitution and laws of this Commonwealth

"Magistrate" A mayor burgess magistrate alderman justice of the peace or other officer having the powers of a committing magistrate

"Manufacturer" Every person engaged in the business of manufacturing motor vehicles trailers semi-trailers motors or bodies of such vehicles

"Mechanical Signal" A movable device operated mechanically or by the driver and so constructed and arranged as to give cautionary or direction signal to the front and rear

"Metal Tires" All tires the surface of which in contact with the highway is wholly or partly of metal or other hard non-resilient material

"Motor Bus" Shall include all motor vehicles operated for the carriage of passengers for hire by individuals associations copartnerships or corporations required under the laws of this Commonwealth to obtain certificate of public convenience from the Public Utility Commission of the Commonwealth of Pennsylvania before engaging in the carriage of passengers for hire or by individuals associations copartnerships or corporations who or which were engaged in the business of carrying passengers for hire as common carriers prior to the first day of January one thousand nine hundred and fourteen

"Motorcycle" Every motor vehicle having a saddle for the use of the rider and designed to travel on not more than three wheels in contact with the ground except any such vehicle as may be included within the term "tractor"

"Motor Omnibus" Shall include all motor vehicles operated for the carriage of passengers for hire by individuals associations copartnerships or corporations who or which were not engaged in the carriage of passengers for hire as common carriers prior to the first day of January one thousand nine hundred and fourteen and who or which are not required under the laws of this Commonwealth to obtain from the Public Utility Commission of the Commonwealth of Pennsylvania certificate of public convenience for the carriage of passengers for hire or motor vehicle of the bus type not operated for the carriage of passengers for hire except as herein provided This definition shall not include or apply to any motor vehicle operated under contract with any school district of this Commonwealth for the transportation of school children such motor vehicles to come within the definitions of commercial motor vehicles or motor vehicles

"Motor Vehicles" Every vehicle as herein defined which is self-propelled except tractors power shovels road rollers agricultural machinery and vehicles which move upon or are guided by a track or travel through the air

"New Motor Vehicle" Every motor vehicle which is not defined as a reconstructed rebuilt or used motor vehicle

"Nonresident" Any person not a resident of this Commonwealth

"Obscured Registration Plate" Every registration plate the characters on which are not legible in daylight at a distance of fifty (50) feet from the front or rear of the motor vehicle on the line of the axis of the vehicle on an approximately level stretch of highway

"Operator" Every person who is in actual physical control of a motor vehicle or tractor upon a highway

"Operator's License" The license issued to any person to operate a motor vehicle or tractor

"Overtake" A vehicle or combination of vehicles shall be deemed to overtake another vehicle or combination of vehicles when all of the vehicle and its load or all of the combination of vehicles and their loads move so that any part of the vehicle or its load or any part of the combination of vehicles or their loads is opposite to or alongside of any other moving vehicle or its load or combination of vehicles or their loads being operated in the same direction as the overtaking vehicle or combination of vehicles

"Owner" A person or persons holding the legal title of a vehicle or in the event a vehicle is the subject of an agreement for the conditional sale or lease thereof or other like agreement with the right of purchase upon performance of the conditions stated in the agreement and with an immediate right of possession vested in the conditional vendee or lessee then such conditional vendee or lessee shall be deemed the owner for the purpose of this act

"Parking" The standing of a vehicle except police or fire department vehicle or ambulance whether occupied or not upon a highway otherwise than temporarily for the purpose and while actually engaged in loading or unloading or in obedience to traffic regulations or traffic signs or signals

"Parking Lamp or Clearance Lamp" A lamp or lamps so arranged to show white green or amber to the front and red to the rear

"Pass" A vehicle or combination of vehicles shall be deemed to pass another vehicle or combination of vehicles when all of the vehicle and its load or all of the combination of vehicles and their loads moves by or in advance of any moving vehicle and its load or combination of vehicles and their loads being operated in the same direction as the passing vehicle or combination of vehicles

"Passenger Seat" Each sixteen (16) inches of seating capacity in any motor omnibus or motor bus

"Peace Officer" A sheriff deputy sheriff constable member of the Pennsylvania Motor Police or other police officer vested with authority of arrest

"Pedestrian" Any person afoot

"Person" Every natural person firm copartnership association or corporation

"Pneumatic Tires" All tires inflated with compressed air

"Private Road or Driveway" Every road or drive not open to the use of the public for purposes of vehicular travel

"Railway Grade Crossing" Any set of tracks or rails of any steam gasoline or electric railway line which intersects or crosses any highway at the same level or grade of such highway except electric railway lines within cities boroughs or incorporated towns

"Rear Lamp" A lamp located upon the rear of a motor vehicle trailer or semi-trailer so arranged as to show red to the rear and which may or may not illuminate the rear registration plate with a white light

"Rebuilt Motor Vehicle" Every motor vehicle which shall have been assembled by using new parts and used parts derived from other motor vehicles of the same make and rebuilt by the manufacturer thereof

"Reconstructed Motor Vehicle" Any motor vehicle which shall have been assembled or constructed largely by means of essential parts new or used derived from other motor vehicles or makes of motor vehicles of various names models and types or which if originally otherwise constructed shall have been materially altered by the removal of essential parts or by the addition or substitution of essential parts new or used derived from other motor vehicles or makes of motor vehicles

"Registration Card" Includes temporary registration card as well as other registration cards

"Registration Plates" Includes temporary registration plates as well as other registration plates

"Residence District" The territory contiguous to a highway not comprising a business district when the frontage on such highway for a distance of three hundred (300) feet or more is closely built up with dwellings or by dwellings and buildings in use for business

"Resident" Any person who has a regular place of abode or business in the Commonwealth for a period of more than thirty (30) consecutive days in the year except as otherwise provided in sections four hundred nine and six hundred three

"Right of Way" The privilege of the immediate use of the highway

"Safety Zone" The area of space officially set aside within a highway for the exclusive use of pedestrians and which is so plainly marked or indicated by proper signs as to be plainly visible at all times while set apart as a safety zone

"Secretary" The Secretary of Revenue of this Commonwealth

"Semi-trailer" Every vehicle of the trailer type so designed and used in conjunction with a motor vehicle that some part of its own weight and that of its own load rests upon or is carried by another vehicle

"Service Brake" The means of applying braking effort to at least two (2) wheels on a motor vehicle normally operated by the operator's foot

"Sidelights" Any lights upon a motor vehicle other than headlamp [or] auxiliary driving lamp [or] fog or adverse weather lamps signal lamp clearance lamp searchlight or spot lamp the rays of which project forward

"Sign" Any device mark marker board plate or other contrivance designed for the purpose of guiding traffic or informing of a traffic regulation

"Signal Lamp" A lamp located upon the side or rear of a motor vehicle so arranged to show red green or yellow to the rear as a cautionary signal

"Solid Rubber Tire" Every tire made of rubber other than a pneumatic tire or a cushion rubber tire

"Specially Constructed Vehicle" Any vehicle which shall not have been originally constructed under a distinctive name make model or type by a generally recognized manufacturer of vehicles

"Spot Lamp" An auxiliary illuminating device either fixed or movable intended to project a powerful concentrated beam of light

"State" A State territory organized or unorganized or district of the United States of America

"Street Car" Every device traveling exclusively upon rails when upon or crossing a highway other than railroad cars or trains

"Tractor" Every vehicle of the tractor type as defined in the Tractor Code

"Traffic" Pedestrians vehicles and street cars either singly or together while using any highway for purposes of travel

"Traffic Signal" Any device using words or colored lights or a combination thereof either manually or electrically controlled by which traffic is alternately directed to stop and go

"Trailer" Every vehicle without motive power designed to carry property or passengers wholly on its own structure and to be drawn by a motor vehicle Provided That wagons or agricultural machinery drawn by either tractor truck or any other motor vehicle for agricultural purposes only shall not be included within such definition and no fee shall be required to operate such vehicles on any public highway lying on along or between any farm owned operated or leased by the person operating such vehicle

"Truck Tractor" Every motor vehicle designed and used primarily for drawing other vehicles and not so constructed as to carry a load other than a part of the weight of the vehicle and load so drawn

"Used Motor Vehicles" Every motor vehicle which has been sold bargained exchanged given away or title transferred from the person who first acquired it from the manufacturer or jobber or dealer and so used as to have become what is commonly known as "second-hand" within the ordinary meaning thereof

"Vehicle" Every device in upon or by which any person or property is or may be transported or drawn upon a public highway excepting tractors agricultural machinery devices moved by human power or used exclusively upon stationary rails or tracks Provided That for the purpose of Article X of this act a bicycle or a ridden animal or a tractor or any other device moving upon wheels on a public highway except a device moving upon wheels upon stationary rails or tracks on a public highway shall be deemed a vehicle

Section 2 Section two hundred and ten of said act as last amended by the act approved the twenty-seventh day of June one thousand nine hundred and thirty-nine (P. L. 1135) is hereby further amended by adding thereto after subsection (j) a new subsection and amending the penalty clause to read as follows

Section 210 Destruction and Cancellation of Records of Certificates of Title Notice of Junking Motor Vehicles Records of Dealers in Junked Motor Vehicles

* * * *

(k) Every dealer in junked motor vehicles or other person engaged in the business of purchasing motor vehicles for the purpose of destruction or dismantling shall keep and maintain accurate records for a period of three years of the date of purchasing or acquiring any motor vehicle the name and address of the person from whom such motor vehicle was purchased or acquired the motor number the manufacturer's serial number the certificate of title number the date the motor vehicle was dismantled whether owner applied for and purchaser received a certificate of junk and the number thereof or whether certificate of title was assigned to a dealer and in such case the disposition thereof and if the motor vehicle was sold the name and address of the purchaser Every such dealer in junked motor vehicles shall allow full and free access to such records during regular business hours to duly authorized representatives of the department and to peace officers

Penalty Any person violating any of the provisions under subsections (b) (c) [or] (h) or (k) of this section shall upon summary conviction before a magistrate be sentenced to pay a fine of twenty-five ($25) dollars and costs of prosecution and in default of the payment thereof shall undergo imprisonment for not more than ten (10) days

Section 3 Subsection (d) and the penalty clause of section four hundred and nine and section four hundred and eleven of said act as amended by the act approved the twenty-seventh day of June one thousand nine hundred and thirty-nine (P. L. 1135) are hereby further amended to read as follows:

Section 409 Registration by Nonresidents Exemption of Nonresidents and Agreements with other States

* * *

(d) Where provisions relating to the equipment size weight or construction of vehicles engaging in interstate commerce are included within or prohibited by any Federal law or regulation now existing or hereafter to be enacted or adopted the secretary shall have the authority to exempt from the operation of any or all of the provisions of articles eight and nine of this act any or all classifications of vehicles registered in this Commonwealth with such restrictions conditions and privileges or lack of them as he may deem advisable Provided however That such exemption shall be effective and applicable to a vehicle of any classification exempted as aforesaid only so long as such Federal laws and regulations shall be complied with and such exemption shall cease to exist as to such vehicle upon any violation thereof and the operator and owner of such vehicle shall thereupon and until such time thereafter as the vehicle is put in compliance with the Federal law and regulations be subject to all provisions of articles eight and nine of this act Vehicles so exempted shall be subject to the laws or regulations enacted or adopted by the

Federal Government relating to the equipment size weight or construction of such vehicles to the same extent and with the same force and effect as if such laws or regulations were expressly set forth in this act Prosecutions and arrests for violations of such laws or regulations shall be brought or made subject to the conditions herein described with the same limitations as is now or may hereafter be provided for other prosecutions and arrests made under this act

* * *

Penalty Any person owning or operating a vehicle not registered in this Commonwealth in violation [of the terms of any agreement made under] of any of the provisions of this section [or in the absence of any agreement] shall upon summary conviction before a magistrate be sentenced to pay a fine of twenty-five ($25) dollars and costs of prosecution and in default of the payment thereof shall undergo imprisonment for not more than ten (10) days or suffer such other penalty as the secretary may prescribe under subsection (e) of this section

Section 411 Transfer of Registration Temporary Registration Cards

(a) Upon transfer of ownership or the destruction of any motor vehicle trailer or semi-trailer the registration shall expire

(b) When transfer of registration plates is made from one motor vehicle to another owned by the same person application shall be made immediately to the department upon a form furnished by the department accompanied by the transfer fee provided in this act when the motor vehicle trailer or semi-trailer is of equal or less horsepower or classification than that originally registered or accompanied by the transfer fee provided in this act and the difference between the fee originally paid and that due if the motor vehicle trailer or semi-trailer to which the registration plates are transferred be properly registered in a higher class Such application shall also be accompanied by the owner's registration card if and when the secretary exercises his discretionary power to allow the use of temporary registration cards as hereinafter provided

(c) The application shall contain the full name and the actual or bona fide address of the owner together with the name manufacturer's serial number engine number the character of the motive power and the horsepower or seating capacity and in the case of a commercial motor vehicle the gross weight of the chassis as given and certified to by the manufacturer and in the case of electric commercial motor vehicles the gross maximum weight of chassis battery body and load as given and certified to by the manufacturer and in the case of trailers and semi-trailers the combined weight of the chassis and body and also such description of the motor vehicle trailer or semi-trailer including lamps and other equipment as the secretary shall require The application shall be signed by the owner if a natural person and in the cases where the owner is a corporation copartnership or association by an executive officer thereof or some person specifically authorized by the said corporation copartnership or association to sign the same

(d) When a transfer of registration is made the owner shall be given a transfer registration card and new registration number if transfer is made to another classification [Immediately upon receipt of such transfer registration card the owner shall return to the department the original registration card unless such card has been lost or destroyed]

(e) When a transfer of registration is made after a vehicle has been registered for the succeeding year and the transfer application has been received and completed by the department prior to [January] April first of such succeeding year the transfer fee provided in this act shall not be required

(f) The secretary shall have the discretionary power to allow the use of temporary registration cards pending the receipt of an annual registration card from the department which shall be valid for all purposes of this act but which shall be void upon the receipt of an annual registration card Temporary registration cards in the discretion of the secretary may be delivered to any notary public magistrate or dealer who shall have the authority to issue such temporary registration cards to any person upon the transfer of ownership of a motor vehicle Provided however That the secretary shall have the authority to suspend the privilege of any such notary public magistrate or dealer to issue temporary registration cards and upon suspension of such privilege the secretary shall require the surrender of any temporary registration cards that such person shall have in his possession upon a finding by the secretary that such person has issued a temporary registration card containing a misstatement of fact or has issued a card in violation of any of the regulations promulgated by the secretary under authority of this subsection Temporary registration cards shall set forth the name and address of the owner of the vehicle the registration number the make engine and manufacturer's number of the vehicle from which transfer of registration is desired and the make engine number and manufacturer's number of the vehicle that has been purchased the date of issuance of such temporary registration card and any other information that the secretary may require The secretary shall have the power to make such rules and regulations not inconsistent herewith as he shall deem necessary for the purpose of carrying out the provisions of this subsection

(g) It shall be unlawful for any notary public magistrate or dealer knowingly to issue a temporary registration card to any person containing any misstatement of fact

(h) It shall be unlawful for any person making an application for transfer of registration or for any person authorized to present such application to fail to forward or cause to be forwarded to the department such application within forty-eight (48) hours after the transfer of registration plates is made from one motor vehicle to another owned by the same person

Penalty Any person violating any of the provisions of subsections (b) [or] (d) (f) (g) or (h) of this section or any rule or regulation made by the secretary in accordance with subsection (f) of this section shall upon summary conviction before a magistrate be sentenced to pay a fine of ten ($10) dollars and costs of prosecution and in default of the payment thereof shall undergo imprisonment for not more than five (5) days

Section 4 Article four of said act is hereby amended by adding thereto after section four hundred fifteen a new section to read as follows:

Section 416 Permanent Registration The secretary may in his discretion establish a system of permanent registration of vehicles in this Commonwealth and for that purpose the secretary shall have the power and authority to promulgate such rules and regulations not inconsistent herewith as he may deem necessary

Section 5 Section five hundred and seven of said act is hereby amended to read as follows:

Section 507 Temporary Use of Registration Plates Pending Transfer After the transfer of registration plate or plates from a motor vehicle trailer or semi-trailer to another motor vehicle trailer or semi-trailer owned by the same owner the owner or operator shall not for a period of twenty (20) days be subject to a fine for the operation of the latter motor vehicle trailer or semi-trailer without the proper transfer registration card for the registration plate or plates displayed provided he shall have made application to the department as required in this act within forty-eight (48) hours after said transfer of registration plate or plates for transfer of the registration and provided he shall upon prosecution make an affidavit or testify under oath to that effect

Section 6 Said act is hereby amended by adding thereto after section five hundred and ten a new section to read as follows:

Section 511 Temporary Registration Plates

(a) The secretary in his discretion and subject to

the limitations and conditions hereinafter set forth may deliver temporary registration plates to dealers when the application therefor is accompanied by the fee prescribed in this act Such application shall be made upon a form prescribed and furnished by the department Dealers subject to the limitations and conditions hereinafter set forth may issue such temporary registration plates to owners of vehicles provided that such owners shall comply with the pertinent provisions of this section

(b) Every dealer who has made application for temporary registration plates shall maintain in permanent form a record of all temporary registration plates delivered to him and shall also maintain in permanent form a record of all temporary registration plates isued by him and in addition thereto shall maintain in permanent form a record of any other information pertaining to the receipt or the issuance of temporary registration plates that the secretary may require Each record shall be kept for a period of at least three years from the date of entry of such record Every dealer shall allow full and free access to such records during regular business hours to duly authorized representatives of the department and to peace officers

(c) Every person who issues temporary registration plates shall on the day that he issued such plates send to the department a copy of the temporary registration plate application properly executed by such dealer and the owner

(d) A person shall not issue assign transfer or deliver temporary registration plates to any one other than the bona fide purchaser or owner of the vehicle to be registered nor shall a person issue temporary registration plates unless previous to or at the same time that the dealer sends to the department a copy of the executed temporary registration plate application the owner has sent or sends a bona fide application for annual registration nor shall a person issue temporary registration plates to any one possessed of annual registration plates for a vehicle that has been sold or exchanged nor shall a person who has been convicted of a violation of section six hundred and twenty (j) of this act issue temporary registration plates to any person nor make application for or receive any temporary registration plates for the purpose of issuance to an owner nor shall a person who has been convicted of three or more violations of the provisions of this section make application for or issue any temporary registration plates nor shall a dealer lend to any one or use on any vehicle that he may own temporary registration plates It shall be unlawful for any person to issue any temporary registration plate or plates containing any misstatement of fact or knowingly to insert any false information upon the face thereof

(e) Every person who issues temporary plates shall affix or insert clearly and indelibly on the face of each temporary registration plate the date of issuance and expiration and the make and serial number of the vehicle for which issued

(f) Every person who makes application for temporary registration plates shall execute the temporary registration plate application and shall return such application to the dealer from whom the vehicle to be registered has been or will be purchased

(g) Every person who makes application for temporary registration plates shall execute and send an application for annual registration plates to the department previous to or at the same time that the dealer sends to the department a copy of the executed temporary registration certificate but in no event shall such application for annual registration plates be made later than the day on which the temporary registration plates are issued to such owner

(h) Every person to whom temporary registration plates have been issued shall permanently destroy such temporary registration plates immediately upon receiving the annual registration plates from the department Provided That if the annual registration plates are not received within twenty (20) days of the issuance of the temporary registration plates the owner shall notwithstanding immediately upon the expiration of such twenty (20) day period permanently destroy the temporary registration plates

(i) Temporary registration plates shall expire and become void upon the receipt of the annual registration plates from the department or upon the recession of a contract to purchase a motor vehicle or upon the expiration of twenty (20) days from the date of issuance depending upon whichever event shall first occur No refund or credit of fees paid by dealers to the department for temporary registration plates shall be allowed except in the event that the secretary discontinues the issuance of temporary registration plates dealers returning temporary registration plates to the department may petition for refund or a credit thereof

(j) The secretary shall have the power to make such rules and regulations not inconsistent herewith as he shall deem necessary for the purpose of carrying out the provisions of this section

Penalty Any person violating any of the provisions of subsections (b) (c) or (e) of this section shall upon summary conviction before a magistrate be sentenced to pay a fine of twenty-five ($25) dollars and costs of prosecution for the first offense fifty ($50) dollars and costs of prosecution for any subsequent offense and in default of the payment thereof shall undergo imprisonment for not more than ten (10) days and upon conviction of a third offense no temporary registration plates shall thereafter be delivered to such person for the purpose of issuing such plates to an owner nor shall such person thereafter issue any temporary registration plates Any person violating any of the provisions of subsections (f) (g) or (h) of this section or any rule or regulation made by the secretary as hereinbefore provided shall upon summary conviction before a magistrate be sentenced to pay a fine of ten ($10) dollars and costs of prosecution for the first offense and twenty-five ($25) dollars and costs of prosecution for any subsequent offense and in default of the payment thereof shall undergo imprisonment for not more than five (5) days

Section 7 Said act is hereby amended by adding thereto after section six hundred seventeen a new section to read as follows:

Section 617.1 Limited Operator's Licenses Should Be Issued Under Certain Circumstances Nothwithstanding any other provisions of this or any other law to the contrary any person whose operator's license has been revoked once or suspended once for reasons other than as provided in clauses one two three and four of section six hundred fourteen of this act or for mental or physical infirmities or disabilities and who is required to operate a commercial motor vehicle motor bus motor omnibus or motor vehicle as a condition of or in connection with such operator's employment shall be issued and if such license has been so revoked or suspended more than once such person may in the discretion of the secretary be issued an operator's license conferring the limited right to operate said commercial vehicle motor bus motor omnibus or motor vehicle as an operator in the course of such employment only

Any person having been issued a limited operator's license pursuant to the authority of this section who shall operate any vehicle contrary to the limitation thereof shall be subject to the penalties provided by this act for operating a motor vehicle without an operator's license

Any operator's license issued under the authority of this section shall be distinctly marked to show its limited use and the holder thereof shall be subject to all the provisions of this act relating to operator's licenses including penalties

Section 8 Section six hundred and nineteen of said act as last amended by the act approved the twenty-ninth day of June one thousand nine hundred and thirty-seven (P. L. 2329) is hereby further amended to read as follows:

Section 619 Counties and Municipalities Liable for Negligence of their Employes Every county city borough incorporated town or township within this Commonwealth employing any person shall be jointly and severally liable with such person for any damages caused by the negligence of such person while operating a motor vehicle or fire department equipment or any vehicle drawn by animal power upon a highway in the course

of their employment and every city borough incorporated town and township shall also be jointly and severally liable with any member of a volunteer fire company of any such city borough incorporated town or township for any damages caused by the negligence of such member while operating a motor vehicle or fire department equipment used by or belonging to such volunteer fire company while going to attending or returning from a fire or while engaged in any other proper use of such motor vehicle or fire department equipment for such volunteer fire company

Section 9 Section six hundred and twenty of said act as amended by the act approved the twenty-ninth day of June one thousand nine hundred and thirty-seven (P. L. 2329) and as amended in part by the act approved the twenty-seventh day of June one thousand nine hundred and thirty-nine (P. L. 1135) is hereby further amended to read as follows:

Section 620 Violation of License Provisions It shall be unlawful for any person to commit any of the following acts

(a) To display or cause or permit to be displayed or to have in possession any operator's license or learner's permit knowing the same to be fictitious or to have been cancelled revoked suspended or altered

(b) To lend to or knowingly permit the use of by one not entitled thereto any operator's license or learner's permit issued to the person so lending or permitting use thereof

(c) To display or to represent as one's own any operator's license or learner's permit not issued to the person so displaying the same

(d) To fail or refuse to surrender to the department upon demand any operator's license learner's permit registration card registration plates certificate of title or duplicates thereof which have been suspended cancelled or revoked as provided in this act

(e) To make use of or operate any motor vehicle without the knowledge or consent of the owner or custodian thereof

(f) To operate a motor vehicle street car or trackless trolley omnibus while under the influence of intoxicating liquor or any narcotic drug or habit producing drug or permit any person who may be under the influence of intoxicating liquor or narcotic or habit producing drug to operate any motor vehicle owned by him or in his custody or control

(g) To turn off any or all the lights on a motor vehicle for the purpose of avoiding identification or arrest

(h) To operate any motor vehicle upon the highways of this Commonwealth after the operating privilege is suspended or revoked and before such operating privilege has been reinstated

(i) To operate any motor vehicle upon the highways of this Commonwealth after its registration has been suspended by the secretary

(j) To use a false or fictitious name or give a false or fictitious address in any application or form required under the provisions of this act or make a false statement or conceal a material fact or otherwise commit a fraud in any application

(k) Knowingly to aid abet or in any manner assist any person required to furnish information under the provisions of this act in giving or furnishing any false information in any application or other form required by this act or in making any false statement or concealing any material fact or otherwise committing a fraud affecting any material fact or statement in any such application or other form

Penalty Any person violating any of the provisions of subsections (a) (b) (c) or (d) of this section shall upon summary conviction before a magistrate be sentenced to pay a fine of fifty ($50) dollars and costs of prosecution and in default of the payment thereof shall undergo imprisonment for not more than ten (10) days

Any person violating any of the provisions of subsection (j) or (k) of this section shall upon summary conviction before a magistrate be sentenced to pay a fine of one hundred ($100) dollars and costs of prosecution and in default of the payment thereof shall undergo imprisonment for not more than twenty (20) days

Any person violating any of the provisions of subsections (e) (f) (g) (h) or (i) of this section shall be guilty of a misdemeanor and shall upon conviction thereof in a court of quarter sessions be sentenced to pay a fine of not less than one hundred ($100) dollars and not more than five hundred ($500) dollars and costs of prosecution or undergo imprisonment for not more than three (3) years or suffer both such fine and imprisonment

Section 10 Section seven hundred and two of said act as renacted by the act approved the twenty-second day of June one thousand nine hundred and thirty-one (P L 751) is hereby amended to read as follows

Section 702 Motor Vehicles The fee for annual registration of motor vehicles except as provided in this act shall be at the rate of forty (40) cents for each horsepower or fractional part thereof Provided That the minimum fee payable for such annual registration shall be ten ($10) dollars Provided further That the fee for the annual registration of any type of motor vehicle used exclusively in connection with the drilling of wells shall be ten ($10) dollars

Section 11 Said act is hereby amended by adding thereto after section seven hundred and two a new section to read as follows

Section 702.1 Fee for Temporary Registration The fee for the temporary registration of motor vehicles shall be fifty (50c) cents for each set issued and dealers may purchase no less than five (5) sets of temporary registration plates at any one time

Section 12 Section seven hundred and twelve of said act as amended by the act approved the twenty-seventh day of June one thousand nine hundred and thirty-nine (P L 1135) is hereby further amended to read as follows

Section 712 Lighting Equipment

(a) The fee for approval and registration of head lamps and auxiliary driving lamps shall be one hundred and fifty ($150) dollars for each type approved

(b) The fee for approval and registration of rear lamps signal lamps reflectors flares electrical signal devices and mechanical signal devices shall be fifty ($50) dollars for each type approved

(c) The fee for approval and registration incident to the renewal of a certificate of approval for head lamps shall be fifty ($50) dollars

(e) The fee for approval and registration of vacuum or pressure hose for brake systems shall be twenty-five ($25) dollars for each type approved

(f) The fee for approval and registration incidental to the renewal of a certificate of approval for vacuum or pressure hose for brake systems or lens shall be ten ($10) dollars

(g) The fee for approval and registration of a hitch or coupling device shall be twenty-five ($25) dollars for each type approved

(h) Certificates approving each type of hitch or coupling device hereafter issued by the secretary will not expire until revoked by the secretary

Section 13 Article seven of said act is hereby amended by adding thereto after section seven hundred and twenty-four a new section to read as follows

Section 725 Refunds to Certain Persons (a) All persons who under the provisions of this act have paid for the year one thousand nine hundred forty-one or for any year thereafter while the present national emergency exists fees for the registration of any motor vehicle and who have subsequent to such payment been inducted into the armed forces of the United States by virtue of the Selective Service Act or who have volunteered for service in the armed forces of the United States shall be entitled upon application to the Department of Revenue on forms to be prepared by the Department of Revenue to receive a refund of fifty per centum (50%) of the fee or fees which such persons have paid to the Department of Revenue provided such persons were inducted or enlisted prior to the fifteenth day of June one thousand nine hundred forty-one or of any year thereafter while the present national emergency exists All persons selected or enlisting after the fifteenth day of June one thousand nine hun-

dred forty-one or of any year thereafter as aforesaid shall be entitled upon application to the Department of Revenue as aforesaid to a refund of twenty-five per centum (25%) of the fee or fees paid by such persons

The State Treasurer is hereby authorized to make such refunds from the Motor License Fund upon requisition of the Department of Revenue and warrant of the Auditor General

(b) So much of the moneys of the Motor License Fund as shall be necessary to carry out the provisions of this act is hereby specifically appropriated from such fund for the purpose above stated

Section 14 Subsections (a) and (b) of section eight hundred and one of said act as amended by the act approved the twenty-ninth day of June one thousand nine hundred and thirty-seven (P L 2329) are hereby further amended to read as follows

Section 801 Required Lighting Equipment

(a) When Lights Must Be Displayed Every vehicle upon a highway within this Commonwealth during the period from [one (1)] one half (½) hour after sunset to [one (1)] one-half (½) hour before sunrise and at any other time when there is not sufficient light to render clearly discernible persons and vehicles on the highway at a distance of five hundred (500) feet ahead shall be equipped with lighted lamps and illuminating devices as in this section respectively required for different classes of vehicles

(b) Head Lamps on Motor Vehicles Every motor vehicle other than a motorcycle or bicycle with motor attached shall be equipped with two (2) head lamps no more and no less at the front of and on opposite sides of the motor vehicle which head lamps shall comply with the requirements and limitations set forth in this act and shall be of a type which at the time of their use are approved by the secretary

Section 15 Section eight hundred and two of said act as amended by the act approved the twenty-seventh day of June one thousand nine hundred and thirty-nine (P L 1135) is hereby further amended to read as follows

Section 802 Additional Permissible Lights and Devices

(a) Spot Lamps Any motor vehicle or motorcycle may be equipped with not to exceed one (1) spot lamp and every lighted spot lamp shall be so aimed and used upon approaching another vehicle that no part of the high intensity portion of the beam will be directed to the left of the prolongation of the extreme left side of the vehicle nor more than one hundred (100) feet ahead of the vehicle

(b) Auxiliary Driving Lamps Fog or Adverse Weather Lamps Any motor vehicle may be equipped with not more than a total of three (3) [nor less than two (2)] auxiliary driving lamps and fog or adverse weather lamps or combinations thereof not more nor less than two (2) auxiliary driving lamps and not more nor less than two (2) fog or adverse weather lamps mounted on the front spaced at a distance of not less than twenty (20) inches apart and of a height not less than twelve (12) inches nor more than forty-two (42) inches above the level surface upon which the vehicle stands which lamp shall comply with requirements and limitations set forth in this act and shall be of types which at the time of their use are approved by the secretary Auxiliary [or] fog or adverse weather lamps shall not be used in substitution of head lamps except under conditions of rain or fog rendering disadvantageous the use of head lamps

(c) Signal Lamps and Mechanical Signal Devices

1 Whenever a motor vehicle is required to be equipped with a signal lamp or a signal device it shall be so constructed and located on the vehicle as to give a signal of intention to stop or to turn right or left the signal shall be yellow white or red in color and shall be plainly visible in normal sunlight and at night from a distance of one hundred (100) feet to the front and from a distance of one hundred (100) feet to the rear of the vehicle but shall not project a glaring or dazzling light and all such signals shall be of types which at the time of their use are approved by the secretary except that a signal giving the intention to stop shall only be visible from a distance of one hundred (100) feet to the rear

2 When a vehicle is equipped with a mechanical signal the mechanical signal shall be self-illuminated when in use at the times mentioned in section eight hundred one (801) and shall be of a type which at the time of its use is approved by the secretary

3 On and after November first one thousand nine hundred and thirty-nine when a vehicle is equipped with an electrical signal device such device shall be of a type which at the time of its use is approved by the secretary

Penalty Any person violating any of the provisions of this section shall upon summary conviction before a magistrate be sentenced to pay a fine of ten ($10) dollars and costs of prosecution and in default of the payment thereof shall undergo imprisonment for not more than five (5) days

Section 16 Section eight hundred two and one-tenth of said act which was added by the act approved the sixteenth day of July one thousand nine hundred and thirty-five (P L 1056) is hereby amended to read as follows

Section 802.1 Multiple Beam Road Lighting Equipment

Except as hereinafter provided the headlamps or the auxiliary driving lamps or combinations thereof on motor vehicles shall be so arranged that the driver may select at will between distributions of light projected to different elevations subject to the following requirements and limitations

(a) There shall be an uppermost distribution of light or composite beam so aimed and of such intensity as to reveal persons and vehicles at a distance of at least three hundred fifty (350) feet ahead for all conditions of loading The maximum intensity of this uppermost distribution of light or composite beam one (1) degree of arc or more above the horizontal level of the lamps when the vehicle is not loaded shall not exceed eight thousand (8000) apparent candlepower and at no other point of the distribution of light or composite beam shall there be an intensity of more than seventy-five thousand (75,000) apparent candlepower

(b) There shall be a lowermost distribution of light or composite beam so aimed that

1 When the vehicle is not loaded none of the high intensity portion of the light which is directed to the left of the prolongation of the extreme left side of the vehicle shall at a distance of twenty-five (25) feet ahead project higher than a level of [ten (10)] eight (8) inches below the level of the center of the lamp from which it comes

2 When the vehicle is not loaded none of the high intensity portion of the light which is directed to the right of the prolongation of the extreme left side of the vehicle shall at a distance of twenty-five (25) feet ahead project higher than a level of [five (5)] three (3) inches below the level of the center of the lamp from which it comes

3 In no event shall any of the high intensity of such lowermost distribution of light or composite beam project higher than a level of forty-two (42) inches above the level on which the vehicle stands at a distance of seventy-five (75) feet ahead

(c) Where one intermediate beam is provided the beam on the left side of the road shall be in conformity with subsection (b) one of this section except when arranged in accordance with the practice specified in subsection (e)

(d) All road lighting beams shall be so aimed and of sufficient intensity to reveal a person or vehicle at a distance of at least one hundred (100) feet ahead

(e) All road lighting equipment manufactured and installed on and after January first one thousand nine hundred thirty-six shall be so arranged that whenever any beam is used which is not in conformity with subsection (a) of this section two (2) white or yellow lights one (1) on each side of the vehicle visible to an oncoming driver and to the driver of said vehicle shall be

lighted except that other suitable alternate means may be provided for indicating to the driver behind the light when such beams are on Indicator lights shall not be connected otherwise than as required in this paragraph Beam indicator lights and front parking lights shall be so connected that neither of said lights shall be lighted when a beam is in use which conforms with subsection (b) one of this section Every new motor vehicle registered in this Commonwealth or on or after the first day of January one thousand nine hundred forty-two which has multiple beam road-lighting equipment shall be equipped with a beam indicator which shall be lighted whenever the uppermost distribution of light from the head lamps is in use and shall not otherwise be lighted Said indicator shall be so designed and located that when lighted it will be readily visible without glare to the driver of the vehicle so equipped

Penalty Any person violating any of the provisions of this section shall upon summary conviction before a magistrate be sentenced to pay a fine of ten ($10) dollars and costs of prosecution and in default of the payment thereof shall undergo imprisonment for not more than five (5) days

Section 17 Section eight hundred and five of said act is hereby amended to read as follows

Section 805 Use Test and Approval of Lamps

(a) It shall be unlawful for any person to use upon a motor vehicle upon a highway any electric headlamp lens reflector or headlight control device or any electric auxiliary driving lamp rear lamp electrical signal device mechanical signal device or signal lamp unless of a type which has been submitted to the secretary for test and for which a certificate of approval has been issued by the secretary and is then in effect as provided in this act

(b) The secretary is hereby authorized to adopt and enforce rules and uniform standard specifications as to the amount color and direction of light to be emitted by headlamps auxiliary driving lamps rear lamps lenses electrical signal devices mechanical signal devices and signal lamps and the secretary is authorized and required to determine whether any headlamps auxiliary driving lamps signal lamps lenses electrical signal devices mechanical signal devices and rear lamps submitted will comply with such rules and uniform standard specifications and the secretary may approve such headlamps auxiliary driving signal lamps lenses electrical signal devices mechanical signal devices and rear lamps and to publish lists of such devices by name and type together with the permissible candlepower rating of the electric lamps or bulbs as he shall determine are lawful thereunder

(c) Any person desiring approval of any lighting device electrical signal device or mechanical signal device herein provided shall submit to the secretary two (2) sets of each type of device upon which approval is desired together with the fee provided in this act The secretary shall upon notice to the applicant submit such device to the United States Bureau of Standards or to such other recognized testing laboratory he may elect for a report as to the compliance of such device with the rules and uniform standard specifications adopted by the secretary Such devices will also be subject to any road tests or other tests as the secretary may deem necessary to determine that each type of headlamp auxiliary driving lamp rear lamp lens electrical signal device mechanical signal device and signal lamp they and their component parts are so constructed and mounted as to render them readily and universally adjustable to conform to the requirements as adopted by the secretary The secretary is authorized to refuse approval of any lighting device electrical signal device or mechanical signal device certified as complying with the specifications and requirements which the secretary determines will be in actual use unsafe or impracticable or would fail to comply with the provisions of this act or such requirements as may be adopted by the secretary

(d) The secretary shall request the testing agency to submit a report of each type of device to the secretary in duplicate For those which are found to comply with the specifications and requirements the report shall include any special adjustments required and the candlepower rating of the bulbs for such conformance Reports of all tests shall be accessible to the public and a copy thereof shall be furnished by the secretary to the applicant for the tests

Penalty Any person violating any of the provisions of subsection (a) of this section shall upon summary conviction before a magistrate be sentenced to pay a fine of ten ($10) dollars and costs of prosecution and in default of the payment thereof shall undergo imprisonment for not more than five (5) days

Section 18 Section eight hundred six and two-tenths of said act which was added by the act approved the twenty-ninth day of June one thousand nine hundred and thirty-seven (P L 2329) is hereby amended to read as follows

Section 806.2 Sale of Unapproved Vacuum or Pressure Hose Prohibited It shall be unlawful for any person to sell or lease or to offer for sale or hire either separately or as a part of the equipment of a vehicle any vacuum hose for brake systems unless such hose is approved by the secretary and bears the trade-mark or name under which it is approved so as to be legible when installed and is accompanied by printed instructions as to the manner of installation or use necessary for compliance with the requirements of this act

Penalty Any person violating any of the provisions of this section shall upon summary conviction before a magistrate be sentenced to pay a fine of [fifty ($50)] ten ($10) dollars and costs of prosecution and in default of the payment thereof shall undergo imprisonment for not more than [ten (10)] five (5) days

Section 19 Section eight hundred and nine of said act as amended by the act approved the twenty-second day of June one thousand nine hundred and thirty-one (P L 751) is hereby further amended to read as follows

Section 809 Red Light Visible From in Front of Vehicles No persons shall operate or move any vehicle except fire departments [and] fire patrol apparatus or the private vehicles of those chiefs of fire departments assistant chiefs of fire departments or fire marshals who in accordance with a statement filed with the Pennsylvania Motor Police prior thereto use the same for answering fire or emergency calls upon a highway with a red light displayed on or showing to the front thereof

Penalty Any person violating any of the provisions of this section shall upon summary conviction before a magistrate be sentenced to pay a fine of ten ($10) dollars and costs of prosecution and in default of the payment thereof shall undergo imprisonment for not more than five (5) days

Section 20 Subsections (b) and (g) and the penalty clause of section eight hundred and thirteen of said act as amended by the act approved the twenty-seventh day of June one thousand nine hundred and thirty-nine (P. L. 1135) are hereby further amended to read as follows:

Section 813 Official Inspection Stations

* * * *

(b) If the secretary finds after hearing had that the provisions of this act are not being complied with or that the business of an official inspection station in connection with the corrections adjustments repairs or inspection of motor vehicles trailers or semi-trailers is being improperly conducted or receives notice of the conviction of any person conducting an official inspection station of any violation of the provisions of this act he shall suspend the certificate of appointment of any such station and require the immediate surrender and return of the certificate of appointment together with all department forms Provided however That if the servant or employe of any such inspection station shall without the authorization knowledge or consent of his employer violate any of the provisions of this act in reference to the inspection of vehicles such violation or violations shall not be the cause of the suspension of the certificate of appointment as

herein provided but such employe shall be subject to prosecution as hereinafter provided Any person whose certificate or appointment is suspended under the provisions of this subsection may within thirty (30) days from the date thereof appeal to the court of common pleas of the county wherein such official inspection station is located and such court is hereby vested with jurisdiction and it shall be its duty to set the matter down for hearing upon thirty (30) days' written notice to the secretary and thereupon to take testimony and examine into the facts of the case and to determine whether the petitioner is subject to suspension of his certificate of appointment under the provisions of this act When any hearing is held by the secretary to determine whether the provisions of this act are not being complied with or that the business of an official inspection station in connection with the corrections adjustments repairs of inspection of motor vehicles trailers or semi-trailers is being improperly conducted the person or persons accused of such violations shall be given notice thereof and shall be permitted to be present and represented by counsel

Penalty Any owner who operates such inspection station or any manager or operator thereof or any employe thereof violating any of the provisions of this section shall upon summary conviction before a magistrate be sentenced to pay a fine of twenty-five ($25.00) dollars and costs of prosecution and in default of the payment thereof shall undergo imprisonment for not more than ten (10) days

(g) Any peace officer who shall be in uniform and shall exhibit his badge or other sign of authority may stop any motor vehicle trailer or semi-trailer and require the owner or operator to demonstrate that such vehicles conform with the provisions of this act If such demonstration discloses the necessity for corrections adjustments or repairs to such vehicle the owner shall be notified that unless a certificate issued or executed by a representative of an official inspection station is submitted within five (5) days to the peace officer indicating that the necessary corrections adjustments or repairs have been made or that the registration plates and card for such vehicle have been surrendered and returned to the department for cancellation and the vehicle removed from the highways information for the prosecution or arrest of the owner or operator will be made for the specific violation or violations of this act noted at the time of notification Provided That when service and emergency brakes applied simultaneously will not stop a motor vehicle trailer or semi-tailer within distance defined in this act or hold a motor vehicle trailer or semi-trailer on a descending grade not exceeding ten (10) per centum or when the lighting equipment is glaring or insufficient or not in operation or is not equipped with a mirror or windshield wiper as defined and required in this act the owner or operator may be required to correct the faulty condition before being permitted to proceed with the vehicle and may be prosecuted for the specific violation of this act

* * * *

Penalty Any [owner who operates such inspection station or any manager or operator thereof or any employe thereof] person violating any of the provisions of this section shall upon summary conviction before a magistrate be sentenced to pay a fine of twenty-five ($25) dollars and costs of prosecution and in default of the payment thereof shall undergo imprisonment for not more than ten (10) days

Section 21 Section eight hundred and fourteen of said act is hereby amended to read as follows:

Section 814 Horns and Warning Devices

(a) Every motor vehicle when operated upon a highway shall be equipped with a horn or other warning device in good working order capable of emitting sound audible under normal conditions from a distance of not less than two hundred (200) feet and it shall be unlawful except as otherwise provided in this act for any vehicle to be equipped with or for any person to use upon a vehicle any siren bell compression or sparkplug whistle or for any person at any time to use a horn or other warning devices otherwise than as a reasonable warning or to make any unnecessary or unreasonably loud or harsh sound by means of a horn or other warning device

(b) Every police [and] fire department and fire patrol vehicle [and every] ambulance or the vehicle of the chief of any fire department assistant chief of any fire department or fire marshal who in accordance with a statement filed with the Pennsylvania Motor Police prior thereto uses the same for answering fire or emergency calls may be equipped with a bell siren compression or sparkplug whistle of a type approved by the secretary

Penalty Any person violating any of the provisions of subsection (a) of this section shall upon summary conviction before a magistrate be sentenced to pay a fine of ten ($10) dollars and costs of prosecution and in default of the payment thereof shall undergo imprisonment for not more than five (5) days

Section 22 Section eight hundred sixteen and two-tenths of said act which was added by the act approved the twenty-ninth day of June one thousand nine hundred and thirty-seven (P. L. 2329) is hereby amended to read as follows:

Section 816.2 Unlawful to Sell Equipment Not in Conformance with Act It shall be unlawful for any person to sell lease use install or repair either for himself or as the agent or employe of another or through such agent or employe any glass lighting devices signal devices brakes [vacuum or pressure hose] or any other kind of equipment whatsoever for use in any vehicle trailer or semi-trailer that is not in conformity with the provisions of this act or the regulations made thereunder

Penalty Any person violating any of the provisions of this section shall upon summary conviction before a magistrate be sentenced to pay a fine of ten ($10) dollars and costs of prosecution and in default of the payment thereof shall undergo imprisonment for not more than five (5) days

Section 23 Subsection (g) of section eight hundred and twenty-three subsection (a) of section eight hundred and twenty-four and clause (6) of subsection (b) of section eight hundred and twenty-eight of said act as amended by the act approved the twenty-seventh day of June one thousand nine hundred and thirty-nine (P. L. 1135) is hereby further amended to read as follows:

Section 823 Official Inspections

* * *

(g) Any peace officer who shall be in uniform and shall exhibit his badge or other sign of authority may stop any motor vehicle trailer or semi-trailer and require the owner or operator to display an official certificate for other satisfactory proof of inspection] for the motor vehicle trailer or semi-trailer being operated It shall be unlawful for any such certificate to be displayed on a motor vehicle trailer or semi-trailer or by the owner or operator unless an official inspection of its mechanism or equipment shall have been made and the motor vehicle trailer or semi-trailer conforms to the provisions of this act

Section 824 Danger and Caution Signals

(a) Every motor bus and every motor omnibus for the carriage of passengers for hire except taxicabs and every commercial vehicle or combination of vehicles [having] authorized to carry a gross weight of eleven thousand (11,000) pounds or more and every trailer or semi-trailer designed for the living quarters or carriage of persons shall be equipped with at least three (3) red flags of dimensions not less than twelve by twelve (12x12) inches and a sufficient number of flares not less than three (3) or electric lanterns electric flashing signals or other signals capable of continuously producing three warning lights each visible from a distance of at least five hundred (500) feet for a period of at least eight (8) hours Provided however That the provisions of this section shall not apply to vehicles within the confines of a municipality or within a business or residence district

Every such flare lantern electric flashing signal or other signal shall be of a type approved by the secretary and he shall publish lists of those devices which he has approved as adequate for the purposes of this section

Section 828 School Buses and Safety Requirements

* * *

(b) No person shall own or operate a school bus carrying school children on the highways of this Commonwealth in a school bus that in addition to the other requirements of this act does not conform with the following

* * *

(6) There shall be at least thirteen (13) inches of seating space provided for each school child carried And there shall be a measurement of at least twelve (12) inches from the front of every seat to the back of the seat next to the rear All seats shall have spring cushions and all back rests shall be well padded and shall be securely fastened to the bus There shall be no longitudinal seats opposite to and facing each other within a distance of eighteen (18) inches and in all new buses purchased after the effective date of this act there shall be no longitudinal seats except in buses where fifty per centum or more of the pupils transported on any one trip of the school day are crippled

Section 24 Subsections (a) and (g) of section nine hundred and two and the penalty clause of section nine hundred and three of said act as amended by the act approved the twenty-ninth day of June one thousand nine hundred and thirty-seven (P. L. 2329) are hereby further amended to read as follows

Section 902 Size of Vehicles and Loads (a) No vehicle except fire department equipment threshing or binding equipment street sweepers and snow plows shall exceed a total maximum width including any load thereon of ninety-six (96) inches except that the limitations as to size of vehicles stated in this act shall not apply to vehicles loaded with hay or straw in bulk

* * * *

(g) No truck tractor and semi-trailer coupled together except fire department equipment shall exceed a total maximum length inclusive of load and bumpers of five hundred forty (540) inches excepting [that until but not after January first one thousand nine hundred forty-one any truck tractor and semi-trailer properly registered in this Commonwealth on the effective date of this act may when coupled together be of a total maximum length not exceeding seventy (70) feet excepting further] that nothing in this subsection shall prohibit the transportation of articles impossible of dismemberment the total length of which [do] does not exceed seventy (70) feet

Section 903 Weight of Vehicles and Loads

* * * *

Penalty Any person operating any vehicle or combination of vehicles upon any highway with a gross weight or axle load exceeding by more than five (5) per centum the maximum gross weight or axle load allowed and not exceeding by more than ten (10) per centum the maximum gross weight or axle load allowed shall upon summary conviction before a magistrate be sentenced to pay a fine of twenty-five ($25) dollars and costs of prosecution and in default of the payment thereof shall undergo imprisonment for not more than five (5) days and any person operating any vehicle or combination of vehicles on any highway with a gross weight or axle load exceeding by more than (10) per centum the maximum gross weight or axle load allowed shall upon summary conviction before a magistrate be sentenced to pay a fine of fifty ($50) dollars and costs of prosecutions and in default of the payment thereof shall undergo imprisonment for not more than ten (10) days

Section 25 The penalty clause of section nine hundred and three of said act as last amended by the act approved the twenty-ninth day of June one thousand nine hundred and thirty-seven (P. L. 2329) is hereby further amended to read as follows:

Section 903 Weight of Vehicles and Loads

* * *

Penalty [Any person operating any vehicle] Where any vehicle shall be operated upon any highway with a gross weight or axle load exceeding by more than five (5) per centum the maximum gross weight or axle load allowed and not exceeding by more than ten (10) per centum the maximum gross weight or axle load allowed the owner or operator thereof or both shall upon summary conviction before a magistrate be sentenced to pay a fine of twenty-five ($25) dollars and costs of prosecution and in default of the payment thereof shall undergo imprisonment for not more than five (5) days and [any person operating any vehicle on] where any vehicle shall be operated upon any highway with a gross weight or axle load exceeding by more than ten (10) per centum the maximum gross weight or axle load allowed the owner or operator thereof or both shall upon summary conviction before a magistrate be sentenced to pay a fine of fifty ($50) dollars and costs of prosecution and in default of the payment thereof shall undergo imprisonment for not more than ten (10) days Provided That where the owner of the vehicle is a corporation partnership or association the officers of such corporation or the members of such partnership or association violating the provisions of this section shall be subject to the penalties provided for herein And provided further That the operator of any such vehicle who is not its owner shall not be liable for such violation nor subject to the penalties set forth herein if he can establish by evidence that he did not have notice or knowledge of the overweight of such vehicle The secretary shall have authority to suspend the registrations of any resident owner to operate or to have his vehicle operated in this Commonwealth who shall fail to pay any fine imposed under the provisions of this section upon any such resident or nonresident owners and such registrations or privilege to operate or to have his vehicles operated in this Commonwealth shall remain suspended until such fine has been paid The secretary upon reinstatement of the registration or operating privilege of any such resident or nonresident owner shall have the discretionary power to determine whether or not financial security for further violations shall be required Such security if required may be in the form of a bond cash or securities not exceeding in amount or value the sum of one hundred fifty ($150) dollars which shall be deposited with the State Treasurer until released upon order of the secretary

Section 26 Subsection (a) of section nine hundred and five of said act as amended by the act approved the fifth day of June one thousand nine hundred and thirty-seven (P. L. 1718) is hereby further amended to read as follows:

Section 905 Permits for Excessive Size and Weight (a) The Secretary of Highways of this Commonwealth and local authorities in their respective jurisdiction may in their discretion upon aplication in writing accompanied by the fee provided in this act and in good cause being shown therefor issue a special permit in writing authorizing the applicant to operate or move either a vehicle or combination of vehicles or a vehicle and load or a combination of vehicles and their load or loads of a size or weight exceeding the maximum specified in this act upon any highway under the jurisdiction of and for the maintenance of which the authorities granting the permit are responsible When a permit has been issued by the Secretary of Highways no other authorities shall require any further or additional permit for any portion of the route specified therein Every such permit shall be issued for a single trip and shall designate the route to be traversed subject to such rules regulations restrictions or conditions as shall be deemed necessary by the authority granting such permit Provided That upon request included in the application a combination permit may be issued for a single continuous round trip whether or not a load or loads may be transported for the entire trip but no substantial increase in the size or weight of vehicle or combination of vehicles or of load shall be made between intermediate points without supplemental permit The Secretary of Highways may in his discretion issue a single permit for any fixed number of movements across the highway or along the highways of vehicles or combination thereof exceeding the maximum size or weight specified

in this act at specified locations or within any area in the Commonwealth designated in the permit [Whenever any such permit shall have been issued for crossing the highway it shall be unlawful to move said vehicles along the highway] The movement of any vehicle or load requiring a permit shall impose the obligation on the permittee to restore or replace any section of highway or bridge damaged as a result of such movement whether or not such damage may be attributable to negligence on the part of the permittee Every such permit shall be carried in the vehicle to which it refers and shall be open to inspection by any peace officer or employe of the Department of Highways of this Commonwealth or to any person having collision with or suffering injury from such vehicle

Section 27 Clause (4) of subsection (b) and Clause (1) of subsection (d) of section one thousand and two of said act as amended by the act approved the twenty-seventh day of June one thousand nine hundred and thirty-nine (P. L. 1135) is hereby further amended to read as follows

Section 1002 Restrictions as to Speed

* * * *

(b) Subject to the provisions of subsection (a) of this section speeds in excess of the maximum limits hereinafter provided shall be unlawful

* * * * *

4 Twenty-five (25) or thirty-five (35) miles an hour speed limit All vehicles except those restricted by this act to lower maximum speeds within business or residential districts or public park areas where official signs erected by the proper authorities on the right-hand side of the highway facing the traffic to be controlled or on the left-hand side of one-way streets are displayed This limit shall be observed for a distance beyond said sign for not more than one-eighth (⅛) of a mile An additional sign shall be placed at intervals not greater than one-eighth (⅛) of a mile and any extension of such limited zone shall be marked by additional signs in like manner At the end of such limited zone there shall be an official sign similarly placed as to traffic indicating the end of the limited zone Provided however That cities of the first class and cities of the second class may by ordinance adopted in accordance with the provisions of section one thousand one hundred and three (i) of this act establish a speed limit of thirty-five (35) miles an hour to be effective in the business or residential districts within the limits of any such city except where official signs erected in conformity with the provisions of this subsection otherwise provide

* * * * *

(d) (1) When the rate of speed of any vehicle is timed on any highway within a business or residence district where official speed limit signs are erected as provided in this section for the purpose of ascertaining whether or not the operator of such vehicle is violating a speed provision of this act such time shall be taken by not less than (2) peace officers one of whom shall have been stationed at each end of a measured stretch and no conviction shall be had upon the unsupported evidence of one (1) peace officer except as hereinafter provided and no such measured stretch shall be less than one-eighth (⅛) of a mile in length Under all conditions the rate of speed shall be timed for a distance of not less than one-quarter (¼) mile by a peace officer using a motor vehicle painted predominately white and equipped with a speedometer tested for accuracy within a period of thirty (30) days prior to the alleged violation An official certificate from an official speedometer testing station showing such test was made that the speedometer was adjusted for accuracy the date thereof and the degree of accuracy of such speedometer after adjustment shall be competent and prima facie evidence of the fact that such certificate was issued by an official speedometer testing station appointed by the secretary and of the accuracy of the speedometer in every proceeding where an information is brought charging a violation of this section

Section 29 Section one thousand and three of said act is hereby amended to read as follows

Section 1003 Railroad Warning Signals Must be Obeyed Whenever any person driving a vehicle approaches an interurban or steam railway grade crossing and a clearly visible and positive signal gives warning of the immediate approach of a railway train or car it shall be unlawful for the driver of the vehicle to fail to bring the vehicle to a complete stop before traversing such a grade crossing

Penalty Any person violating any of the provisions of this section shall upon summary conviction before a magistrate be sentenced to pay a fine of [ten ($10) dollars] one ($1) dollar and costs of prosecution and in default of the payment thereof shall undergo imprisonment for not more than [five (5)] three (3) days

Section 30 Section one thousand and fourteen of said act as amended by the act approved the twenty-second day of June one thousand nine hundred and thirty-one (P L 751) is hereby further amended to read as follows

Section 1014 Exceptions to the Right of Way Rule

(a) The driver of a vehicle entering a highway from a private road or drive shall yield the right of way to all vehicles approaching on such highway

(b) The driver of a vehicle upon a highway shall yield the right of way to police [and] fire department and fire patrol vehicles [and] ambulances and the vehicles of those chiefs of fire departments assistants chiefs of fire departments and fire marshals who signify in writing their intention to use such vehicles while answering fire or emergency calls and file the written declaration prior to such use thereof with the Pennsylvania Motor Police when such vehicles are operated upon official business and the drivers thereof sound audible signal This provision shall not operate to relieve the driver of [a police or fire department vehicle or ambulance] any such vehicle from the duty to drive with due regard for the safety of all persons using the highway nor shall it protect the driver of any such vehicle from the consequence of an arbitrary exercise of such right of way

(c) The driver of a vehicle entering a through highway or stop intersection which has been estabished as such under provision of this act shall yield the right of way to all vehicles approaching in either direction on such through highway This provision shall not operate to relieve the driver of any vehicle being operated on a through highway from the duty to drive with due regard for the safety of vehicles entering such through highway nor shall it protect the driver of any vehicle on a through highway from the consequence of an arbitrary exercise of such right of way

Penalty Any person violating any of the provisions of this section shall upon summary conviction before a magistrate be sentenced to pay a fine of ten ($10) dollars and costs of prosecution and in default of the payment thereof shall undergo imprisonment for not more than five (5) days

Section 31 Section one thousand and fifteen of said act as last amended by the act approved the twenty-ninth day of June one thousand nine hundred and thirty-seven (P L 2329) is hereby further amended to read as follows

Section 1015 What to do on Approach of Police or Fire Department Vehicle

(a) Upon the approach of any police [or] fire department and fire patrol vehicle [or] ambulance or the vehicle of the chief of any fire department assistant chief of any fire department or fire marshal who in accordance with a statement filed with the Pennsylvania Motor Police prior thereto uses the same for answering fire or emergency calls giving audible signal the driver of every other vehicle shall immediately drive the same to a position as near as possible and parallel to the right-hand edge or curb of the highway clear of any intersection or highways and shall stop and remain in such postion unless otherwise directed by a peace officer until [the police or fire department vehicle or ambulance] such vehicle shall have passed

(b) It shall be unlawful for the driver of any ve-

hicle street car or trackless trolley omnibus other than one on official business to follow any fire apparatus traveling in response to a fire alarm closer than five hundred (500) feet or park such vehicle within five hundred (500) feet where fire apparatus has stopped in answer to a fire alarm

(c) Upon the approach of any police [or] fire department and fire patrol vehicle [or] ambulance or the vehicle of the chief of any fire department assistant chief of any fire department or fire marshal who in accordance with a statement filed with the Pennsylvania Motor Police prior thereto uses the same for answering fire or emergency calls giving audible signal the operator of every street car or trackless trolley omnibus shall immediately stop and remain in such position unless otherwise directed by a peace officer until [the police or fire department vehicle or omnibus] such vehicle shall have passed

Penalty Any person violating any of the provisions of this section shall upon summary conviction before a magistrate be sentenced to pay a fine of ten ($10) dollars and costs of prosecution and in default of the payment thereof shall undergo imprisonment for not more than five (5) days

Section 32 That section 1033 of said act as last amended by the act of June twenty-seven one thousand nine hundred and thirty-nine (P. L. 1135) is hereby further amended to read as follows

Section 1033 Vehicles carrying other vehicles

(a) No person shall on or after January first one thousand nine hundred and [forty-two] forty-four operate a vehicle on the highways of this Commonwealth having two levels for the carriage of other vehicles

(b) No person shall on or after January first one thousand nine hundred and [forty-two] forty-four operate a vehicle on the highways of this Commonwealth carrying other vehicles any part of which is carried at a height of more than one hundred fifteen (115) inches above the ground

(c) [No person shall operate a vehicle on the highways of this Commonwealth carrying any other vehicle the weight of which is directly above the cab of the carrier vehicle or directly over the head of the operator of such vehicle] No vehicle being transported on another single vehicle or combination vehicle and trailer shall be carried in such manner as to extend above the cab of the transporting vehicle and where such vehicle shall be transported on a combination truck tractor and semi-trailer the transported vehicle shall be loaded wholly upon the semi-trailer and shall not extend more than five feet beyond the front extremity of the semi-trailer

(d) No person shall on or after January first one thousand nine hundred and [forty-two] forty-four operate a vehicle on the highways of this Commonwealth carrying any other vehicle any axle of which is more than three (3) feet higher than any other axle on such carrier vehicle

Penalty Any person violating any of the provisions of this section shall upon summary conviction before a magistrate be sentenced to pay a fine of twenty-five ($25) dollars and costs of prosecution and in default of the payment thereof shall undergo imprisonment for not more than five (5) days

Section 33 Subsection (a) of section one thousand one hundred and three as amended by the act approved the fifth day of June one thousand nine hundred and thirty-seven (P. L. 1718) is hereby further amended to read as follows

Section 1103 Powers of Local Authorities

(a) Local authorities except as expressly authorized by this act shall have no power or authority to alter any speed limitations declared in this act or to enact or enforce any ordinance rule or regulation contrary to the provisions of this act except that local authorities shall have power to provide by ordinance for the regulation of traffic by means of peace officers or official traffic signals on any portion of the highway where traffic is heavy or continuous and may regulate or prohibit parking stopping or loading of vehicles or prohibit other than one-way traffic upon certain highways and may regulate the use of the highways by processions or assemblages and may regulate the kinds and classes of traffic and its turning on certain highways at all or certain hours and may regulate the transportation by motor vehicles of passengers for compensation within the limits of a city or from points in the city to points beyond the city limits and make and enforce regulations for the operation of such vehicles not inconsistent with this act and designate certain streets upon which such vehicles may be operated

Provided however That any regulations of the kinds and classes of traffic on State Highway Routes within cities shall be subject to the approval of the Secretary of Highways first had and obtained

And excepting further that any city of the first class and any city of the second class may by ordinance provide that the maximum speed in the business and residential districts within said city shall not exceed thirty-five (35) miles an hour

Local authorities may designate any highway or any part of a highway under their jurisdiction a "Play Highway" and may close such designated highway to general traffic where interference to traffic will not be serious Such highways or portions of highways shall be used for play purposes and shall be clearly designated by appropriate signs specifying the hours between which such highways shall be closed to general traffic

Local authorities may regulate parking by means of mechanical devices requiring the deposit of a coin or coins to cause or permit the device to be actuated and may fix the denomination of the coins to be deposited and the limit of time vehicles may be parked proportionate to the amount of money so deposited if official signs giving notice thereof are first posted conspicuously at points where any highway affected thereby joins other highways and if official signs giving notice of such charges and time limits are attached to each device All income received from the use of mechanical devices to regulate parking shall be deposited in a separate account and shall be appropriated and expended first for the purchase operation and maintenance of such mechanical devices and incidental costs arising from such regulation and any balance thereafter remaining may be expended only for general traffic regulation and for no other purpose

Section 34 Section one thousand one hundred and three of said act as amended by the act approved the twenty-second day of June one thousand nine hundred and thirty-one (P. L. 751) is hereby further amended by adding thereto after subsection (g) one new subsection to read as follows

Section 1103 Powers of Local Authorities

* * * * *

(h) Local authorities of cities of the first class and cities of the second class may by ordinance establish a speed limit of thirty-five (35) miles an hour to be effective in the business and residential districts within the limits of any such city except where official signs erected in conformity with the provisions of subsection (b) of section one thousand and two of this act otherwise provide In making such provision the local authorities of such cities shall provide that signs showing the said thirty-five (35) mile speed limit within said cities shall be posted at the entrance of such cities and at ten other locations at least within such cities and when so posted the said cities shall not be required to post any such signs elsewhere within the said cities

Section 35 Section one thousand one hundred and six of said act as amended by the act approved the fifth day of June one thousand nine hundred and thirty-seven (P. L. 1718) is hereby further amended to read as follows

Section 1106 Local Traffic Signs Local authorities in their respective jurisdiction may cause official signs in accordance with section one thousand one hundred and five of this act to be erected and maintained as may be appropriate to give notice of legal parking and other local ordinances rules and regulations shall not be enforceable against an alleged violator if at the time and place of the alleged violation an official sign giving notice thereof is not posted conspicuously by the municipalities making the

same at points where any highways affected thereby joins other highways except as otherwise provided in this act

Section 36 Subsection (g) of section one thousand one hundred and ten of said act which was added by section fourteen of the act approved the fifth day of June one thousand nine hundred and thirty-seven (P. L. 1718) and amended by the act approved the ninth day of June one thousand nine hundred and thirty-nine (P. L. 317) and by the act approved the twenty-seventh day of June one thousand nine hundred and thirty-nine (P. L. 1135) is hereby further amended to read as follows

Section 1110 Erection of Traffic Signs Signals and Markings

* * * *

(g) Traffic signals electrically operated that have been erected prior to the passage of this act whenever reconstructed or the controllers or wiring are replaced shall be made to conform with the provisions of this act and the regulations of the Secretary of Highways but in any event all such signals except in cities of the second class A shall be made to so conform not later than January first one thousand nine hundred and forty-two and in cities of the second class A not later than January first one thousand nine hundred and forty-four unless extension of time shall be granted by the Secretary of Highways in each specified case

Section 37 Article eleven of said act is hereby amended by adding thereto after section one thousand one hundred and fourteen a new section to read as follows

Section 1115 Regulation of Traffic on Pennsylvania Turnpike (a) The Pennsylvania Turnpike Commission shall have the power by resolution to promulgate rules and regulations for the regulation of traffic by means of peace officers or official traffic signs or signals on any portion of any turnpike or highway under its supervision and control may establish one-way traffic lanes and may regulate or prohibit parking stopping or loading of vehicles or the use of the turnpike or any highway under its supervision and control by processions or assemblages the kinds and classes of traffic and its turning upon or the crossing of the medial strip or any other portion of such turnpikes or highways the transportation by vehicles of automobiles machinery and merchandise and the transportation of passengers and generally make and enforce regulations for the operation of same with due regard to the safety of the traveling public Provided however That such rules and regulations shall not be inconsistent with the provisions of this act

(b) The rules and regulations promulgated by the Pennsylvania Turnpike Commission governing the traffic upon any turnpike or highway under its supervision and control shall become effective upon the publication thereof in the manner which the commission shall prescribe A copy of all such rules and regulations which shall become effective shall be posted and remain posted so long as they are effective in a conspicuous place at all entrances to such turnpike or highway for the inspection of persons using such turnpike or highway

(c) Any person or persons violating any of the rules and regulations of said commission for which no penalty has been provided in Vehicle Code or other laws relating to vehicles shall upon summary conviction before a magistrate or justice of the peace be sentenced to pay a fine or ten dollars ($10) and costs of prosecution and in default of the payment thereof shall undergo imprisonment of not more than ten (10) days

Section 38 Section one thousand two hundred and one of said act as amended by the act approved the twenty-seventh day of June one thousand nine hundred and thirty-nine (P. L. 1135) is hereby further amended to read as follows

Section 1201 Limitations of Actions

(a) Informations charging violations of any of the summary provisions of this act by any person shall be brought before the nearest available magistrate within the city borough incorporated town or township where the alleged violation occurred except that local authorities in cities may establish a special magistrate's or traffic court before which such informations shall be brought Provided however That where there is no substantial difference between the respective distances from the place where the alleged violation occurred to the offices of more than one magistrate any such prosecution may be brought before any one of such magistrates or if there is no person holding the office of magistrate in such city borough incorporated town or township then such information [shall] may be brought before [such nearest] any available magistrate in any [adjoining] city borough incorporated town or township adjoining such district wherein the alleged violation occurred and if there is no person holding the office of magistrate in such district then such information may be brought before any available magistrate in any district adjoining the district wherein the alleged violation occurred and if there is no person holding the office of magistrate in such district then such information may be brought before any magistrate in the county wherein the violation occurred except that information charging violations of any of the provisions of this act which shall occur upon any highway under the supervision and control of any Pennsylvania Turnpike Commission now or hereafter created may be brought before any magistrate within any county wherein the alleged violation occurred and excepting further that where a special magistrate's or traffic court is set up in any city the information may be filed with that traffic court regardless of the availability or nearness of any other magistrate to the place where the offense was alleged to have been committed Provided however That such information must be filed in the special magistrate's or traffic court located in the city where the offense was alleged to have been committed Such informations shall be brought within fifteen (15) days except in the case where the information is brought against any person who has not been stopped by the officer at the time of the violation In such cases all information must be filed and mailed by registered letter to the violator within five (5) days of the date of the said violation after the commission of the alleged offense and not thereafter except that where an information is filed against a person prima facie guilty of a summary offense and it subsequently appears that a person other than the person named in the information was the offender an information may be filed against such other person within fifteen (15) days after his or her identity shall have been discovered and excepting further that information charging violations of the provisions of sections 207 210 212 406.1 610.1 and 620 (j) of this act may be brought within fifteen (15) days after it is discovered that a violation of any of these sections has been committed and excepting further that informations charging violations of the provisions of section one thousand and twenty-five (d) of this act may be brought against a person within fifteen (15) days after his or her identity shall have been discovered

(b) Where the offense committed is designated a felony or misdemeanor information may be filed as now provided by law

Section 39 Section one thousand two hundred and two of said act as amended by the act approved the twenty-ninth day of June one thousand nine hundred and thirty-seven (P. L. 2329) is hereby further amended to read as follows

Section 1202 Proceedings by Information and Warrant

(a) Summary proceedings under this act [may] or any violation of a local ordinance rule or regulation enacted under the authority thereof except as hereinafter provided shall be commenced by the filing of information which information must be filed in the name of the Commonwealth and within the period of seven (7) days after information has been lodged the magistrate shall send by registered mail to the person charged at the address shown by the records of the department a notice in writing of the filing of the information together with a copy thereof and a notice to appear within ten (10) days of the date of the written notice at which time the person charged shall appear and may plead guilty and pay fine and costs imposed waive a hearing and post bail or request a hearing the date of which shall be fixed by the magistrate at a time not less than five (5) nor more than ten (10) days from the date of such appearance Provided

however That the person charged in lieu of a personal appearance as described above may plead guilty and pay by registered mail the fine and costs imposed or request by registered mail a hearing Where the person charged requests by registered mail a hearing the magistrate shall fix a date for such hearing at a time not less than ten (10) nor more than twenty (20) days from the date such request was received and notice of such hearing shall be sent to the person charged by the magistrate within five (5) days of the receipt of such request

1 If the person named in the information shall not voluntarily appear within ten (10) days of the date of the written notice a warrant shall then issue and may be served by a peace officer having authority to serve warrants in the county in which the alleged violation has been committed

If the person charged cannot be served within such county then the magistrate shall deputize a peace officer having authority to serve warrants in the county wherein the person charged resides or may be found to serve such warrant

2 The peace officer serving such warrant shall take the defendant before a magistrate within the city borough incorporated town or township in which the defendant is found or if there is no person holding the office of magistrate in such city borough incorporated town or township then the defendant shall be taken before a magistrate in any adjoining city borough incorporated town or township who shall take bail either for the defendant's appearance before the magistrate who issued the warrant or for his appearance for trial in the proper court if a summary hearing is waived

(b) Where the offense committed is designated a felony or misdemeanor information may be filed and warrant served as now provided by law

(c) Whenever an arrest is made upon view under any of the provisions of and as limited by this act the officer making the arrest shall forthwith make and file with the magistrate before whom the arrested person is taken an information setting forth in detail the offense and at once furnish a copy thereof to the person arrested

(d) Any person so arrested shall be given the opportunity of having an immediate hearing or of giving bail as provided in this act for a hearing before the magistrate to be held at a date not more than ten (10) days from the date of such arrest or of waiving a hearing and giving bail for his appearance in court

Section 40 Section one thousand two hundred and seven of said act as last amended by the act approved the twenty-seventh day of June one thousand nine hundred and thirty-nine (P. L. 1135) is hereby further amended to read as follows

Section 1207 Disposition of Fines and Forfeitures

(a) All fines and penalties collected under the provisions of this act for violations of the same and all bail forfeited shall be paid to the department and transmitted to the State Treasury and credited to the "General Fund" except those collected for violations of the provisions of sections [nine hundred and three (903)] nine hundred and five (905) one thousand and two (1002) one thousand and eleven (1011) one thousand and fifteen (1015) one thousand and eighteen (1018) one thousand and twenty (1020) one thousand and twenty-six (1026) one thousand and twenty-eight (1028) of this act committed within cities boroughs incorporated towns and townships which fines and penalties and all bail forfeited shall be paid to the treasurer of the city borough incorporated town or township wherein the violation occurred to be used by such city borough incorporated town or township for the construction repair and maintenance of the highways thereof Provided That all fines and penalties collected and all bail forfeited for violations of the provisions of section one thousand and sixteen (1016) committed within cities boroughs incorporated towns and townships shall be paid to the treasury of the city borough incorporated town or township wherein the violation occurred to be used by such city borough incorporated town or township for the construction repair and maintenance of the highways thereof And provided further That all fines and penalties collected and all bail forfeited for violations of the provisions of subsection (f) of section six hundred twenty (620) shall be paid to the treasury of the county wherein the violation occurred to be used by such county for the payment of physicians' fees for the examination of person accused of violating the provisions of the said section [Any] and any balance remaining in the treasury of the county at the expiration of the calendar year and not payable for physicians' services rendered shall be used for county highway purposes And provided further That all fines and penalties collected and all bail forfeited for violations of the provisions of sections nine hundred and five (905) one thousand and two (1002) one thousand and eleven (1011) one thousand and fifteen (1015) one thousand and sixteen (1016) one thousand and eighteen (1018) one thousand and twenty (1020) one thousand and twenty-six (1026) and one thousand and twenty-eight (1028) of this act upon any highway under the supervision and control of any Pennsylvania Turnpike Commission now or hereafter created shall be paid to the county commissioners of each of the respective counties wherein the violations occurred who shall distribute semi-annually all such moneys received from such fines penalties and bail forfeited equally among the several boroughs incorporated towns and townships bordering upon such highways in each such county All such moneys received by such boroughs incorporated towns and townships shall be used for the construction repair and maintenance of the highways thereof

(b) Sworn statements of all fines and penalties so collected and all bail forfeited shall also be made by the magistrate or other officer imposing or receiving the same to the secretary upon forms furnished by the department such reports shall be made monthly not later than the tenth (10th) day of the following month

Penalty Any magistrate or other officer who shall fail to make such monthly reports and returns or either of them shall be guilty of a misdemeanor in office and upon conviction thereof in a court of quarter sessions shall be sentenced to pay a fine of five hundred ($500.00) dollars and costs of prosecution or undergo imprisonment for not more than sixty days or suffer both such fine and imprisonment

Section 41 Section one thousand two hundred and eleven of said act as amended by the act approved the twenty-seventh day of June one thousand nine hundred and thirty-nine (P. L. 1135) is hereby further amended to read as follows

Section 1211 Limitation of Authority for Pennsylvania Motor Policemen Such employes of the Commonwealth as are designated as Pennsylvania Motor Policemen are hereby declared to be peace officers and are hereby given police power and authority throughout the Commonwealth to arrest on view on Sunday or any other day when in uniform without writ rule order or process any person violating any of the provisions of this act in addition to any other power or authority conferred by law except such motor policeman shall have no authority to arrest on view any person violating any of the provisions of subsections (d) or (e) of section eight hundred thirteen (813) or subsections (c) (d) (e) or (f) of section eight hundred twenty-three (823) of this act

Whenever an arrest of any person is made upon view on Sunday or any other day under the provisions of this section the officer making the arrest shall forthwith take the defendant before the nearest available magistrate in the city borough incorporated town or township where the alleged offense occurred except that informations charging violations of any of the provisions of this act which shall occur upon any highway under the supervision and control of any Pennsylvania Turnpike Commission now or hereafter created may be brought before any magistrate within any county wherein the alleged violation occurred and excepting further that local authorities in cities may establish a special magistrate's or traffic court before which such informations shall be brought Provided however That where there is no substantial difference between the respective distances from the place where the alleged violation occurred to the offices of more than one magistrate any such prosecution may be brought

before any one of such magistrates or if there is no magistrate available in such district then the officer [shall forthwith] may take the defendant to [such nearest] any available magistrate in any [adjoining city borough incorporated town or township] district adjoining the district wherein the alleged violation occurred and if there is no person holding the office of magistrate in such district then the officer may take the defendant to any available magistrate in any district adjoining the district wherein the alleged violation occurred and if there is no person holding the office of magistrate in such district then the officer may take the defendant to any magistrate in the county wherein the violation occurred [and] except where a special magistrate's or traffic court is set up in any city the information may be filed with that traffic court regardless of the availability or nearness of any other magistrate to the place where the offense was alleged to have been committed Provided however That such information must be filed in the special magistrate's or traffic court located in the city where the offense was alleged to have been committed The officer making the arrest shall make and file with the magistrate before whom the arrested person is taken an information setting forth in detail the offense and at once furnish a copy thereof to the person arrested

Any person so arrested on any day other than Sunday shall be given the opportunity of having an immediate hearing or of waiving a hearing or of giving bail and any person so arrested on Sunday shall be given the opportunity of giving bail which shall be accepted by the magistrate the same as on any other day as provided in this act for a hearing before the magistrate to be held at a date not more than ten days from the date of such arrest or of waiving a hearing and giving bail for his appearance in court

Section 42 Subsection (c) of section one thousand two hundred and twelve of said act as amended by the act approved the twenty-second day of June one thousand nine hundred and thirty-one (P. L. 751) is hereby further amended to read as follows

Section 1212 Enforcement of Local Ordinances

* * * *

(c) Any city borough incorporated town township or county which enforces an ordinance rule or regulation on a matter concerning which authority is expressly delegated to said authorities by this act or for traffic matters not covered by this act may impose a fine of not more than fifty ($50) dollars to be collected by summary conviction before any magistrate [as fines and penalties are now by law collected] as provided in this act In the event of nonpayment of fines and costs of prosecution the magistrate may sentence any person convicted of violating an ordinance rule or regulation to undergo imprisonment for a period of not exceeding ten (10) days Provided That any person so convicted shall have the right of appeal as in other cases of summary conviction And further provided That any person accused of violating a local ordinance rule or regulation enforced under the authority of this act may waive summary hearing and give bond in a sum equal to double the amount of the maximum fine and costs that might be imposed for appearance for trial before a judge of the court of quarter sessions or in the county court or in the municipal court in counties wherein such courts exist and thereupon the magistrate shall within fifteen (15) days return the information to the said court and if any person so accused shall be convicted in such court of the offense charged he shall be fined as prescribed by said ordinance rule or regulation or in event of non-payment of such fine and costs of prosecution to suffer imprisonment for a period not to exceed ten (10) days All fines and bail forfeited as provided for in this section shall be paid to the treasurer of such city borough incorporated town or township for the construction repair and maintenance of the highways thereof

Section 43 Subsection (b) of section one thousand two hundred and fourteen and section one thousand two hundred and fifteen of said act are hereby amended to read as follows

Section 1214 Duty to Report Accidents

* * * * *

(b) Local authorities may require the reporting of motor vehicle accidents [in such form as they deem advisable] occurring within their jurisdictions but such reports shall only be made on forms prescribed by the department and such local reports shall not conflict with the necessity for reporting such accidents to the department

Section 1215 Garage Keeper to Report Damaged Motor Vehicles The person in charge of any garage or repair shop to which is brought any motor vehicle which shows evidence of having been struck by any bullet shall report to the nearest police station or sheriff's office within [twenty-four (24)] eight hours after such motor vehicle is received giving the name engine number manufacturer's serial number registration plate number and the name and address of the owner or operator of such vehicle

Penalty Any person violating any of the provisions of this section shall upon summary conviction before a magistrate be sentenced to pay a fine of ten ($10) dollars and costs of prosecution and in default of the payment thereof shall undergo imprisonment for not more than five (5) days

Section 44 Subsection (c) of section one thousand two hundred and eighteen of said act is hereby amended to read as follows

Section 1218 Signals and Investigations by Officers

* * * * *

(c) Any peace officer or department employé who shall be in uniform or shall exhibit a badge or other sign of authority shall have the right to inspect any motor vehicle in any public garage or repair shop or upon any parking or used car lot for the purpose of locating stolen motor vehicles [and] investigating the title and registration of motor vehicles and determining whether motor vehicles are in a safe condition for operation upon the highways and for such purpose the owner of any such garage [or] repair shop or parking or used car lot shall permit any such peace officer or department employe without let or hindrance to make investigation as herein authorized

Section 45 Article twelve of said act is hereby amended by adding thereto after section one thousand two hundred and twenty-two three new sections to read as follows

Section 1223 Medical Examination by Physicians Fee Where any person charged with violating any of the provisions of section six hundred and twenty (f) of this act shall be examined by a physician such examination shall be made by a physician whose office is within the city borough incorporated town or township where the alleged violation occurred or if such physician or physicians shall not be in their offices or shall refuse to make an examination or there shall not be a physician having an office within such city borough incorporated town or township then such examination shall be made by a physician having an office in any other city borough incorporated town or township within the county wherein the alleged violation occurred

The physician's fee for the medical examination of any person charged with violating the provisions of section six hundred and twenty (f) of this act and for any appearances as a witness that may be necessary shall be deemed to be an item of the costs when prosecution is brought Such fee shall be ten ($10) dollars and shall be paid by the county to the examining physician upon authorization of the district attorney in those cases where no bill of indictment charging any person with such violation is presented to the grand jury and in all other cases as now provided by law Provided however That no fees shall be paid under the provisions of this section to a physician whenever such examination could have been made by a physician receiving compensation at regular intervals whose regular duties include the duty of making such examinations And provided further That all said fees shall be paid from fines and penalties collected and bail forfeited under the provisions of subsection (f) of section six hundred and twenty of this act

Section 1224 Notice by Registered Mail of Suspension or Revocation of License Privileges

Wherever under the provisions of this act the secretary is required to give notice of the suspension or revoca-

tion of any license privilege such notice may be given by registered mail

Section 1225 Any person who shall wilfully and maliciously break injure destroy or deface any motor vehicle or any part or accessory thereof which motor vehicle part or accessory shall belong to another shall be guilty of a misdemeanor and upon conviction shall be sentenced to pay a fine not exceeding one hundred dollars ($100.00) or suffer imprisonment not exceeding six months or both at the discretion of the court

On the question,

Will the Senate agree to the report?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—41

Bartlett,	Ealy,	Kephart,	Snowden,
Becker,	Edmonds,	Letzler,	Stevenson,
Cavalcante,	Farrell,	Mallery,	Stiefel,
Chapman,	Frey,	McCreesh,	Tallman,
Coleman,	Geltz,	McGinnis,	Taylor,
Cox,	Haluska,	McQuiddy,	Thomas,
Crider,	Heyburn,	Miller,	Wade,
Crowe,	Homsher,	Mundy,	Walker,
Dent,	James,	Ruth,	Watkins,
DiSilvestro,	Jaspan,	Scarlett,	Wilson, H. I.,
			Wilson, T. B.,

NAYS—1

Shapiro,

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk inform the House of Representatives accordingly.

HOUSE MESSAGE

HOUSE CONCURS IN AMENDMENTS TO HOUSE BILL No. 1766

The Clerk of the House of Representatives being introduced presented communication from the House of Representatives informing the Senate that the House has concurred in amendments made by the Senate to House Bill No. 1766, entitled:

A Supplement to the act, approved the eighteenth day of July, one thousand nine hundred seventeen (P. L. 1043), entitled "School Employes Retirement Law," defining the rights and obligations of members of the School Employes' Retirement Association engaged in active military service.

PERMISSION TO ADDRESS SENATE

Mr. CHAPMAN. Mr. President, I ask permission to make a brief statement.

The PRESIDENT. The gentleman from Warren may proceed.

Mr. CHAPMAN. Mr. President and members of the Senate, I wish to make a short statement relative to congressional reapportionment. At this session, in perhaps one of its closing days, I am alarmed that the Legislature has failed to act upon the congressional reapportionment bill. I consider this one of the most important pieces of legislation remaining to be passed by the Pennsylvania law makers. If we fail to act on this bill, we have betrayed our state and our constituents. I feel many members of both parties have failed to realize the importance of this matter of congressional reapportionment. I am utterly opposed to allowing this piece of legislation to go by the Board, and I will not cast my vote for adjournment sine die until some action is secured, if we have to stay here all summer.

BILLS SIGNED

The PRESIDENT (Lieutenant-Governor Samuel S. Lewis) announced that the Chief Clerk having reported that the following bills had passed both houses of the General Assembly and the same being correct, the title were publicly read as follows:

House Bill No. 605, entitled:

An Act making an appropriation to the Pennsylvania State College for expenditure by the School of Mineral Industries thereof, under the supervision of the Department of Mines, for the purpose of developing new uses and markets for anthracite and bituminous coal.

House Bill No. 654, entitled:

An Act authorizing counties, cities, boroughs, towns, townships, school districts, poor districts and institution districts, at any sale of real property for the nonpayment of taxes or municipal claims to take title jointly in proportion to their tax claims; provide for the management of such real property and for the re-sale and conveyance of their interests to a purchaser.

House Bill No. 1213, entitled:

An Act to amend an act approved the seventh day of June, one thousand nine hundred seventeen (P. L. 600) entitled "Status of Public Officers and Employes in Military Service in Time of War or Contemplated War Act," by more fully definings the times during which the benefits shall be payable and the amount thereof and to whom payable.

House Bill No. 1465, entitled:

An Act to amend the act, approved the twenty-ninth day of April, one thousand nine hundred thirty-seven (P. L. 487) entitled "The Permanent Registration Act for Boroughs, Towns and Towships," as amended, by requiring and providing for the registration of persons in military service before they shall be entitled to vote at any election.

House Bill No. 1466, entitled:

An Act to amend the act, approved the third day of June, one thousand nine hundred and thirty-seven (P. L. 1333), entitled "An act concerning elections, including general, municipal, special and primary elections, the nomination of candidates, primary and election expenses and election contests; creating and defining membership of county boards of elections; imposing duties upon the Secretary of the Commonwealth, courts, county boards of elections; county commissioners; imposing penalties for violation of the act, and codifying, revising, and consolidating the laws relating thereto; and repealing certain acts and parts of acts relating to elections," by changing the procedure for and regulating voting in elections by persons in actual military service, conferring powers and imposing duties upon the Secretary of the Commonwealth, courts, county boards of elections, and county commissioners, providing for reimbursement of counties for actual expenses incurred for canvassing the vote of electors in actual military service.

House Bill No. 1467, entitled:

An Act to amend the act approved the first day of June one thousand nine hundred thirty-seven (P. L. 1132) entitled "An act to provide for the permanent personal registration of electors in cities of the second class A as a condition of their right to vote at elections and primaries and their enrollment as members of political parties as a further condition of their right to vote at primaries prescribing certain procedure for the conduct of elections and primaries and the challenge and proof of qualifications of electors and prescribing the powers and duties of citizens

parties political bodies registration commissions commissioners registrars inspectors of registration and other appointees of registration commission county election boards election officers municipal officers departments and bureaus police officers courts judges prothonotaries sheriffs county commissioners peace officers county treasurers county controllers registrars of vital statistics certain public utility corporations real estate brokers rental agents and boards of school directors and imposing penalties, as amended by requiring and providing for the registration of persons in military service to entitle them to vote at any election.

House Bill No. 1468, entitled:

An Act to amend the act approved the twenty-fifth day of May one thousand nine hundred thirty-seven (P. L. 814) entitled "An act to provide for the permanent personal registration of electors in cities of the second class as a condition of the right to vote at elections and primaries and their enrollment as members of political parties as a further condition of their right to vote at primaries prescribing certain procedure for the conduct of elections and primaries and the challenge and proof of qualifications of electors and prescribing the powers and duties of citizens parties political bodies registration commissions commissioners registrars inspectors of registration and other appointees of registration commissions county election boards election officers municipal officers departments and bureaus police officers courts judges prothonotaries sheriffs county commissioners peace officers county treasurers county controllers registrars of vital statistics certain public utility corporations real estate brokers rental agents and boards of school directors and imposing penalties" as amended by requiring and providing for the registration of persons in military service to entitle them to vote at any election.

House Bill No. 1469, entitled:

An Act to amend the act approved the twenty-fifth day of May one thousand nine hundred thirty-seven (P. L. 849) entitled "An act to provide for the permanent personal registration of electors in cities of the third class as a conditions of their right to vote at elections and primaries and their enrollment as members of political parties as a further condition of their right to vote at primaries prescribing certain procedure for the conduct of elections and primaries and the challenge and proof of qualifications of electors and prescribing the powers and duties of citizens parties political bodies registration commissions commissioners registrars inspectors of registration and other appointees of registration commissions county election boards election officers municipal officers departments and bureaus police officers courts judges prothonotaries sheriffs county commissioners peace officers county treasurers county controllers registrars of vital statistics certain public utility corporations real estate brokers rental agents and boards of school directors imposing penalties and repealing existing legislation" as amended by rquiring and providing for the registration of persons in military service to entitle them to vote at any election

House Bill No. 1526, entitled:

An Act to amend section two hundred seven of the act, approved the twenty-fourth day of June, one thousand nine hundred and thirty-one (P. L. 1206) entitled "First Class Township Laws," further prescribing method by which second class townships may be classified as first class townships; and providing for the costs and holding of special elections for that purpose.

House Bill No. 1728, entitled:

An Act relating to the compatibility of office of members of the Boards and officers of the Authorities incorporated under the Municipality Authorities Act, as amended and supplemented.

House Bill No. 1766, entitled:

A Supplement to the act, approved the eighteenth day of July, one thousand nine hundred seventeen (P. L. 1043) entitled "School Employes Retirement Law," defining the rights and obligations of members of the School Employes' Retirement Association engaged in active military service.

Whereupon,

The PRESIDENT (Lieutenant-Governor Samuel S. Lewis) in the presence of the Senate signed the same.

PERMISSION TO ADDRESS SENATE

Mr. DENT. Mr. President, I believe that every member here is leg weary and mind weary. I know that I am not too smart at any time, but I have become a little befogged now and do not know whether I am going or coming.

I want to say to the members of the Senate, perhaps this might be the proper thing to do—I have often stayed here for half a day or a day and a half over the time scheduled for adjournment sine die, but I think when we go into the second week of waiting and staying up all night, we are going a little too far. The people of Pennsylvania are not fooled. Every person in this room knows that we can not honestly go home unless we do something on congressional reapportionments. Any man in this room who votes to go home when there is a ten thousand dollar job at stake for some political high-hat congressman that wants to go to Washington, and on the other side of the balance sheet you are going to spend millions of dollars of Pennsylvanians money to count ballots that will be worthless and cause confusion that will take six months to straighten out, just because we do not want to give up or rather because some congressman in somebody's district does not want to be left out of a job. I think the problem is serious and one that is going to take longer than the few hours remaining of this night, and I am certainly not going to sit here until tomorrow. Some of the older Senators have said they will have to adjourn sine die, and some others have said they will stay here until the last cat is hung.

So, therefore, Mr. President, I offer the following resolution and ask for its immediate adoption.

RESOLUTION

TIME OF NEXT MEETING

Mr. DENT. Mr. President, I ask unanimous consent to offer a resolution at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. DENT offered the following resolution which was twice read:

In the Senate, July 12, 1941.

Whereas, there are many important issues affecting the welfare of the Commonwealth of Pennsylvania, which should be acted upon by the present session of the Legislature and,

Whereas, both Houses of the General Assembly for the past ten days have been in session long hours, the members not being able to give proper consideration to their work due to lack of sleep,

Be It Resolved (if the House of Representatives concur), That the Senate do now adjourn and reconvene on Monday, July 21, 1941, at 4:00 o'clock, p. m., and when the

House of Representatives adjourns this week it reconvene on Monday, July 21, 1941, at 4:00 o'clock, p. m. the purpose of the recess of a week being to allow the members of the General Assembly to return to their homes, become completely rested and then return in order to more expeditiously finish the business remaining before this General Assembly.

Mr. DENT. Mr. President, I move immediate adoption of the resolution.

Mr. HALUSKA. I second the motion, Mr. President

On the question,

Will the Senate agree to the motion?

Mr. GELTZ. I object, Mr. President, to immediate consideration of the resolution.

Mr. DENT. Mr. President, I understand when there is objection to a resolution it goes to committee, and therefore there would be no roll call.

The PRESIDENT. There will be a roll call.

Mr. WALKER. Mr. President, I desire to interrogate the gentleman from Westmoreland, Mr. Dent.

The PRESIDENT. Will the gentleman from Westmoreland permit himself to be interrogated?

Mr. DENT. Yes, Mr. President.

Mr. WALKER. Mr. President, as I understand the resolution of the gentleman from Westmoreland, if it were adopted, then automatically all members of the Senate would receive mileage for the week of July 14th, is that correct?

Mr. DENT. That is a trifling matter, Mr. President; that probably is correct, but I am willing, however, to donate mine to the U.S.O.

Mr. WALKER. Mr. President, I am not asking the gentleman from Westmoreland what he is going to do with it; I am merely asking whether what I asked him is correct.

Mr. DENT. That is correct. I understand the purpose, probably, behind the asking of the question was to draw a red herring over the fact we will get eight or ten dollars mileage. I want to say, Mr. President, I do not care about that; I want to get some sleep.

Mr. WALKER. Mr. President, I am not trying to draw any red herring across anything. May I also say that the only purpose of my interrogation was to make certain in my own mind that if I voted for this resolution I was voting twenty-six dollars more for the relief of the Walkers.

Mr. DENT. Mr. President, I ask that the roll be called.

Mr. EALY. Mr. President, may I ask just what the question is.

The PRESIDENT. The question is on the motion to adopt the concurrent adjournment resolution presented by the gentleman from Westmoreland.

Mr. GELTZ. Mr. President, objection was made to immediate consideration of this resolution.

The PRESIDENT. The Chair ruled previously on a similar question that such a motion is in order.

And the question recurring,

Will the Senate agree to the resolution?

The yeas and nays were required by Mr. DENT and were as follows, viz:

YEAS—9

Barr,	Cox,	Haluska,	McQuiddy,
Cavalcante,	Dent,	McGinnis,	Mundy,
Coleman,			

NAYS—32

Bartlett,	Frey,	Mallery,	Tallman,
Becker,	Geltz,	McCreesh,	Taylor,
Chapman,	Heyburn,	Miller,	Thomas,
Crider,	Homsher,	Ruth,	Tyler,
Crowe,	James,	Scarlett,	Walker,
DiSilvestro,	Jaspan,	Snowden,	Watkins,
Ealy,	Kephart,	Stevenson,	Wilson, H. I.,
Farrell,	Letzler,	Stiefel,	Wilson, T. B.,

So the question was determined in the negative.

QUESTION OF PERSONAL PRIVILEGE

Mr. DiSILVESTRO. Mr. President, I rise to a question of personal privilege.

The PRESIDENT. The gentleman from Philadelphia will state his question of personal privilege.

Mr. DiSILVESTRO. Mr. President and members of this respected body, it is absolutely a shame and a disgrace that here in this great country of America we are drafting our youth, our young boys to defend our great country, and at the same time can it be in this great Keystone State there is not one Congressman who will say, "I will resign, I will withdraw and permit my district to be combined with another district in the State of Pennsylvania." Can it be that there is not one living human being in Washington that feels that way? It is absolutely a disgrace, and this is a fiasco that we are going through in connection with this bill.

RECESS

Mr. GELTZ. Mr. President, I move that the Senate do now take a recess for thirty minutes.

Mr. MILLER. Mr. President, I second the motion.

The motion was agreed to.

Mr. GELTZ. Mr. President, because of conference committee reports coming from the House and from the printer, it is necessary that we have some time to arrange these matters. We have reached the end of the string so far as the schedule which we had arranged is concerned, and for that reason at this time I would like to request a recess. I would like to ask, during that recess, if there are any conference committees which have not completed all their work, that they endeavor to get together and see if they can not reach a satisfactory agreement.

AFTER RECESS

The PRESIDENT. The time of recess having elapsed the Senate will be in order.

ELECTION OF PRESIDENT PRO TEMPORE

Mr. WALKER. Mr. President, I have been honored by the Republican Caucus by being given the opportunity to present to the Senate the nomination of the Republican Caucus for President Pro Tempore during the interval between the sessions of the Legislature.

All during this session we have been very deeply gratified with the excellent work of our President Pro Tempore. There is no one who has been in this Senate for any

length of time, who in any capacity at all has been associated with him, who has not been deeply impressed by his sincerity, his patriotism and his love for his fellowmen.

Rarely, Mr. President, do we have the opportunity of being associated with a person who instinctively makes us feel that here is a man who is looking after us, here is a man who impresses us, that he has that sincere feeling which makes us feel he is sincerely trying to help us, and that he has that quality called statesmanship.

So, Mr. President, at the direction of our Caucus, I take great pride in placing in nomination for President Pro Tempore of the Senate, during the interval, the Senator from Somerset, Charles H. Ealy.

Mr. SHAPIRO. Mr. President, the Democratic party for years has been known to override custom and to disregard tradition. It has always been the custom, as I recall it, for the minority party, even though they were aware there were not sufficient votes to carry out their desires, to nominate from their group some one as candidate for President Pro Tempore. That has been the custom and the tradition, but we are going to follow our usual procedure in disregarding custom and tradition. If we had followed that tradition, I am sure every one on our side of the Senate would have felt that it would have been a pleasure and a privilege to suggest as our candidate for the office the gentleman from York, Mr. Lanius, for whom we have a high regard, and who has served so long and so ably. We are not going to do that, because he agrees with us also that in this instance there is a real reason why we should not, just as we Democrats feel there is a reason for not living up to custom and tradition on all occasions.

On this occasion we are going to join with you, and I can sincerely say that I speak for all my colleagues when I suggest to you that in ignoring custom and tradition we are recognizing merit, that in violating tradition and shattering tradition we are establishing precedent.

The recognition of merit is because this gentleman deserves that recognition; the establishment of precedent is necessary that we may give to the future a basis for our actions. That is no reason why the honor which belongs to this man should be in the slightest way disturbed or challenged, because we have all enjoyed knowing him—each of you has had the privilege of knowing him—and that is no small privilege, the privilege of talking to him and exchanging views and getting from him those things which we could not get from anyone else in the heat of battle that goes on here.

He is not aggressive, and that is one of his virtues, —some of us are aggressive and it may be essential to us—but to him aggressiveness must be foreign to his make up; rancor would find no place and would be foreign to him.

In recognizing his merit we could do nothing else than respond in emotional tones to the suggestion, for we too feel that you have made a proper choice.

Many a time when I have felt like standing on my feet and disturbing the atmosphere, it has been our good President Pro Tempore only that has brought about a different situation. I know that it might be embarrassing for the gentleman from Somerset, Senator Ealy, to listen to this, but outside of that it might do him some good, because I know the work here is difficult and that only those that sit here with it can realize that something has been done in a personal way. This game is like an umpire, you may make ninety-nine decisions that are pleasing to the crowd and you are a hero; you make one that is wrong and the bottles come flying.

This is not a great thing we are doing, and we do not deserve any credit. It is spontaneous, because it is the right thing to do, and it is being done because it is right, it is being done because it is deserved, and I am happy to be the one selected by any colleagues to express to you their views and of having the privilege of saying to you that one of the finest things I have had the pleasure of doing on the floor of this Senate, sincerely and honestly I say to you, is to show my appreciation of the many courtesies I have received from him.

We join with your side in seconding the nomination of Charles H. Ealy as President Pro Tempore of the Senate.

The PRESIDENT. Are there any further nominations?

The Chair hears none.

The Clerk will call the roll.

FOR MR. EALY—49; PRESENT—1.

Barr,	DiSilvestro,	Letzler,	Stevenson,
Bartlett,	Edmonds,	Mallery,	Stiefel,
Becker,	Farrell,	McCreesh,	Tallman,
Carr,	Frey,	McGinnis,	Taylor,
Cavalcante,	Geltz,	McQuiddy,	Thomas,
Chapman,	Haluska,	Miller,	Tyler,
Coleman,	Heyburn,	Mundy,	Wade,
Cox,	Homsher,	Reed,	Walker,
Crider,	James,	Ruth,	Watkins,
Crowe,	Jaspan,	Scarlett,	Wilson, H. I.,
Deitrick,	Kephart,	Shapiro,	Wilson, T. B.,
Dent,	Lanius,	Snowden,	Woodward,
			Ziesenheim,

PRESENT—1

Ealy,

The PRESIDENT. The Honorable Charles H. Ealy, having received forty-nine votes, the Chair declares him to have been duly elected President Pro Tempore of the Senate for the interim.

Mr. WALKER. Mr. President, I understand that the newly elected President Pro Tempore will take his oath of office and deliver his inaugural speech at a later time.

RECESS

Mr. EALY. Mr. President, I move that the Senate do now take a recess for five minutes.

Mr. WALKER. Mr. President, I second the motion.

The motion was agreed to.

AFTER RECESS

The PRESIDENT. The time of recess having elapsed the Senate will be in order.

PRESIDENT PRO TEMPORE FOR THE INTERIM INDUCTED INTO OFFICE

The PRESIDENT. At this time the newly elected President Pro Tempore, the Honorable Charles H. Ealy, will be inducted into office. The oath of office will be administered by the Honorable Karl E. Richards, of the Dauphin County Court.

The oath of office was accordingly administered by the Honorable Karl E. Richards.

The PRESIDENT. The Chair recognizes the gentleman from Somerset.

Mr. EALY. Mr. President and members of the Senate, I have been considerably bewildered by this unusual and sudden nomination and election as President Pro Tempore today. I deeply appreciate the fact that both the representatives of the Republican majority and the representatives of the Democratic minority have joined in my nomination and election. This was a very unusual distinction and I can not tell the members of the Senate how much I appreciate it. I have served in this Senate for a number of years and I have had a high regard for many of the members of the Senate in the past, but I seem to have a sort of special affection for the members of this Senate who were here during the last two sessions. Perhaps the memories are a little fresher and greener, but whatever it might be, I shall always hold those members who were here in 1939 and in 1941 in special remembrance and affection.

The service of a State Senator is arduous. It seems to me perhaps that too many of our people are forgetting that they are also co-rulers or co-members of this state corporation, and when they make demands they ought to also consider what effect they will have on the business of the conduct of the organization. It is difficult for men of ability to serve in this Legislature; sometimes I feel that our business and professional associates look at us with a sort of a pity or half scorn that we would serve here in the Legislature.

I remember that the late Honorable George E. Alter, a former Speaker of the House of Representatives and afterwards President of the Pennsylvania Bar Association, told members of that Association who were gathered at Bedford, in part and in substances, in his address "you lawyers complain about the quality of the legislation which comes out from Harrisburg," and he said to them, "how many of you would be willing to give of your time in the service of the state?"

I have tried to secure cooperation between persons generally and the members of the Legislature so that we would receive disinterested advice on these important subjects. I hope that in the future sessions of the Legislature people may realize the importance they have in effecting good legislation.

Now again, Mr. President, I want to thank all my colleagues, the Liteutenant-Governor, all the members and officers of the Senate, and employes, for their help and cooperation during this past session, and I wish to thank especially today Judge Richards for consenting to come here and for coming here and administering the oath of office.

RECESS

Mr. EALY. Mr. President, I move that the Senate do now take a recess for ten minutes.

Mr. WALKER. Mr. President, I second the motion.

The motion was agreed to.

AFTER RECESS

The PRESIDENT. The time of recess having elapsed the Senate will be in order.

NOMINATIONS BY THE GOVERNOR

NOTARIES PUBLIC

The Secretary to the Governor being introduced, presented in writing from His Excellency, the Governor of the Commonwealth, nominations for appointments as Notaries Public.

CONSIDERATION OF NOTARIES PUBLIC

Mr. JAMES. Mr. President, I move that the Senate do now proceed to the consideration of nominations for appointment as Notaries Public, sent to the Senate, July 12, 1941, by His Excellency, the Governor of the Commonwealth.

Mr. EALY. Mr. President, I second the motion.

The motion was agreed to.

The nominations were read as follows:

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, July 12, 1941.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following persons for appointment as Notaries Public, for terms of four years to compute from the date of confirmation:

ALLEGHENY COUNTY

L. W. Molnar, Mt. Lebanon Twp., 647 Washington Rd., Pittsburgh (16)

LACKAWANNA COUNTY

David A. Jones, Winton.

LANCASTER COUNTY

Miss Jeannette Kochel, New Holland.

PHILADELPHIA COUNTY

Simon C. Schreibstein, Phila., 1627 N. Marshall St.

ARTHUR H. JAMES.

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, July 12, 1941.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Miss Irene T. Forsyth, 720 West Newton Street, Greensburg, Westmoreland County, for appointment as a Notary Public in and for the City of Greensburg, Westmoreland County, for a term of four years to compute from the date of confirmation.

ARTHUR H. JAMES.

NOMINATIONS FOR NOTARIES PUBLIC

A motion was made by Mr. JAMES and Mr. EALY,

That the Senate do advise and consent to said nominations.

On the question,

Will the Senate agree to the motion?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—48

Barr,	DiSilvestro,	Lanius,	Stevenson,
Bartlett,	Ealy,	Letzler,	Stiefel,
Becker,	Edmonds,	Mallery,	Tallman,
Carr,	Farrell,	McCreesh,	Taylor,

Cavalcante,	Frey,	McGinnis,	Thomas,
Chapman,	Geitz,	McQuiddy,	Tyler,
Coleman,	Haluska,	Miller,	Wade,
Cox,	Heyburn,	Mundy,	Walker,
Crider,	Homsher,	Ruth,	Watkins,
Crowe,	James,	Scarlett,	Wilson, H. I.,
Deitrick,	Jaspan,	Shapiro,	Wilson, T. B.,
Dent,	Kephart,	Snowden,	Woodward,

NAYS—0

Two-thirds of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Governor be informed accordingly.

HOUSE MESSAGES

HOUSE ADOPTS REPORT OF CONFERENCE COMMITTEE ON SENATE BILL No. 624

The Clerk of the House of Representatives being introduced, informed the Senate that the House has adopted the Report of the Conference Committee on Senate Bill No. 624, entitled:

An Act to further amend clause seven of section one thousand two hundred ten of the act approved the eighteenth day of May one thousand nine hundred eleven (P. L. 309) entitled "An act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general, special, or local, or any parts thereof, that are or may be inconsistent therewith," increasing the minimum salaries of teachers in school districts of the fourth class and providing for the payment of the whole of such increase by the State for a period of two years.

HOUSE ADOPTS REPORT OF CONFERENCE COMMITTEE ON SENATE BILL No. 51

He also informed the Senate that the House has adopted the Report of the Conference Committee on Senate Bill No. 51, entitled:

An Act authorizing and empowering school districts to furnish food including milk to undernourished and poor school children in their districts.

HOUSE ADOPTS REPORT OF CONFERENCE COMMITTEE ON SENATE BILL No. 46

He also informed the Senate that the House has adopted the Report of the Conference Committee on Senate Bill No. 46, entitled:

An Act to amend the act approved the second day of May, one thousand nine hundred and twenty-nine (P. L. 1278), entitled "An act relating to counties of the second, third, fourth, fifth, sixth, seventh and eighth classes and revising, amending and consolidating the laws relating thereto," authorizing the county treasurer to appoint a solicitor and providing for his salary payable by the county.

HOUSE ADOPTS REPORT OF CONFERENCE COMMITTEE ON SENATE BILL No. 236

He also informed the Senate that the House has adopted the Report of the Conference Committee on Senate Bill No. 236, entitled:

An Act to amend section six hundred fifty-four of article six of the act, approved the seventeenth day of May, one thousand nine hundred and twenty-one (P. L. 682), entitled "An act relating to insurance; amending, revising, and consolidating the law; providing for the incorporation of insurance companies and the regulation, supervision, and protection of home and foreign insurance companies, Lloyds associations, reciprocal and inter-insurance exchanges, and fire insurance rating bureaus, and the regulation and supervision of insurance carried by such companies, associations, and exchanges, including insurance carred by the State Workmen's Insurance Fund; providing penalties; and repealing existing laws," providing for appeals from any classification, rule, rate, or schedule of the Insurance Commission affecting insurance of employes and employers under the Workmen's Compensation Act of one thousand nine hundred and fifteen and the supplements and amendments thereto and exempting the State Workmen's Insurance Fund from the control of the Rating Bureau and the Insurance Commissioner.

HOUSE ADOPTS REPORT OF CONFERENCE COMMITTEE ON SENATE BILL No. 594

He also informed the Senate that the House had adopted the Report of the Committee of Conference on Senate Bill No. 594, entitled:

An Act to amend the act, approved the twenty-fourth day of June, one thousand nine hundred and thirty-seven (P. L. 2051), entitled "An act relating to public assistance; providing for and regulating assistance to certain classes of persons designated and defined as dependent children, aged persons, blind persons and other persons requiring relief; providing for the administration of this act by the Department of Public Assistance and county boards of assistance hereby created for this purpose; authorizing the Department of Public Assistance to cooperate with, and to accept and disburse moneys received from, the United States Government for assistance to such persons; providing for the liquidation of the State Emergency Relief Board, Boards of Trustees of the Mothers' Assistance Fund, and Boards of Trustees of Pension Fund for the Blind; and repealing laws relating to mothers' assistance, pensions for the blind, old age assistance, and the State Emergency Relief Board," as amended, by redefining assistance to include work relief, and authorizing the Department of Public Assistance, with the approval of the Governor, to administer work relief projects.

HOUSE CONCURS IN AMENDMENTS TO SENATE BILL No. 618 RECALLED FROM THE GOVERNOR

He also informed the Senate that the House has concurred in amendments made by the Senate to Senate Bill No. 618, entitled:

An Act to further amend section two of the act approved the sixteenth day of June one thousand nine hundred thirty-three (P. L. 252 1933-34), entitled as amended "An act to regulate and restrain the traffic in malt and brewed beverages as herein defined providing for the licensing of the manufacture transportation sale and distribution of such beverages imposing license and permit fees and providing for collection and distribution thereof restricting ownership and interest in licensed places permitting municipalities and townships by vote of the electors to prevent the licensing therein of places where such beverages may be sold for consumption on the premises and regulating elections for this purpose imposing duties upon the Pennsylvania Liquor Control Board quarter sessions courts district attorneys the Department of Justice proper authorities of political subdivisions of the State and election officers providing penalties and repealing existing acts" by permitting clubs to waive or reduce dues payable by members in military service.

Said bill having been recalled from the Governor for the purpose of amendment. The votes had on final passage

and third reading were reconsidered in the Senate and the bill amended.

HOUSE NON-CONCURS IN AMENDMENTS TO HOUSE BILL No. 1727

He also presented communication from the House of Representatives informing the Senate that the House has non-concurred in amendments made by the Senate to House Bill No. 1727, entitled:

An Act providing that proceedings, acts and bonds issued, by Authorities incorporated under the Municipality Authorities Act, as amended and supplemented, shall not be invalid by reason of certain circumstances.

SENATE INSISTS UPON ITS AMENDMENTS NON-CONCURRED IN BY THE HOUSE TO HOUSE BILL No. 1727

Mr. GELTZ. Mr. President, I move that the Senate insist upon its amendments non-concurred in by the House to the foregoing bill which is a municipal authority bill, the one relating to bonds notes and other evidences of indebtedness.

Mr. MILLER. Mr. President, I second the motion.

The motion was agreed to.

Mr. SHAPIRO. Mr. President, I desire to be recorded as voting "no".

The PRESIDENT. The gentleman from Philadelphia will be so recorded.

Ordered, That the Clerk inform the House of Representatives accordingly.

HOUSE MESSAGE

HOUSE ADOPTS REPORT OF CONFERENCE COMMITTEE ON SENATE BILL No. 1308

The Clerk of the House of Representatives being introduced, informed the Senate that the House has adopted the Report of the Committee of Conference on Senate Bill No. 1308, entitled:

An Act to further amend the first paragraph of section three of the act, approved the twenty-second day of May, one thousand nine hundred thirty-three (P. L. 912) entitled "An act to protect the public health; defining and providing for the licensing of bakeries, and regulating the inspection, maintenance, and operation of bakeries and premises, stores and shops connected therewith; defining and regulating the manufacture, sale, and offering for sale of bakery products; conferring powers on the Department of Agriculture; and providing penalties," by extending the exception from registration and licensing requirements.

HOUSE ADOPTS REPORT OF CONFERENCE COMMITTEE ON HOUSE BILL No. 1176

He also informed the Senate that the House has adopted the Report of the Committee of Conference on House Bill No. 1176, entitled:

An Act making an appropriation out of the Motor License Fund to the Department of Highways for allocation to and expenditure in the second class townships of the Commonwealth for maintenance, construction, reconstruction, resurfacing or improvement of township roads and bridges during the calendar years one thousand nine hundred forty-two and one thousand nine hundred forty-three; permitting the use of the funds for maintenance and repair of township roads and bridges under certain conditions; and providing for the methods of payment to townships.

in which the concurrence of the Senate is requested.

ADOPTION OF REPORT OF COMMITTEE OF CONFERENCE ON SENATE BILL No. 695 (HOUSE BILL No. 1176)

Mr. GELTZ. Mr. President, I move that the Senate do now proceed to the consideration of the Report of the Committee of Conference on Senate Bill No. 695, (House Bill No. 1176).

Mr. MILLER. Mr. President, I second the motion.

The motion was agreed to.

SUSPENSION OF RULE 21

Mr. GELTZ. Mr. President, I move that Rule 21, which requires Conference Committee Reports to be noted on the Calendar, be in this case dispensed with, and that the Senate proceed to the consideration of the Report of the Committee of Conference made by the House to the foregoing bill.

Mr. EALY. Mr. President, I second the motion.

The motion was agreed to.

The report was read as follows:

REPORT OF THE COMMITTEE OF CONFERENCE ON HOUSE BILL No. 1176

To the Members of the Senate and House of Representatives:

We, the undersigned, Committee of Conference on the part of the Senate and House of Representatives for the purpose of considering House Bill No. 1176, entitled:

"An Act making an appropriation out of the Motor License Fund to the Department of Highways for allocation to and expenditure in the second class townships of the Commonwealth for maintenance, construction, reconstruction, resurfacing or improvement of township roads and bridges during the calendar years one thousand nine hundred forty-two and one thousand nine hundred forty-three; permitting the use of the funds for maintenance and repair of township roads and bridges under certain conditions; and providing for the method of payment to townships."

Respectfully submit the following bill as our report:

CHARLES R. MALLERY,
J. G. SNOWDEN,
EDWARD J. COLEMAN,
(Committee on the Part of the Senate.)

LEO A. ACHTERMAN,
ALBERT S. READINGER,
IRA T. FISS
(Committee on the Part of the House of Representatives.)

An Act making an appropriation out of the Motor License Fund to the Department of Highways for allocation to and expenditure in the second class townships of the Commonwealth for maintenance construction reconstruction resurfacing or improvement of township roads and bridges during the calendar years one thousand nine hundred forty-two and one thousand nine hundred forty-three permitting the use of the funds for maintenance and repair of township roads and bridges under certain conditions and providing for the method of payment to townships

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The sum of ten million dollars ($10,000,000) is hereby appropriated to the Department of Highways for the two calendar years beginning January first one thousand nine hundred forty-two out of the Motor License Fund for allocation to and expenditures in the townships of the second class of the Commonwealth in the amounts upon the terms in the manner and for the purposes hereinafter set forth in this act

Section 2 The moneys hereby appropriated shall be allocated and apportioned among the second class townships of this Commonwealth in the ratio which the mileage of township roads in each township of the second class bears to the total mileage of township roads in all of the townships of the second class in the Commonwealth as of January first one thousand nine hundred forty-two

The funds so apportioned shall be expended by the supervisors of each township but only after consultation with the Department of Highways as to the most beneficial and efficient manner of making such expenditures and shall be used for the maintenance construction reconstruction resurfacing and improvement of township roads and the maintenance construction and reconstruction of township bridges in townships of the second class excepting that in townships which do not have sufficient funds from other sources for the maintenance and repair of all the roads and bridges under their jurisdiction the allocation to such townships shall be used in whole or in part for such maintenance and repair purposes

Section 3 Nothing in this act shall be construed to relieve any of the second class townships from any obligation they may have incurred under any contract or agreement entered into prior to January first one thousand nine hundred forty-two for the construction or repair of any highway or structure now under their jurisdiction

Section 4 The supervisors of each township shall appoint a foreman who may be a member of the board of supervisors to supervise the work to be done under the provisions of this act and in the event more than one foreman is required the Department of Highways may authorize the supervisors to appoint one or more additional foremen The Secretary of Highways shall have the right to remove any foreman so appointed for incompetency Said supervisors, shall also employ any laborers required for said work and fix their wages

Nothing herein contained shall be construed to prevent work under the act being done by contract let by the township supervisors

Section 5 No payment shall be made from moneys allocated under this act to the townships of the second class except on warrants drawn by the Auditor General upon the State Treasurer as provided by the act of Assembly to the treasurer of the board of supervisors and such payment if approved by the Secretary of Highways shall be made in four equal installments payable the first day of March the first day of June the first day of September and the first day of December of each year

There shall be submitted to the Department of Highways by the board of township supervisors a report on the last days of May and November of each year showing the cost of the work done under the provisions of this act in such detail as may be required by the Department of Highways In case any records or reports required by law are not made in the manner or at the time required no further funds shall be approved for payment by the Secretary of Highways to such township until such reports have been made and approved

Nothing in this act shall be construed to permit the funds appropriated by the act to be paid for other than labor rental of equipment payrolls material purchases including repair parts for equipment small tools road drags and snow fence on road and bridge work performed by the townships under the provisions of this act

Nothing herein contained shall be construed to prevent the use of any of the funds allocated under this act for Federal projects sponsored by the townships or for county-aid work relating to the improvement of roads and bridges

On the question,

Will the Senate agree to the report?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—47

Barr,	DiSilvestro,	Lanius,	Stevenson,
Bartlett,	Ealy,	Letzler,	Stiefel,
Becker,	Edmonds,	Mallery,	Tallman,
Carr,	Farrell,	McCreesh,	Taylor,
Cavalcante,	Frey.	McGinnis,	Thomas,
Chapman,	Geltz,	McQuiddy,	Tyler,
Coleman,	Haluska,	Miller,	Wade,
Cox.	Heyburn,	Mundy,	Walker,
Crider,	Homsher,	Ruth,	Watkins,
Crowe,	James,	Scarlett,	Wilson, H. I.,
Deitrick,	Jaspan,	Shapiro,	Woodward,
Dent,	Kephart,	Snowden,	

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk inform the House of Representatives accordingly.

CONFERENCE COMMITTEE APPOINTED ON HOUSE BILL No. 1727.

The PRESIDENT. The President Pro Tempore appoints Messrs. Mallery, Becker and Ruth, to be a committee on the part of the Senate to confer with a similar committee of the House of Representatives (already appointed) to consider the differences existing between the two houses in relation to said bill.

Ordered, That the Clerk inform the House of Representatives accordingly.

HOUSE MESSAGE

HOUSE ADOPTS REPORT OF CONFERENCE COMMITTEE ON HOUSE BILL No. 803

He also informed the Senate that the House has adopted the Report of the Conference Committee on House Bill No. 803, entitled:

An Act to amend section six hundred and forty-three of the act, approved the twenty-fourth day of June, one thousand nine hundred and thirty-nine (P. L. 872), entitled "The Penal Code," prohibiting selling, giving away or permitting or employing minors under eighteen to sing, dance, act or exhibit in dance houses, concert saloons, theatres, places of entertainment, tap rooms, clubs, cafes restaurants or eating houses, where or connected with which, wines or sipirituous or malt liquors are sold or given away.

SENATE ADOPTS REPORT OF COMMITTEE OF CONFERENCE ON HOUSE BILL No. 803

Mr. GELTZ. Mr. President, I move that the Senate do now proceed to the consideration of the Report of the Committee of Conference on House Bill No. 803. This is the bill providing for regulation of employment of minors in tap rooms and so forth.

Mr. LETZLER. Mr. President, I second the motion.

The motion was agreed to.

SUSPENSION OF RULE 21

Mr. GELTZ. Mr. President, I move that Rule 21, which requires Conference Committee Reports to be noted on the Calendar, be in this case dispensed with, and that the Senate proceed to the consideration of the Report of the Committee of Conference made by the House to the foregoing bill.

Mr. LETZLER. Mr. President, I second the motion.

The motion was agreed to.

The report was read as follows:

REPORT OF THE COMMITTEE OF CONFERENCE ON HOUSE BILL No. 803

To the Members of the Senate and House of Representatives:

We, the undersigned, Committee of Conference on the part of the Senate and House of Representatives for the purpose of considering House Bill No. 803, entitled:

"An Act to amend section six hundred and forty-three of the act, approved the twenty-fourth day of June, one thousand nine hundred and thirty-nine (P. L. 872), entitled 'An act to consolidate amend and revise the penal laws of the Commonwealth,' by prohibiting certain persons from permitting or employing minors under eighteen years of age to sing, dance, act or exhibit in any place where wines or spirituous or malt liquors are sold or given away or any place connected therewith and prohibiting certain persons from employing minors under fifteen years of age; and providing penalties for the violation of the provisions of this act."

Respectfully submit the following bill as our report:

A. H. LETZLER,
A. EVANS KEPHART,
ANTHONY J. DiSILVESTRO,
(Committee on the Part of the Senate.)
JAMES H. J. TATE,
EARL CHUDOFF,
W. A. FLETCHER,
(Committee on the Part of the House of Representatives.)

An Act to amend section six hundred and forty-three of the act approved the twenty-fourth day of June one thousand nine hundred and thirty-nine (P. L. 872) entitled "An act to consolidate amend and revise the penal laws of the Commonwealth" by prohibiting certain persons from permitting or employing minors under eighteen years of age to sing dance act or exhibit in any place where wines or spirituous or malt liquors are sold or given away or any place connected therewith and prohibiting certain persons from employing minors under fifteen years of age and providing penalties for the violation of the provisions of this act

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section six hundred and forty-three of the act approved the twenty-fourth day of June one thousand nine hundred and thirty-nine (P. L. 872) entitled "An act to consolidate amend and revise the penal laws of the Commonwealth" is hereby amended to read as follows

Section 643 Employment of Minors in Places where Liquors are Sold or Given Away and Elsewhere [in Dance Houses Theatres and Saloons] Whoever having the care custody or control of any minor under the age of [fifteen (15)] eighteen (18) years [sells gives away or] permits the employment of or being a proprietor or manager employs or permits such child to sing dance act or exhibit in any place [dance house or in any concert saloon theatre or place of entertainment] where wines or spirituous or malt liquors are sold or given away or [with which any place for the sale of wines or spirituous or malt liquors is directly or indirectly] any place connected therewith by any passage-way or entrance or being the proprietor or manager of any dance house [or any concert saloon] theatre or place of entertainment employs any [such] minor under the age of fifteen (15) years is guilty of a misdemeanor and upon conviction thereof [in a summary proceeding] shall be sentenced to pay a fine not exceeding one hundred dollars ($100) and in default in the payment of such fine and costs shall be sentenced to imprisonment not exceeding three (3) months

On the question,

Will the Senate agree to the report?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—47

Barr,	DiSilvestro,	Lanius,	Stevenson,
Bartlett,	Ealy,	Letzler,	Stiefel,
Becker,	Edmonds,	Mallery,	Tallman,
Carr,	Farrell,	McCreesh,	Taylor,
Cavalcante,	Frey,	McGinnis,	Thomas,
Chapman,	Geltz,	McQuiddy,	Tyler,
Coleman,	Haluska,	Miller,	Wade,
Cox,	Heyburn,	Mundy,	Walker,
Crider,	Homsher,	Ruth,	Watkins,
Crowe,	James,	Scarlett,	Wilson, H. I.,
Deitrick,	Jaspan,	Shapiro,	Woodward,
Dent,	Kephart,	Snowden,	

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk inform the House of Representatives accordingly.

HOUSE ADOPTS REPORT OF CONFERENCE COMMITTEE ON HOUSE BILL No. 1729

He also informed the Senate that the House has adopted the Report of the Conference Committee on House Bill No. 1729, entitled:

An Act to add section fourteen and one-tenth to the act, approved the seventh day of August, one thousand nine hundred and thirty-six (P. L. 106) entitled, as amended "Flood Control Law," authorizing the Secretary of Highways and the various political subdivisions, with the approval of the Water and Power Resources Board, to grant easements and flowage rights to the Federal Government, over certain highways, roads, streets and bridges.

SENATE ADOPTS REPORT OF CONFERENCE COMMITTEE ON HOUSE BILL No. 1729

Mr. GELTZ. Mr. President, I move that the Senate do now proceed to the consideration of the Report of the Conference Committee on House Bill No. 1729.

Mr. CROWE. Mr. President, I second the motion.

The motion was agreed to.

SUSPENSION OF RULE 21

Mr. GELTZ. Mr. President, I move that Rule 21, which requires Conference Committee Reports to be noted on the Calendar, be in this case dispensed with, and that the Senate proceed to the consideration of the Report of

the Committee of Conference made by the House of the foregoing bill.

Mr. CROWE. Mr. President, I second the motion.

The motion was agreed to.

REPORT OF THE COMMITTEE OF CONFERENCE ON HOUSE BILL No. 1729

To the Members of the Senate and House of Representatives:

We, the undersigned, Committee of Conference on the part of the Senate and House of Representatives for the purpose of considering House Bill No. 1729, entitled:

"An Act to add section fourteen and one-tenth to the act, approved the seventh day of August, one thousand nine hundred and thirty-six (P. L. 106), entitled as amended 'An act relating to flood control; prescribing the powers and duties of the Water and Power Resources Board of the Department of Forests and Waters in relation to the creation of flood control districts; adoption of plans for flood control works and improvements carrying into effect of such plans; assistance, aid and cooperation with public and private agencies and the Federal Government in Federal flood control works and improvements and entering into compacts and agreements with other states for flood control works and improvements; conferring the power of eminent domain; providing for the setting off of benefits; imposing certain charges upon the Commonwealth; providing for appeals and conferring certain powers on municipalities, counties and townships and the Department of Highways,' authorizing the Secretary of Highways and the various political subdivisions with the approval of the Water and Power Resources Board to grant easements and flowage rights to the Federal Government over certain highways, roads, streets, bridges and adjacent lands."

Respectfully submit the following bill as our report:

MONTGOMERY F. CROWE
G. HAROLD WATKINS
JOSEPH M. BARR
(Committee on the Part of the Senate)

RUSSELL S. STINE
CLAYTON E. MOUL
W. W. MUIR
(Committee on the Part of the House of Representatives.)

An Act to add section fourteen and one-tenth to the act approved the seventh day of August one thousand nine hundred and thirty-six (P. L. 106) entitled as amended "An act relating to flood control prescribing the powers and duties of the Water and Power Resources Board of the Department of Forests and Waters in relation to the creation of flood control districts adoption of plans for flood control works and improvements carrying into effect of such plans assistance aid and cooperation with public and private agencies and the Federal Government in Federal flood control works and improvements and entering into compacts and agreements with other states for flood control works and improvements conferring the power of eminent domain providing for the setting off of benefits imposing certain charges upon the Commonwealth providing for appeals and conferring certain powers on municipalities counties and townships and the Department of Highways" authorizing the Secretary of Highways and the various political subdivisions with the approval of the Water and Power Resources Board to grant easements and flowage rights to the Federal Government over certain highways roads streets bridges and adjacent lands

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The act approved the seventh day of August one thousand nine hundred and thirty-six (P. L. 106) entitled as amended "An act relating to flood control prescribing the powers and duties of the Water and Power Resources Board of the Department of Forests and Waters in relation to the creation of flood control districts adoption of plans for flood control works and improvements carrying into effect of such plans assistance aid and cooperation with public and private agencies and the Federal Government in Federal flood control works and improvements and entering into compacts and agreements with other states for flood control works and improvements conferring the power of eminent domain providing for the setting off of benefits imposing certain charges upon the Commonwealth providing for appeals and conferring certain powers on municipalities counties and townships and the Department of Highways" which was reenacted and amended by the act approved the tenth day of March one thousand nine hundred and thirty-seven (P. L. 43) is hereby further amended by adding thereto after section fourteen a new section to read as follows

Section 14.1 Easements Over Highways et cetera Given to Federal Govrenment The Secretary of Highways for the Commonwealth and the authorities of each municipality may with the approval of the Water and Power Resources Board grant easements or flowage rights to the Government of the United States or any agency thereof over and to submerge during the emergency caused by floods or threatened floods the highways streets roads bridges and lands adjacent thereto which are owned or maintained by the Commonwealth or by the respective municipalities as the case may be in any flood area

Section 2 The provisions of this act shall become effective immediately upon final enactment

On the question,

Will the Senate agree to the report?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—46

Barr,	DiSilvestro,	Lanius,	Stevenson,
Bartlett,	Ealy,	Letzler,	Stiefel,
Becker,	Edmonds,	Mallery,	Tallman,
Carr,	Farrell,	McCreesh,	Taylor,
Cavalcante,	Frey,	McGinnis,	Thomas,
Chapman,	Geltz,	McQuiddy,	Tyler,
Coleman,	Haluska,	Miller,	Wade,
Cox,	Heyburn,	Mundy,	Walker,
Crider,	Homsher,	Ruth,	Watkins,
Crowe,	James,	Scarlett,	Wilson, H. I.,
Deitrick,	Jaspan,	Snowden,	Woodward,
Dent,	Kephart,		

NAYS—1

Shapiro,

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk inform the House of Representatives accordingly.

HOUSE ADOPTS REPORT OF CONFERENCE COMMITTEE ON HOUSE BILL No. 481

He also informed the Senate that the House has adopted the Report of the Committee of Conference on House Bill No. 481, entitled:

An Act to amend section eighteen of the act approved the second day of July, one thousand nine hundred and thirty-five (P. L. 589), entitled "Milk Sanitation Law" requiring local ordinances in certain cases to conform to this act and the regulations made thereunder.

MOTION THAT SENATE ADOPTS REPORT OF CONFERENCE COMMITTEE ON HOUSE BILL No. 481

Mr. GELTZ. Mr. President, I move that the Senate do

now proceed to the consideration of the Report of the Conference Committee on House Bill No. 481.

Mr. SHAPIRO. Mr. President, I second the motion.

The motion was agreed to.

SUSPENSION OF RULE 21

Mr. GELTZ. Mr. President, I move that Rule 21, which requires Conference Committee Reports to be noted on the Calendar, be in this case dispensed with, and that the Senate proceed to the consideration of the Report of the Committee of Conference made by the House of the foregoing bill.

Mr. EALY. Mr. President, I second the motion.

The motion was agreed to.

REPORT OF THE COMMITTEE OF CONFERENCE ON HOUSE BILL No. 481

To the Members of the Senate and House of Representatives:

We, the undersigned, Committee of Conference on the part of the Senate and House of Representatives for the purpose of considering House Bill No. 481, entitled:

"An Act to amend sections eighteen and nineteen of the act approved the second day of July one thousand nine hundred and thirty-five (P. L. 589) entitled 'An act to safeguard human health and life by providing for the issuance of permits to and regulation of persons and entities selling milk and milk products conferring powers and imposing duties on the Secretary of Health the Advisory Health Board and otherwise providing for the administration of the act; and imposing penalties,' eliminating the power of the Advisory Health Board to make certain rules and regulations; establinshing a Dairy Advisory Council in the Department of Health; conferring powers and imposing duties thereon; providing for appeals to courts of common pleas; and requiring local ordinances, rules and regulations in certain cases to conform to the provisions of this act."

Respectfully submit the following bill as our report:

HARRY SHAPIRO
GEORGE B. SCARLETT
(Committee on the Part of the Senate.)

CARLETON T. WOODRING
CLAYTON E. MOUL
FRANK E. SNYDER
(Committee on the part of the House of Representatives.)

An Act to amend sections eighteen and nineteen of the act approved the second day of July one thousand nine hundred and thirty-five (P. L. 589) entitled "An act to safeguard human health and life by providing for the issuance of permits to and regulation of persons and entities selling milk and milk products conferring powers and imposing duties on the Secretary of Health the Advisory Health Board and otherwise providing for the administration of the act and imposing penalties" eliminating the power of the Advisory Health Board to make certain rules and regulations establishing a Dairy Advisory Council in the Department of Health conferring powers and imposing duties thereon providing for appeals to courts of common pleas and requiring local ordinances rules and regulations in certain cases to conform to the provisions of this act

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Sections eighteen and nineteen of the act approved the second day of July one thousand nine hundred and thirty-five (P. L. 589) entitled "An act to safeguard human health and life by providing for the issuance of permits to and regulation of persons and entities selling milk and milk products conferring powers and imposing duties on the Secretary of Health the Advisory Health Board and otherwise providing for the administration of the act and imposing penalties" are hereby amended to read as follows

Section 18 The provisions of this act and the regulations made thereunder shall [not be taken nor deemed to] repeal existing municipal ordinances [nor to] and prevent municipalities from enacting and enforcing new ordinances [for the further protection of the public health Provided That this] inconsistent with the provisions of this act or with the rules and regulations of the Department of Health This section shall become effective on September first one thousand nine hundred forty-two or at any time prior thereto in the event that the Dairy Advisory Council shall have at any time prior to said date adopted and promulgated rules and regulations This act shall be considered as establishing uniform requirements and regulations [and that nothing herein contained shall be deemed to prevent municipalities from ordaining and enforcing such additional requirements in excess of the requirements and regulations hereunder as may be deemed necessary from time to time for the preservation of public health and to require applications from and to issue permits to such persons as may be defined by local ordinances]

Section 19 [The advisory helth board of the State Department of Health is hereby authorized to adopt and promulgate rules and regulations for the proper enforcement of this act]

a There is hereby created and established in the Department of Health a Board to be known and designated as the Dairy Advisory Council The Dairy Advisory Council shall consist of seven (7) members

The Secretary of Agriculture or his authorized representative shall be the Chairman of the Council The Secretary of Health or his authorized representative shall be a member of the Council One member shall be a person actually connected with the Health Department of one of the municipalities of the Commonwealth and shall be appointed by the Secretary of Health The other four members shall be appointed by the Secretary of Agriculture Two members shall be persons familiar with and possessing either training or experience in dairying and the production of milk Two members shall be persons who through training or experience are familiar with the operation of milk plants and the handling and distribution of milk

The Secretary of Health or his authorized representative is hereby authorized to convene meetings of the Dairy Advisory Council whenever in his opinion such meetings are necessary and shall convene meetings thereof at any time upon the request in writing of three members thereof and he shall be the custodian of the records and proceedings of such Council

The members of the Dairy Advisory Council other than those employed and paid by the Commonwealth or a municipality shall be paid at the rate of ten dollars per day while actually engaged in the work of the Council and shall receive their necessary traveling expenses

The term of office of all appointed members of the Dairy Advisory Council shall run concurrently with the term of the office of the Governor of the Commonwealth and until their successors shall have been appointed

b The Dairy Advisory Council shall adopt and promulgate rules and regulations not inconsistent with the provisions of this Act for its proper administration and enforcement on or before September first one thousand nine hundred forty-two Such rules and regulations shall repeal any and all municipal ordinances or regulations inconsistent therewith and shall preclude municipalities from enacting and enforcing new ordinances inconsistent therewith Such rules and regulations shall be adopted only after a public hearing for the consideration thereof notice of which hearing shall be mailed at least seven (7) days prior thereto to each applicant for or holder of a permit and to any other person who shall have requested notice

of public hearings and notice of such hearing shall be given to the public in such newspaper or newspapers as will afford an opportunity to all persons affected to attend such a hearing Such rules and regulatiions shall be filed in the office of the Secretary shall be open to inspection by the public and copies threreof shall be mailed at least seven (7) days prior to the effective date thereof to each applicant for or holder of a permit and to any other person who shall have requested such copies provided however that such mailing shall not be a condition precedent to the validity of such rule or regulation Such rules and regulations may contain all provisions necessary to carry into effect the intent of the provisions of the Act concerning quality or grades of milk and milk products standards of milk plants and equipment standards of physical condition of dairy farms and cattle sanitary requirements of dairy farms and milk plants sanitary requirements relating to shipping transporting and delivering milk and milk products qualifications and classification of approved inspectors and all other standards practices or sanitary requirements necessary to the effective administration and enforcement of this Act

c Any person aggrieved by any decision made by the Dairy Advisory Council may within twenty (20) days after the decision or adoption of such rule or regulation file an appeal therefrom in the Court of Common Pleas of Dauphin County or of the County in which such person resides or has his principal place of business No such appeal shall be permitted to act as a supersedeas except on special order of the court A special order of court permitting the appeal to act as a supersedeas may be made only after reasonable notice to the Secretary of Health The appeal from the action of the Dairy Advisory Council shall be by petition against the Secretary of Health officially as defendant alleging therein in brief detail the action of the Dairy Advisory Council complained of and praying for a reversal thereof Such petition shall specify the petitioner's objections to the action of the Dairy Advisory Council and shall state the reasons in support of such objections All averments in the petition reciting facts shall be supported by oath or affirmation and the petition shall include as part thereof under oath or affirmation an averment that the appeal is not filed for the purpose of delay Upon service of a summons upon the Secretary of Health returnable at least ten (10) days from the date of service the Secretary of Health may on or before the return day file a motion to dismiss the appeal raising questions of law or attacking the form or sufficiency of the petition If such motion is not sustained the Secretary of Health shall be given leave to file an answer within not less than ten (10) days after the order of court overruling the motion Upon the filing of the answer by the Secretary of Health the case shall be at issue without further pleadings and upon application of either party the case shall be advanced and heard without further delay

The Secretary of Health shall on the return day of such summons certify to the court the record of the proceedings before the Dairy Advisory Council to which the petition refers Such record shall include the testimony if any taken relative thereto the findings of facts of the Dairy Advisory Council and a copy of the rules and regulations complained of in the petition

Mere technical irregularities in the procedure of the Dairy Advisory Council shall not be the basis of the decisions of the court In an appeal from the decision and action of the Dairy Advisory Council the case shall be heard upon the record certified to the court by the Secretary of Health No evidence shall be received at the hearing of an appeal but if any party shall satisfy the court that evidence has been discovered since the hearing before the Dairy Advisory Council that could not have been obtained for use at that hearing by the exercise of reasonable diligence and will materially affect the merits of the case the court may in its discretion remand the record and proceedings to the Dairy Advisory Council with directions to take such after-discovered evidence and after consideration thereof to make such findings and so modify the decision rules and regulations complained of in the petition as the Dairy Advisory Council may deem proper and re-certify and re-submit to the court the record together with such additional supplemental findings decision rules and regulations as the Dairy Advisory Council shall have issued Whereupon the court of common pleas shall proceed with the hearing of said appeal on the original and supplemental record

On the question,

Will the Senate agree to the report?

Mr. BARR. Mr. President and members of the Senate, I think that I would be remiss in my duties as a Senator of the General Assembly of Pennsylvania if I did not rise on my feet and make the following remarks with regard to House Bill No. 481 as it has been reported from the Conference Committee.

House Bill No. 481 amends Sections 18 and 19 of Act No. 210 passed in July of 1935 (P. L. 589). In this present bill, Section 19 is amended to provide that the Dairy Advisory Council shall supersede the Advisory Health Board of the State Department of Health, and empowers the new Advisory Council to promulgate rules which may set aside any municipal legislation.

This act repeals existing municipal ordinances and prevents municipalities from enacting and enforcing new ordinances inconsistent with the provisions of this act or with the rules and regulations of the Department of Health. In effect, the bill retains its original objectives to which every municipal health officer in this Commonwealth is opposed. It takes away from my city of Pittsburgh and from every city in this Commonwealth the right to protect the health of its citizens by guarding them against the dangers which may result from an unsanitary milk supply. We are put at the mercy of a board over which neither we in Pittsburgh nor the Legislature itself has any protection. This proposed board is not a board dominated by men interested in the protection of the public health. It is a board dominated by men interested in the production and sale of milk. I do not charge nor do I anticipate that the proposed board would deliberately debase the standards of milk sanitation in the Commonwealth. I do feel, however, that the people of Pittsburgh and any city have the right to legislate in the interest of the health of their children.

Therefore, I cast my vote and ask the Senate to reject the Conference Report.

Mr. DENT. Mr. President, I feel I must speak in opposition to the views expressed by the gentleman from Allegheny, Senator Barr, much as I hate to do it. In discussing the problem of milk I think sanitation, of course, has its proper place, but in this Bill No. 481 an effort is being made to give to the farmers or producers of milk some relief from conditions as they exist today.

This Advisory Council is a very fair proposition. We have in Pennsylvania too many complicated rules and regulations pertaining to the production and distribution of milk. An effort is being made through this bill, No. 481, to standarize the regulations and rules so that a farmer who is producing milk has some idea of just what he has to comply with in order to meet the requirements demanded by various boards. We have no idea in mind of tampering with the rules and regulations in the City of Pittsburgh. This Advisory Council will do nothing except set up a standard of rules and regulations at the point of production, back on the farm. It will not go into the City of Pittsburgh and say to the City of Pittsburgh that they

must accept milk that meets certain requirements, there will be nothing like that done by the Advisory Council; what they will do, is that they will say to the City of Pittsburgh "You can go so far in your regulations pertaining to farm dairies that are miles and miles and miles away from the City of Pittsburgh; but we are not going to have your city dairy inspectors come running all over the farms of Pennsylvania issuing rules and orders counter to the rules and regulations of the Department of Health."

The farmer who produces milk today for public consumption must meet certain requirements, but under the present practice the city of Pittsburgh and the City of Philadelphia and other cities in the state make up their own rules and regulations and go out into various townships where our farmers are struggling hard trying to cut the cost of production of milk, and those inspectors go out there and make life unbearable by insisting on various rules and regulations that the farmers can not comply with.

There is nothing in the bill to hurt the City of Pittsburgh whatever. The Legislature can feel very safe they are doing something to help the farmers in this state, the milk producers, because basically you must realize this, if a farmer can not produce milk you people in Pittsburgh can not regulate against it.

I would like to have the Senate concur in these amendments.

Mr. CHAPMAN. Mr. President, I desire to interrogate the gentleman from Delaware.

The PRESIDENT. Will the gentleman from Delaware permit himself to be interrogated?

Mr. HEYBURN. I will, Mr. President.

Mr. CHAPMAN. Mr. President, will this bill interfere with a farmer selling raw milk?

Mr. HEYBURN. No, Mr. President, it will not.

Mr. CHAPMAN. Mr. President, I would like to further interrogate the Senator from Delaware.

The PRESIDENT. The gentleman from Warren will proceed.

Mr. CHAPMAN. Will this bill create any more inspections than are now required, or less inspections of the farmer?

Mr. HEYBURN. Mr. President, it will not create any less inspections, or inspectors; it will not in any way interfere with local inspection. All it does is to attempt to set up a standard, a uniform standard, which will be enforced by all inspectors whether they be local or state or dealer inspectors.

Mr. COX. Mr. President, this regulatory bill probably in theory is a good thing, but I know from practical experience as a lawyer that many statutes which seem at least in principle to be good things are never enforcible. Probably the chief reason for that condition is the fact it costs a lot of money to regulate any industry or anything. A good example is the impotency which we find in the Public Utility Commission in its attempts to fight rates of the larger public utilities. We know as a fact that for every lawyer the Public Utility Commission has, the big utilities can have one hundred or one hundred and fifty, and the result is in the skirmish of rate fixing usually the Commonwealth comes out second best, and I feel that is the same sort of thing that would happen in this particular bill.

We do know this in Allegheny County, we have ordinances which are very fair and which do protect the health of the citizens of our County and our city. We from Allegheny County would hate to see a repeal of those ordinances, particularly in view of the fact there is nothing concretely offered to us at this time to indicate what we are going to get from this State Advisory Council. Under these amendments the Secretary of Agriculture has the right to determine whether a municipal ordinance is inconsistent with its rules and regulations and the Advisory Council has that same right. I tell you very frankly I think the question is a very serious one and it is one that has given me great concern.

I have great sympathy with the farmer who produces milk and it is unfortunate that we have let this session of the Legislature go by without a better attack on this very important problem, because I feel this is not a proper solution of our problem.

I am going to vote "no" on this bill and I hope the other member of the Senate will do the same.

Mr. COLEMAN. Mr. President, every legislative session since I have been a member of the General Assembly has been confronted with the threat of the enactment of a bill of this character. This subject first made its appearance, I believe, in the 1935 session and a bill of the same character made its appearance in the 1937 session and was vigorously fought by the cities of Philadelphia, Pittsburgh and Scranton, as was this particular bill.

I had the impression, from information which I received, that this bill was dead for the session, but now we find in what most Legislators feel are the dying hours of an unusual legislative session it again makes its appearance. I am frank to confess, Mr. President, I have not had a chance to study the bill; I just got a copy of the bill from my friend, Senator Kephart, and I have not seen a copy of the bill on any of the Senators' desks around here.

I want to read this provision to support my contention that this bill rips out in the City of Scranton all regulations with respect to milk, which regulations have kept the people in the City of Scranton healthy and which I think has been admittedly a good situation in our particular county.

Section 18 of the bill which I will read, clarifies in very plain English and certainly offsets the argument that some of the members of the Senate have given to me, that it will not repeal the existing ordinances and has nothing to do with the repeal of the laws governing this subject in the City of Scranton. Section 18 reads as follows: "This section shall become effective on September 1, 1942, or at any time prior thereto in the event that the Dairy Advisory Council shall have at any time prior to said date adopted and promulgated rules and regulations."

Mr. President, the people in the City of Scranton have lived in constant fear of having an act of this character imposed upon them, and I want to share the anxiety and the protest of my friends, Senator Cox and Senator Barr and ask my colleagues in the Senate to vote down this conference report.

Mr. HEYBURN. Mr. President, in my opinion this is a very good bill and as our colleague from Allegheny, Senator Cox, says, a very serious one, but not in the sense he said it. It is a very serious one concerning the happiness and prosperity of the farmers of the Commonwealth of Pennsylvania. As the gentleman from Lackawanna, Senator Coleman, has said, this has been a subject con-

sidered by the Legislature for the last several years, and why should it not be? A great industry in our Commonwealth is being harassed by a lot of silly inspectors, some of whom even went so far as to tell the farmer on what side of his head he must part his hair.

This bill, whether you think so or not, enters into the economic side of the dairy industry and I will tell you why it does. A great many dealers in the Commonwealth sell milk in several boroughs and municipalities. This thing has gone so far that every borough and municipality has its own ordinance and some of them are so ridiculous as to say that milk sold on one side of the street in one borough is sanitary and milk sold on the other side of the street is poison; one inspector will tell a farmer he must have one type of pasteurization and another inspector will tell him he needs a different one and the net result of making the dealer spend all this money unnecessarily is that it must be taken out of the farmer's milk check. I hold a milk stub in my hand now from a poor farmer who is getting as little as two cents a quart for his milk in Pennsylvania. If that is not a crime then I must confess I do not know what one is.

Now, these gentlemen who have spoken, I do not think have laid this bill alongside the Health Act of the Commonwealth of Pennsylvania, and if they do that they will find plenty of safeguards to protect the health of the people of Pennsylvania.

What really happens in a lot of towns in the State of Pennsylvania is this; they will have these ridiculous regulations relating to Pennsylvania milk, and yet milk will come into Pennsylvania from as far west as Wisconsin without any regulations, to be set on the doorstep for the poor babies to drink.

This bill sets up an Advisory Dairy Council. I would like to read to the Senate the makeup of that committee or commission. The reason for abolishing the so-called Advisory Health Council was that it was inoperative, it never met, and this is an attempt to set up a commission which recognizes all branches and phases of the dairy industry in order that they may sit down together and draft a code which would protect the health of babies and residents everywhere. I am interested in Scranton and Pittsburgh babies, Mr. President, but at the same time I am interested in Concordville babies, where I come from.

Mr. President, it seems to me to be perfectly silly to even suggest that this commission is going to deliberately go out and try to murder babies. There is a lot of talk put out by those fellows that want to continue this very thing that has been going on for years, which has resulted in the utter collapse of the dairy industry as far as the producer is concerned.

The Dairy Advisory Council shall consist of seven members, as follows:

"The Secretary of Agriculture or his authorized representative shall be the Chairman of the Council The Secretary of Health or his authorized representative shall be a member of the Council One member shall be a person actually connected with the Health Department of one of the municipalities of the Commonwealth and shall be appointed by the Secretary of Health The other four members shall be appointed by the Secretary of Agriculture Two members shall be persons familiar with and possessing either training or experience in dairying and the production of milk Two members shall be persons who through training or experience are familiar with the operation of milk plants and the handling and distribution of milk"

Also, Mr. President, there is an additional safeguard provided in this bill because it grants appeals to the Courts, and how any attorney who has respect for his profession and the courts can have any fear that the courts of the Commonwealth of Pennsylvania are going to concur in any scheme to help kill babies, I think that argument falls of its own weight.

I do not want to prolong this session of the Senate, but I want to say I think this is a very great victory for the dairy farmers of the Commonwealth of Pennsylvania. It is not particularly a victory, except in this manner, that we are getting what I think can be considered a fair bill and a voice in the dairy industry, and I for one expect to vote "aye".

Mr. COLEMAN. Mr. President, I desire to interrogate the gentleman from Delaware.

The PRESIDENT. Will the gentleman from Delaware permit himself to be interrogated?

Mr. HEYBURN. I will, Mr. President.

Mr. COLEMAN. Under the terms of this bill, Mr. President, will the sale of raw milk be permitted in the City of Scranton.

Mr. HEYBURN. I do not think so, Mr. President. However, that is entirely in the hands of the City of Scranton and they are not, I think, going to allow the sale of dirty or impure milk anywhere.

This question of raw milk should not enter into this, Mr. President, but I would like to talk a minute about raw milk. Raw milk is nature's product. Can you tell me why people should not be allowed to drink raw milk, properly taken care of? I would like someone to give me one reason. To say that pure raw milk is not fit to drink is to say the Lord did not know what he was doing when he made the cow.

Mr. COLEMAN. Mr. President, my understanding of the answer of the gentleman from Delaware is that there is still some doubt in his mind whether or not under the terms of this bill raw milk will be permitted to be sold in the City of Scranton. I think that is tremendously important and if there is any doubt I do not think we ought to pass the bill.

I do not want to go into the question of the food value and qualities of raw and pasteurized milk, because I am frank to confess that I probably know about as little about the milk problem as anybody in the Commonwealth, but I am concerned about the dumping of raw milk into the City of Scranton. If we have a situation, as we have now, where we are going to make certain that does not happen, and that situation results in the saving of some flaxen haired youngster of somebody or other in our community I think I am justified in opposing enactment of this bill.

I would like to ask the gentleman from Delaware if I am correct in my information that the farmer is complaining about being subjected to multiplicity of inspections.

Mr. HEYBURN. That is true, Mr. President.

Mr. COLEMAN. Then, Mr. President, why could there not be some provision that a city ought to have some say as to whether or not raw milk should be sold in any particular community.

Mr. HEYBURN. This bill grants rather wide latitude to the so-called Advisory Council and I still insist that, while this is not a matter which should be discussed here now, raw milk properly taken care of is fit for human consumption. In a lot of cases raw milk is ruled off the turf for this reason, there is a very little farmer who goes into the milk business and he can not afford a lot of equipment and he wants to sell raw milk. Make the standards for raw milk as high as possible—I think that is a good thing—but after that then the next step is to forbid the sale of raw milk.

If the City of Scranton is aggrieved by any action of this Advisory Council, it can appeal to the courts, and under this very setup there is wide latitude, and I think that raw milk can practically be forbidden in the City of Scranton if they wish to deny their children the benefits thereof.

Mr. KEPHART. Mr. President, I desire to interrogate the gentleman from Delaware, Mr. Heyburn.

The PRESIDENT. Will the gentleman from Delaware permit himself to be interrogated?

Mr. HEYBURN. I will, Mr. President.

Mr. KEPHART. Mr. President, I would like to ask the gentleman from Delaware, Mr. Heyburn, what the farmer complains about that this bill remedies.

Mr. HEYBURN. Mr. President, the farmer of Pennsylvania does not care if you put these rules and regulations up to the sky, but once he complies with them he wants to know he has complied and that is the end of it; he does not want to buy a lot of equipment and have some inspector come out and tell him it is all wrong. That is what the farmers of Pennsylvania complain about.

Mr. KEPHART. It is not the multiplicity of inspections he complains about, it is the fact that the standards are changed from time to time?

Mr. HEYBURN. That is exactly right, Mr. President.

Mr. KEPHART. Is that caused by municipal inspectors or by inspectors hired by dealers or by out of state inspectors?

Mr. HEYBURN. It is caused by municipal inspectors principally.

Mr. KEPHART. And this is to make the standard uniform; is that the idea?

Mr. HEYBURN. It does, Mr. President.

Mr. KEPHART. So that once he has complied with the standards he will not have to change.

Mr. HEYBURN. He will probably have to change from time to time at stated intervals, Mr. President, as conditions change and as this Council agrees that something must be done to protect the health of children and adults; and that is as it should be.

Mr. KEPHART. This bill does nothing toward creating uniformity of interpretation of such standards and rules and regulations, does it?

Mr. HEYBURN. I have heard that question raised before, Mr. President. The inspectors should be able to read the regulations and if a regulation is promulgated and an inspector can not read it and enforce it, then you ought to get another inspector.

Mr. KEPHART. I would like to state my position on this bill. The City of Philadelphia is proposing to put a milk ordinance into effect, I understand, and if this bill is passed, any state regulations that this Dairy Advisory Council makes will repeal Philadelphia's milk ordinance. In other words, if the Dairy Advisory Council passes regulations with respect to raw milk, the City of Philadelphia will not be able to pass more stringent regulations because they would be inconsistent with the state regulations. For that reason I am going to have to vote against this bill.

I appreciate the position of the farmers in this matter and I think the bill the Senate sent over to the House would have corrected that situation without too much disturbance throughout the State of Pennsylvania and without the loss of any money on the part of a lot of farmers. If you will read on page 4, lines 14 and 15, it says:

"This act shall be considered as establishing uniform requirements and regulations."

As the gentleman from Delaware has already pointed out that is the purpose. At the present time regulations are not uniform throughout the state, because as we have been told, different municipalities have different requirements. When you say you are going to establish a state uniform standard, you presuppose the standard is not uniform now, the present condition is like this, some of the standards in the state are enforced at a low level and some at a higher level and some even at the top.

The gentleman from Delaware, Senator Heyburn, says the farmers are all willing to come up to the top. I do not think that is necessary in a lot of cases because some farmers in rural areas do not have to produce milk to come up to the standard that is required, where milk is sent from a rural area, a couple of hundred miles to a large city. To make all farmers come up to the top standards means those farmers will have to spend a lot of money to come up to the top. If you put the standards in the middle, then those who are below must spend money and those who are above will lose a lot of their investment, and the municipalities to whom those different farmers sell milk will get an inferior grade of milk. Therefore, Mr. President, I do not think this bill will do the farmers as much good as has been said here.

However, as I said before, the City of Philadelphia desires to pass a milk ordinance and they believe this bill will interfere with that, and for that reason I am voting against this bill.

Mr. SHAPIRO. Mr. President, I think there has been a lot said about this bill which is really not in the bill and a lot of prophecies made which will not occur. This bill first came over here with the intent to establish uniform regulations and uniform standards. I think unfortunately, without proper explanation when this bill came over, there was a great deal of unnecessary criticism. This bill is a part of the program of the Democratic Party. It was made up after there had been a committee appointed of farmers in the rural districts to ascertain certain facts in connection with the milk control situation, so far as it concerned its administration in Pennsylvania, and we found as a result of that report that there was a multiplicity of requirements and regulations with regard to the production of milk in the barn that ranged from municipal to outside states, and in addition to having to meet the requirements of the municipality, if a man sold his milk in different states, he would have to meet their require-

ments also. The result was a great deal of confusion that did not bring anybody any benefit. It is true even if this bill passes there will be a question as to what other states will do, but I think the amendments to the bill are an improvement on the bill because it will establish a system which may even eliminate that.

Now, Mr. President, let us get this raw milk thing settled right now. I think Mr. Kephart knows that the City of Philadelphia or any other city can establish a health regulation which, if valid and in the interest of its citizens, will be upheld by the Supreme Court, notwithstanding any rule this Advisary Board might make.

This Advisory Board will not regulate Philadelphia out of existence, it can not regulate its right to establish health standards, and if the City of Philadelphia establishes a rule that it believes is in the interest of safety of its citizens, that raw milk from twenty-five miles away shall not be delivered, no court in this state will hold that invalid. I think that ought to be apparent, and that lawyers will admit that is the first principle of self government.

The question of raw milk does not arise, in my opinion until it becomes usable and when it becomes usable in Philadelphia or in any other locality, those localities through their Departments of Health will have the right to regulate it.

On the other hand, there is provided a period of time, September 2, and that was done deliberately and not as a sop—that was provided for the purpose of enabling this Advisory Council to listen to every city and every county in the state, and after listening to every county and every city in the state, to adopt that standard which in their opinion is most nearly suited to protect the health of the citizens and at the same time protect the interests of the farmers.

The arguments that are being made here by the various municipalities, through their Senators, will be made and should be made by the representatives of the various communities to the Advisory Commission. The statement that has been made that there will be a lot of farmers on this Commission who do not know anything about health has been very well answered by the gentleman from Delaware, Senator Heyburn, when he said the Department of Health is still here, and they are not a lot of farmers, it is the Department of Health, and they know what is safe and they ought to know by now what is a safe standard.

After public hearings have been held, after all of these hearings have been held and after these men, who should be disinterested persons, and I think they will be from the way in which this bill has been drawn, make the rules and regulations, then every city and every municipality will have milk control. Any person interested can go to court and appeal from their decision and you will eventually come through with rules and regulations which have received the examination and the inspection of everybody in interest, with the sanction of the court. No court is going to establish rules and regulations to permit milk to be sold that these gentlemen fear so much, the sale of raw milk, and if it is a menace to the state no court will permit it to be sold.

Sometime sooner or later this problem must be solved. It never will be solved by the Senate and the House. It has been before them for years and we have heard all these stories for years on each side. If this bill is passed the result will be that the highest standards will be adopted and nobody will have a right to complain, and then there will be cut out from the whole picture this vicious system that has grown up, reducing inspection to a matter of compelling the sale of milk at a lower price. Dealers and everybody else have been able to go into those farms and make the painting of the outside of the barn a question of the value of the milk that is sold; they would raise the question that your barn should be 22 feet wide, and if you had a twenty-two foot barn in one municipality that would be O.K. but for another municipality it must be twenty-three feet and if you did not have it twenty-three feet you could not sell milk as grade "A" milk. That is utter nonsense.

On this conference committee are men who know more about milk than I will even know. I know nothing about milk but I have made it my business to find out things about the situation. I have come to the conclusion there must be a separate body, not connected with the Senate or the House, and not connected with any individuals who have an interest—and I have no interest in milk except that it be pure and clean and that it be kept so. I do not represent any milk dealer, I do not represent either side, but I do represent the public, which wants good clean milk that is healthy, and this Advisory Council is the way to do it and from now to September 1942 their job will be to hear these gentlemen and the people they represent and come to some conclusion which will be safe for everybody.

If you kill this bill now you will have the same chaotic condition; you are not taking a step forward but you are taking a step backward. This is the time I think this proposition ought to be studied by those who will have a fair opportunity to listen and for those who will be given a fair hearing and be allowed to speak.

Mr. CARR. Mr. President and fellow members of the Senate, while I am in entire sympathy with what the last speaker has said, there must be one exception to that statement. The speaker says this is a part of the Democratic program. It may have had its origin as such but in the operations through which it has gone in its enactment into what I hope will be legislation that situation has changed considerably.

I am forced and believe I am safe in saying that the Minority Leader with the help of those of his own party in the Senate would be absolutely unable to have this bill enacted, and therefore I want to claim the right to challenge that part of his statement, by the roll call that we shall have on this bill.

The second thing I want to say that there are a good many of us here this afternoon who are of the age in life where if raw milk were the bad thing that it is always claimed to be that possibly we would not be alive, but that the ravages of disease would have gotten us into the grave before we were ever eligible for election to this honorable body.

The reason I am in favor of this bill and heartily in favor of it particularly, while I have only one city but a large rural territory in my district, is the fact that I have never believed in the right of extra territoriality. I hate to use a big word like that but it is the only word that expresses what I mean.

When the people of a city claim the right to go out and legislate as to how people shall live in the rural districts, then I say their attitude is wrong. I say that where

the interest of a city lies is in the reception of milk that is of such good quality that it will be safe for distribution and consumption in the city, but that their right to determine that does not extent beyond the territorial limits of the city.

They should have, and I believe under this law will have, with the consent of the Dairy Advisory Council, the right to set up every high standard of perfection for milk that they desire, and that standard can only be arrived at in one particular way and it is not arrived at by determining whether a gallon of milk has passed through a pasteurization process; it is arrived at by a definite count of the number of bacteria in cubic centimeter of that milk and by determination of the amount of sediment, which means dirt, that is contained in the same amount of milk.

When a city has been given the right to determine those two things with regard to its milk supply, I think its interests have been fully and completely protected, and therefore I am casting my vote as a good Republican for this bill.

Mr. BARR. Mr. President, I do not like to be in the light of opposing farmers in connection with this particular bill because that is not true, but I think the gentleman from Philadelphia, Mr. Shapiro, and the gentleman from Delaware, Mr. Heyburn, if they were sincere when they worked on this committee, they would have seen that more than one of the seven members of this board would have represented the Health Department of some municipality.

In 1937 a very similar bill to this passed the House and the Senate but the Governor had the foresight to veto the bill. If this bill should happen to pass today I hope Governor James will have the same intestinal fortitude.

Mr. MILLER. Mr. President, I have listened to members of this body representing Philadelphia, Allegheny and Scranton speak in defense of the health regulations in their various cities. I feel it my duty to say something about my own borough, that of Kingston, Pennsylvania. We have in that borough a Board of Health which has set up hard and fast rulings in regards to raw milk and that is my particular interest in this bill we are now discussing.

During the progress of this Moul-Woodring Bill through the Senate, I sat in meetings in the City of Wilkes-Barre with the local director of health and the state Director of Health and there I saw letters from large metropolitan centers such as Cleveland, Baltimore, Washington and Detroit, from the directing heads of their health departments, setting forth facts why raw milk should not be allowed in particular cities, while in Luzerne County we have a great number of milk producing farmers, all during the course of this bill, including the public hearings, I as one of the representatives of Luzerne County, did not receive any communications or personal calls from my farmer friends, so I feel that I should lisen to those who are in authority in bringing about the health of our communities and that I should oppose this conference report which is before us.

Mr. WOODWARD. Mr. President, I probably know more about milk than even my distinguished colleague from Philadelphia, Mr. Shapiro, because for at least twenty-five years I have been a director of the biggest, cleanest, most extensive milk company in the United States, namely, the Walker-Gordon Laboratories. This company has been a pioneer in clean milk, and those interested with us get twenty per cent dividends out of it.

Now, the point is they do not pasteurize or boil this milk, they use clean raw milk. Clean raw milk is very much better than any heated milk and, contrary to the opinion of my colleagues. I expect to support this bill because as I understand, this bill will tend to promote the production of clean raw milk. Because of that bogeyman—typhoid fever—which is supposed to be transmitted by impure milk, many rules and regulations are set up, ninety-nine per cent of which are unnecessary, and if this bill is going to promote production of clean raw milk then I am all for it.

Mr. BARR. Mr. President, I want to state for the record a telegram I just received. I do not know the author of the telegram but he is State Chairman of the Milk Drivers' Union, and in strong language, almost to the point of a threat, he demands that the Senate defeat this bill.

Mr. HEYBURN. Mr. President, I think that is the most vicious piece of propoganda I have ever heard. Is it not rather singular that this telegram from this union would single out the gentleman from Allegheny, Mr. Barr, who decided to be against the bill only a matters of hours ago. It seems to me very ridiculous. How could this bill effect the economic stability of any driver's union? I do not think that is fair, and I do not think it should be brought up here at all.

Mr. HALUSKA. Mr. President, I am going to vote for this bill. I think it affords the best protection the farmers have had for quite some time, and I am going to vote for it, especially after I heard the telegram read by my colleague from Allegheny, Mr. Barr, and I want to go on record as stating that I welcome opposition, and the next time I seek public office, when I am threatened by anybody, I will welcome their opposition.

Mr. DiSILVESTRO. Mr. President, I think the remarks of the gentleman from Delaware, Senator Heyburn, could not apply to a man like Dr. Hubley Owen from Philadelphia who sent me a telegram and asked me to vote against this bill. He is a very fine physician. A member of the Municipal Hospital staff in Philadelphia also recommended that I vote against this bill. However, since there have been clarifying amendments put into the bill, I am convinced it is a good bill, and I am going to vote for it, so I was not convinced by any telegram.

Mr. JASPAN. Mr. President, I would like to be informed as to the name of the third member of the committee. As I understand it, Senator Shapiro and Senator Scarlett are two of the members. Was there a third member?

Mr. SHAPIRO. The gentleman from Lancaster, Senator Homsher.

Mr. JASPAN. Then, Mr. President, I take it the gentleman from Lancaster did not approve this conference report.

Mr. President, I desire to interrogate the gentleman from Lancaster, Mr. Homsher.

The PRESIDENT. Will the gentleman from Lancaster permit himself to be interrogated?

Mr. HOMSHER. I will, Mr. President.

Mr. JASPAN. Is that correct, Senator Homsher? May I know the reasons of the gentleman from Lancaster, if he cares to express them?

Mr. HOMSHER. Mr. President, I expressed my reasons in the conference committee, as to what I thought would make a good bill, I do not want to discuss the merits of the bill on the floor of the Senate.

Mr. JASPAN. Then, Mr. President, I take it that the gentleman from Lancaster is not satisfied with the merits of the bill at this time.

Mr. HOMSHER. I am not, Mr. President.

Mr. STIEFEL. Mr. President, I only hope that the passage of this bill will dispel the myth about Philadelphia fighting against the rural sections of Pennsylvania.

And the question recurring,

Will the Senate agree to the Conference Report?

(During the calling of the roll the following occurred.)

Mr. KEPHART. Mr. President, I ask for a verification of the roll.

The PRESIDENT. The roll will be so verified.

The Clerk read the names of those voting in the affirmative as follows:

Becker,	Edmonds,	Mallery,	Thomas,
Carr,	Geltz,	McQuiddy,	Tyler,
Cavalcante,	Haluska,	Shapiro,	Wade,
Chapman,	Heyburn,	Snowden,	Watkins,
Crowe,	James,	Stevenson,	Wilson, H. I.,
Dent,	Lanius,	Stiefel,	Woodward,
DiSilvestro,	Letzler,	Taylor,	

The PRESIDENT. Are there any corrections? The Chair hears none.

The affirmative roll stands as verified.

The Clerk read the names of those voting in the negative as follows:

Barr,	Crider,	Homsher,	Miller,
Bartlett,	Deitrick,	Jaspan,	Ruth,
Coleman,	Farrell,	Kephart,	Walker,
Cox,	Frey,	McGinnis,	

The PRESIDENT. Are there any corrections? The Chair hears none.

The negative roll stands as verified.

Yeas—27; Nays—15.

And the question recurring,

Will the Senate agree to the report?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—27

Becker,	Edmonds,	Mallery,	Thomas,
Carr,	Geltz,	McQuiddy,	Tyler,
Cavalcante,	Haluska,	Shapiro,	Wade,
Chapman,	Heyburn,	Snowden,	Watkins,
Crowe,	James,	Stevenson,	Wilson, H. I.,
Dent,	Lanius,	Stiefel,	Woodward,
DiSilvestro,	Letzler,	Taylor,	

NAYS—15

Barr,	Crider,	Homsher,	Miller,
Bartlett,	Deitrick,	Jaspan,	Ruth,
Coleman,	Farrell,	Kephart,	Walker,
Cox,	Frey,	McGinnis,	

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk inform the House of Representatives accordingly.

HOUSE MESSAGES

HOUSE NON-CONCURS IN AMENDMENTS TO HOUSE BILL No. 1768

The Clerk of the House of Representatives being introduced, presented communication from the House of Representatives informing the Senate that the House has non-concurred in amendments made by the Senate to House Bill No. 1768, entitled:

An Act to further amend the act, approved the fifth day of December, one thousand nine hundred thirty-six (P. L. of 1937, p. 2897) entitled "Unemployment Compensation Law," by providing therein as to the replacement of certain moneys received pursuant to the provisions of Section three hundred two of the Federal Social Security Act as amended.

SENATE INSISTS UPON ITS AMENDMENTS NON-CONCURRED IN BY THE HOUSE TO HOUSE BILL No. 1768

Mr. GELTZ. Mr. President, I move that the Senate insist upon its amendments non-concurred in by the House to the foregoing bill.

Mr. EALY. Mr. President, I second the motion.

On the question,

Will the Senate agree to the motion?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—47

Barr,	DiSilvestro,	Lanius,	Stevenson,
Bartlett,	Ealy,	Letzler,	Stiefel,
Becker,	Edmonds,	Mallery,	Tallman,
Carr,	Farrell,	McCreesh,	Taylor,
Cavalcante,	Frey,	McGinnis,	Thomas,
Chapman,	Geltz,	McQuiddy,	Tyler,
Coleman,	Haluska,	Miller,	Wade,
Cox,	Heyburn,	Mundy,	Walker,
Crider,	Homsher,	Ruth,	Watkins,
Crowe,	James,	Scarlett,	Wilson, H. I.,
Deitrick,	Jaspan,	Shapiro,	Woodward,
Dent,	Kephart,	Snowden,	

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk inform the House of Representatives accordingly.

SENATE COMMITTEE OF CONFERENCE APPOINTED, ON HOUSE BILL No. 1768

Mr. GELTZ. Mr. President, I move that a Committee of Conference be appointed to confer with a similar committee of the House of Representatives (already appointed) to consider the differences existing between the two houses in relation to said bill.

Mr. EALY. Mr. President, I second the motion.

The motion was agreed to.

The PRESIDENT. The President Pro Tempore appoints Messrs. Heyburn, Henry I. Wilson and Coleman to be said committee on the part of the Senate, and that the Clerk inform the House of Representatives accordingly.

SENATE RECEDES FROM ITS AMENDMENTS NON-CONCURRED IN BY THE HOUSE TO HOUSE BILL No. 931

Mr. GELTZ. Mr. President, I move that the Senate do now recede from its amendments non-concurred in by the House to House Bill No. 931, entitled:

To further amend section six of the act, approved the

first day of July, one thousand nine hundred and thirty-seven (P. L. 2603), entitled "An act relating to vocational education; creating vocational school districts for the purpose of conducting systems of vocational schools, departments or classes; providing for their government; prescribing their powers and duties; conferring powers and imposing duties on school districts and on the State Board for Vocational Education; and providing for referendum in certain cases," fixing the rate of the annual tax levy; requiring county commissioners or boards for the assessment and revision of taxes to furnish, at the expense of the county, certified duplicates of last adjusted valuations of real estate; making the same taxable for vocational school purposes; and making further provision with reference to the bond of tax collectors.

Mr. TAYLOR. Mr. President, I second the motion.

On the question,

Will the Senate agree to the motion?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—47

Barr,	DiSilvestro,	Lanius,	Stevenson,
Bartlett,	Ealy,	Letzler,	Stiefel,
Becker,	Edmonds,	Mallery,	Tallman,
Carr,	Farrell,	McCreesh,	Taylor,
Cavalcante,	Frey,	McGinnis,	Thomas,
Chapman,	Geltz,	McQuiddy,	Tyler,
Coleman,	Haluska,	Miller,	Wade,
Cox,	Heyburn,	Mundy,	Walker,
Crider,	Homsher,	Ruth,	Watkins,
Crowe,	James,	Scarlett,	Wilson, H. I.,
Deitrick,	Jaspan,	Shapiro,	Woodward,
Dent,	Kephart,	Snowden,	

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk inform the House of Representatives accordingly.

CONFERENCE COMMITTEE REPORT ON SENATE BILL No. 298 ADOPTED

Mr. GELTZ. Mr. President, I move that the Senate do now proceed to consideration of the Conference Committee Report on Senate Bill No. 298 which is one of the highway appropriation bills.

Mr. COLEMAN. Mr. President, I second the motion.

The motion was agreed to.

The Report was read as follows:

REPORT OF THE COMMITTEE OF CONFERENCE ON SENATE BILL No. 298

To the Members of the Senate and House of Representatives:

We, the undersigned, Committee of Conference on the part of the Senate and House of Representatives for the purpose of considering Senate Bill No. 298, entitled:

"An Act making appropriations out of the Motor License Fund to the Department of Highways for allocation to and expenditure in cities, boroughs, towns and towships of the first class of the Commonwealth for maintenance, construction, reconstruction resurfacing or improvement of municipal roads, highways and bridges during the calendar years one thousand nine hundred forty-two and one thousand nine hundred forty-three; permitting the use of the funds for maintenance and repair of municipal roads, highways and bridges under certain conditions and providing for the method of payment to such political subdivisions."

Respectfully submit the following bill as our report:

EDWARD J. COLEMAN
J. G. SNOWDEN
CHARLES R. MALLERY
(Committee on the Part of the Senate.)

LEO T. ACHTERMAN
ALBERT S. READINGER
IRA T. FISS
(Committee on the part of the House of Representatives.)

An Act making appropriations out of the Motor License Fund to the Department of Highways for allocation to and expenditure in cities boroughs towns and townships of the first class of the Commonwealth for maintenance construction reconstruction resurfacing or improvement of municipal roads highways and bridges during the calendar years one thousand nine hundred forty-two and one thousand nine hundred forty-three permitting the use of the funds for maintenance and repair of municipal roads highways and bridges under certain conditions and providing for the method of payment to such political subdivisions

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The sum of eight million dollars ($8,000,000) is hereby appropriated to the Department of Highways for the two calendar years beginning January first one thousand nine hundred forty-two out of the Motor License Fund for allocation to and expenditure in the cities (except cities of the first class) boroughs towns and townships of the first class of the Commonwealth in the amounts upon the terms in the manner and for the purposes hereinafter set forth in this act

The sum of one million five hundred thousand dollars ($1,500,000) is hereby appropriated to the Department of Highways for the two calendar years beginning January first one thousand nine hundred forty-two out of the Motor License Fund for expediture in cities of the first class of the Commonwealth upon the terms in the manner and for the purposes hereinafter set forth in this act

Section 2 Sixty-five per centum of the moneys hereby appropriated for allocation to cities (except cities of the first class) boroughs towns and townships of the first class shall be allocated and apportioned among such municipalities in the ratio which the mileage of municipal roads and highways in such municipality bears to the total mileage of municipal roads and highways in all of such municipalities as of January first one thousand nine hundred forty-two

Thirty-five per centum of the moneys hereby appropriated for allocation to cities (except cities of the first class) boroughs towns and townships of the first class shall be allocated and apportioned among such municipalities in the ratio which the population of each such municipality bears to the total population in all of such municipalities as shown by the 1940 decennial census of the United States

The funds appropriated by this act shall be expended by the respective municipalities under the supervision and subject to the approval of the Department of Highways and in compliance with such rules and regulations as the Department of highways may prescribe in carrying out the provisions of this act

The funds appropriated by this act shall be used for the maintenance construction reconstruction resurfacing and improvement of municipal roads and highways and the maintenance construction and reconstruction of municipal bridges in municipalities excepting that in municipalities which do not have sufficient funds from other sources for the maintenance and repair of all the roads highways and bridges under their jurisdiction the allocations or appropriations for such municipalities shall be used in whole or in part for such maintenance and repair purposes

Section 3 Before any of the funds appropriated for

municipalities by this act shall be expended for construction reconstruction resurfacing or improvement the corporate authorities of the respective municipalities shall by resolution specify the location and type of construction of the road or highway proposed to be constructed reconstructed resurfaced or improved or the bridge to be constructed or reconstructed and shall submit the same to the Department of Highways together with estimates plans if any and specifications for the approval of said department

Section 4 Nothing in this act shall be construed to relieve any municipality from any obligation they may have incurred under any contract or agrement entered into prior to January first one thousand nine hundred forty-two for the construction or repair of any road highway or bridge now under its jurisdiction

Section 5 The corporate authorities of each municipality not having a department or bureau of highways or streets shall appoint a foreman who may be an officer or employe of the municipality to supervise the work to be done under the provisions of this act and in the event more than one foreman is required the Department of Highways may authorize the corporate authorities of the municipality to appoint one or more additional foreman The Seceretary of Highways shall have the right to remove any foreman so appointed for incompetency or for neglect or refusal to comply with the rules and regulations of the Department of Highways prescribed for the work under this act The corporate authorities of each municipality shall also employ any laborers required for said work and fix their wages

Nothing herein contained shall be construed to prevent work under the act being done by contract let by the corporate authorities of the municipality and approved by the Department of Highways

Section 6 No payment shall be made from moneys appropriated by this act to the municipalities except on warrants drawn by the Auditor General upon the State Treasurer as provided by the act of Assembly to the treasurer of the municipality and such payment if approved by the Secretary of Highways shall be made in four equal installments payable the first day of March the first day of June the first day of September and the first day of December of each year

There shall be submitted to the Department of Highways by the proper authorities of each municipality a report on the last days of February May August and November of each year showing the cost of the work done under the provisions of this act in such detail as may be required by the Department of Highways

In case any records or reports required by law are not made in the manner or at the time required no further funds shall be approved for pavment by the Secretary of Highways to such municipality until such reports have been made and approved

Nothing in this act shall be construed to permit the funds appropriated by the act to be paid for other than labor rental of equipment payrolls material purchases including repair parts for equipment small tools road drags and snow fence on road highway and bridge work performed by the municipalities under the provisions of this act

Nothing herein contained shall be construed to prevent the use of any of the funds allocated or appropriated under this act for Federal projects sponsored by municipalities and approved by the Department of Highways or for county-aid work relating to the improvement of roads highways and bridges

Section 7 The term "municipal roads and highways" as used in this act shall be construed to mean all roads and highways for the maintenance of which municipalities are by law responsible and shall not include any roads and highways taken over by the Commonwealth as part of the state highway system

On the question,

Will the Senate agree to the report?

Mr. SHAPIRO. Mr. President, this is a companion bill to the bill distributing liquid fuel taxes among townships and cities. This is the city bill. Originally this bill appropriated a total sum to cities for the same purpose as a bill making appropriations to townships. In its original form, it included Philadelphia as one of the cities. As the bill is reported out, or rather, as the Conference Committee report now reads, there is a separate amount of a million and half dollars appropriated to cities of the first class, and the balance of the original amount is designated to the other cities. The object of that is to allow the other cities to take advantage of the fact that Philadelphia, in addition to this money that it will get from this bill No. 268, will also receive the sum of fifty million dollars over a period of five years, under the Lee Bill. There was some objection from the outlying districts, the up-state gentlemen of the Senate, to the fact that Philadelphia, in addition to getting fifty million dollars, is going to get another portion of the amount provided for by this bill. We were told in conference, but not in confidence, that Philadelphia, by receiving this total amount of fifty million dollars, should not participate in the rights of this bill.

I want to make a point of the fact that for many years, at least during the last two years I have been in this Legislature, every side street or alley in any township has been taken over almost, according to the bills which came in here, to make them state highways, and all during that period Philadelphia certainly did not get any money.

I do not think it is fair that Philadelphia, because it is trying to catch up with its share of the fund, should be penalized in this bill.

However, the matter is now before the Governor, or will be before the Governor, and it will be for him to say whether or not in making the appropriation contemplated that Philadelphia should be deprived of its share. I do not want to assume the responsibility nor do I by my vote want to be understood as agreeing to have any monies taken from Philadelphia.

I suggested that the opinion of Council and the Mayor, who really were the ones to answer that question, should be sought, but if this is the way it is to be done, I am satisfied it will give the representatives from Philadelphia an opportunity to present their picture, but in order to keep the record straight and without intending in any way to criticize the conferees because they were sincere and honest in their efforts, I desire to be recorded as voting "no" on this matter.

And the question recurring,

Will the Senate agree to the report?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—44

Barr,	DiSilvestro,	Kephart,	Snowden,
Bartlett,	Ealy,	Lanius,	Stevenson,
Becker,	Edmonds,	Letzler,	Tallman,
Carr,	Farrell,	Mallery,	Taylor,
Chapman,	Frey,	McCreesh,	Thomas,
Coleman,	Geltz,	McGinnis,	Tyler,
Cox,	Haluska,	McQuiddy,	Wade,
Crider,	Heyburn,	Miller,	Walker,
Crowe,	Homsher,	Mundy,	Watkins,
Deitrick,	James,	Ruth,	Wilson, H. I.,
Dent,	Jaspan,	Scarlett,	Woodward,

NAYS—2

Shapiro, Stiefel,

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk inform the House of Representatives accordingly.

RESOLUTION RETURNING TO THE GOVERNOR HOUSE BILL No. 401 WITHOUT AMENDMENT

Mr. GELTZ. Mr. President, I move that the Senate do now concur in resolution returning to the Governor without amendment House Bill No. 401.

Mr. MILLER. Mr. President, I second the motion.

The motion was agreed to.

The Resolution was read as follows:

In the House of Representatives, July 12, 1941.

Resolved (if the Senate concur), That House Bill No. 401, entitled:

An Act to further amend section five hundred eleven of the act approved the ninth day of April, one thousand nine hundred and twenty-nine (P. L. 177), entitled "Administrative Code of 1929," appropriating to the Department of Military Affairs the proceeds of the sale of certain products, to be expended for the Indiantown Gap Military Reservation.

be returned to the Governor without amendment.

On the question,

Will the Senate agree to the resolution?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—47

Barr,	DiSilvestro,	Lanius,	Stevenson,
Bartlett,	Ealy,	Letzler,	Stiefel,
Becker,	Edmonds,	Mallery,	Tallman,
Carr,	Farrell,	McCreesh,	Taylor,
Cavalcante,	Frey,	McGinnis,	Thomas,
Chapman,	Geltz,	McQuiddy,	Tyler,
Coleman,	Haluska,	Miller,	Wade,
Cox,	Heyburn,	Mundy,	Walker,
Crider,	Homsher,	Ruth,	Watkins,
Crowe,	James,	Scarlett,	Wilson, H. I.,
Deitrick,	Jaspan,	Shapiro,	Woodward,
Dent,	Kephart,	Snowden,	

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk inform the House of Representatives accordingly.

PERMISSION TO ADDRESS SENATE

Mr. GELTZ. Mr. President, I ask permission to address the Senate.

The PRESIDENT. The gentleman from Allegheny will proceed.

Mr. GELTZ. Mr. President, there were a series of bills introduced early in the session in the House in connection with soldier voting, on which bills there was no action for some time, and others were introduced in the Senate, one by me, being Senate Bill No. 1090, which seems to have traveled too fast, or for some reason or other got over to the Governor's office without having been acted upon by the House.

The bills originally introduced in the House were moved after the bills were introduced in the Senate, and those bills were passed. The Senate bills, therefore, need not be passed. Senate Bill No. 1090 was the one which traveled too fast and got into the hands of the Governor, and I therefore offer a resolution for the recall from the Governor of Senate Bill No. 1090, Printer's No. 436, for further consideration.

Mr. WOODWARD. Mr. President, I would like to commend the action of sending a bill directly to the Governor without going to the House. I think that was a very good action. I would like to say I have introduced twenty-nine bills in this session and the only bill that got through the House was the bill appropriating two thousand dollars for a caretaker.

RESOLUTION RECALLING SENATE BILL No. 1090 FROM THE GOVERNOR

Mr. GELTZ. Mr. President, I ask unanimous consent to offer a resolution at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. GELTZ offered the following resolution which was twice read, considered and agreed to:

In the Senate, July 12, 1941.

Resolved (if the House concurs), That Senate Bill No. 1090, (House Bill No. 1871), Printer's No. 436, entitled:

"An Act to amend the act, approved the first day of June, one thousand nine hundred thirty-seven (P. L. 1132), entitled 'An act to provide for the permanent personal registration of electors in cities of the second class A as a condition of their right to vote at elections and primaries. and their enrollment as members of political parties as a further condition of their right to vote at primaries; prescribing certain procedure for the conduct of elections and primaries and the challenge and proof of qualifications of electors; and prescribing the powers and duties of citizens, parties, political bodies, registration and other appointees of registration commissions, county election boards, election officers, municipal officers, departments and bureaus, police officers, courts, judges, prothonotaries, sheriffs, county commissioners, peace officers, county treasurers, county controllers, registrars of vital statistics, certain public utility corporations, real estate brokers, rental agents, and boards of school directors; and imposing penalties,' as amended, by requiring and providing for the registration of persons in military service to entitle them to vote at any election."

now in the hands of the Governor, be recalled from the Governor for further consideration.

Ordered, That the Clerk present the same to the house of Representatives for concurrence.

BILLS DROPPED FROM CALENDAR

Mr. GELTZ. Mr. President, I move that Senate Bill No. 1315, on second reading, postponed, entitled:

An Act to reenact and further amend the title and the provisions of the act, approved the twenty-fifth day of May, one thousand eight hundred ninety-seven (P. L. 83), entitled "An act to provide for the maintenance, care and treatment of the indigent insane in county and local institutions," as amended, by reviving said act for a limited period of time and including institution districts within the act, in conformity with existing law.

be dropped from the Calendar.

Mr. SHAPIRO. Mr. President, I second the motion.

The motion was agreed to.

Mr. GELTZ. Mr. President, I move that Senate Bill No. 1316, on second reading, postponed, entitled:

An Act to further amend section three hundred nine of the act, approved the twenty-fourth day of June, one thousand nine hundred thirty-seven (P. L. 2017), entitled "An act creating in each county (except of the first class) as a separate corporation, and in each city of the first and second class as a part of the city government, an institution district for the care and maintenance of certain indigent persons and children; prescribing the powers and duties of county commissioners, county treasurers, city departments of public welfare, the State Department of Welfare and the State Department of Public Assistance in respect thereto; abolishing certain poor districts and terminating the terms of directors, overseers, guardians and managers of the poor and poor district auditors, and providing for the temporary employment of certain of them; providing for the transfer, vesting, sale and disposition of the property of poor districts and the payment of their obligations; imposing certain existing obligations on institution districts and on the Commonwealth; regulating the affairs of poor districts until abolished; revising, amending, changing and consolidating the law relating to the care of the poor; and repealing existing laws," by authorizing county institution districts to adopt a supplemental budget and to borrow money to operate institutions for mental patients heretofore transferred to the Commonwealth.

be dropped from the Calendar.

Mr. SHAPIRO. Mr. President, I second the motion.

The motion was agreed to.

Mr. GELTZ. Mr. President, I move that Senate Bill No. 1234, (House Bill No. 1530), on second reading, postponed, entitled:

An Act authorizing and directing the Department of Highways to erect and construct a bridge over the Lackawanna River between a point in or near the Borough of Blakely Lackawanna County and a point in or near the Borough of Olyphant in Lackawanna County and to provide the necessary approaches thereto and making an appropriation.

be dropped from the Calendar.

Mr. SHAPIRO. Mr. President, I second the motion.

The motion was agreed to.

Mr. GELTZ. Mr. President, I move that Senate Bill No. 1317, on second reading, postponed, entitled:

An Act to reenact and further amend the title and section one of the act, approved the twenty-fifth day of April, one thousand nine hundred twenty-nine (P. L. 707), entitled "An act fixing the liability of the counties, poor districts, and the Commonwealth for the support of the indigent and partly indigent insane in State institutions," by reviving the provisions of said act for a limited period of time; further fixing the liability of counties, institution districts and the Commonwealth; and conforming the title and the act to existing law.

be dropped from the Calendar.

Mr. SHAPIRO. Mr. President, I second the motion.

The motion was agreed to.

Mr. GELTZ. Mr. President, I move that Senate Bill No. 1325, on second reading, postponed, entitled:

An Act making an appropriation to the Department of Welfare to pay for the care, treatment, removal, and maintenance of the indigent insane in county and institution district hospitals.

be dropped from the Calendar.

Mr. SHAPIRO. Mr. President, I second the motion.

The motion was agreed to.

Mr. GELTZ. Mr. President, I move that Senate Bill No. 1200, (House Bill No. 1425), on second reading, postponed, entitled:

An Act authorizing the appointment of a commission to make a thorough study of the laws relating to crime and criminal procedure in this Commonwealth; conferring upon the commission full power to issue subpoenas; requiring the commission to make a report of its findings and recommendations to the General Assembly; and authorizing the commission to employ counsel and employes; and making an appropriation.

be dropped from the Calendar.

Mr. SHAPIRO. Mr. President, I second the motion.

The motion was agreed to.

Mr. GELTZ. Mr. President, I move that Senate Bill No. 1344, (House Bill No. 1955), on second reading, postponed, entitled:

An Act to amend section two hundred and fifty-four of the act approved the second day of May one thousand nine hundred and twenty-five (P. L. 448), entitled "An act relating to fish and amending consolidating and changing the law relating to fish in the inland waters and the boundary lakes and boundary rivers of the Commonwealth" limiting the right of certain lessees or holders of certain rights in property for fishing purposes to exclude the general public from fishing from such property.

be dropped from the Calendar.

Mr. SHAPIRO. Mr. President, I second the motion.

The motion was agreed to.

Mr. GELTZ. Mr. President, I move that Senate Bill No. 385, (House Bill No. 561), on second reading, postponed, entitled:

An Act to amend section six hundred and eight of the act approved the fifteenth day of May, one thousand nine hundred and thirty-three (P. L. 624), entitled "An act relating to the business of banking, and to the exercise of fiduciary powers by corporations; providing for the organization of corporations with fiduciary powers, and of banking corporations, with or without fiduciary powers, including the conversion of National banks into State banks, and for the licensing of private bankers; defining the rights, powers, duties, liabilities, and immunities of such corporations, of existent corporations authorized to engage in a banking business, with or without fiduciary powers, of private bankers, and of the officers, directors, trustees, shareholders, attorneys, and other employes of all such corporations or private bankers, or of affiliated corporations, associations, or persons; restricting the exercise of banking powers by any other corporation, association, or person, and of fiduciary powers by any other corporation; conferring powers and imposing duties upon the courts, prothonotaries, recorders of deeds, and certain State departments, commissions, and officers; imposing penalties; and repealing certain acts and parts of acts," by making further provisions concerning the voting shares held by incorporated institutions.

be dropped from the Calendar.

Mr. SHAPIRO. Mr. President, I second the motion.

The motion was agreed to.

Mr. GELTZ. Mr. President, I move that Senate Bill No. 765, (House Bill No. 1071), on second reading, postponed, entitled:

An Act to further amend section sixteen of the act ap-

proved the thirty-first day of May one thousand nine hundred and eleven (P. L. 468) entitled "An act providing for the establishment of a State Highway Department by the appointment of a State Highway Commissioner two Deputy State Highway Commissioners chief engineer chief draughtsman superintendents of highways and a staff of assistants and employes defining their duties and the jurisdiction of the State Highway Department and fixing salaries of commissioner and deputies and other appointees providing for taking over from the counties or townships of the Commonwealth certain existing public roads connecting county-seats principal cities and towns and extending to the State line describing and defining same by route numbers as the State highways of the Commonwealth providing for the improvement maintenance and repair of said State highways solely at the expense of the Commonwealth and relieving the several townships or counties from any other obligation and expense to improve or maintain the same and relieving said townships or counties of authority over same requiring boroughs and incorporated towns to maintain certain State highways wholly and in part requiring the State Highway Commissioner to make maps to be complete records thereof conferring authority on the State Highway Commissioner providing for the payment of damages in taking of property or otherwise in the improvement thereof providing for purchase or acquiring of turnpikes or toll-roads forming all or part of any State highway and procedure therein providing for work of improvement of State highways to be done by contract except where the State Highway Commissioner decides the work be done by the State providing aid by the State to counties and townships desiring the same in the improvement of township or county roads defining highways and State-aid highways providing method of application for State aid in the improvement maintenance and repair of township or county roads and prescribing the contents of township county borough or incorporated town petitions providing for percentage of cost of improvement or repairs to be paid by State county township borough or incorporated town and requiring contracts by counties townships boroughs and incorporated towns with Commonwealth governing same providing for the minimum width of State highways and State-aid highways and kind of materials to be used in the improvement providing for payment of cost of improvement and repairs providing penalty for injuring or destroying State highways making appropriations to carry out the provisions of the act and providing for the repeal of certain acts relating to Highway Department and improvement of roads and of all acts or parts of acts inconsistent herewith and providing that existing contracts are not affected by provisions of this act" providing for the payment of costs by the Commonwealth in certain cases

be dropped from the Calendar.

Mr. SHAPIRO. Mr. President, I second the motion.

The motion was agreed to.

Mr. GELTZ. Mr. President, I move that Senate Bill No. 836, (House Bill No. 1438), on second reading, postponed, entitled:

An Act to provide that bonds and other obligations issued by any public housing authority or agency in the United States shall be security for all public deposits and negotiable, and legal investments for the State and public officers, municipal corporations; political subdivisions, and public bodies, all banks, bankers, trust companies, savings banks and institutions, building and loan associations, savings and loan associations, investment companies and other persons carrying on a banking business, all insurance companies, insurance associations and other persons carrying on an insurance business, and all executors, administrators, guardians, trustees and other fiduciaries.

be dropped from the Calendar.

Mr. SHAPIRO. Mr. President, I second the motion.

The motion was agreed to.

Mr. GELTZ. Mr. President, I move that Senate Bill No. 837, (House Bill No. 1439), on second reading, postponed, entitled:

An Act to declare valid and legal the establishment and organization of housing authorities, all bonds, notes, contracts, agreements, obligations and undertakings of such housing authorities and all proceedings, acts and things heretofore undertaken, performed with reference thereto

be dropped from the Calendar.

Mr. SHAPIRO. Mr. President, I second the motion.

The motion was agreed to.

Mr. GELTZ. Mr. President, I move that Senate Bill No. 903, (House Bill No. 1295), on second reading, postponed, entitled:

An Act to amend section four thousand four hundred two of the act approved the twenty-third day of June one thousand nine hundred and thirty-one (P. L. 932), entitled "An act relating to cities of the third class and amending revising and consolidating the law relating thereto," providing for additional members of certain civil service boards.

be dropped from the Calendar.

Mr. SHAPIRO. Mr. President, I second the motion.

The motion was agreed to.

Mr. GELTZ. Mr. President, I move that Senate Bill No. 1061, (House Bill No. 811), on second reading, postponed, entitled:

An Act to further amend section three of the act, approved the nineteenth day of February, one thousand nine hundred and twenty-six (P. L. 16), entitled, as amended, "An act regulating, under permit, through the Pennsylvania Liquor Control Board, the manufacture, production, distillation, development, use in manufacture, denaturization, redistillation, rectification, blending, recovery, reuse, holding in bond, holding in storage by bailees for hire, and transportation for hire, of any alcohol, alcoholic liquid or alcoholic beverage, by certain persons; requiring the registration of Federal permits; also providing for fees and the disposition thereof, and for appeals to the courts; also authorizing the inspection of the records of permittees and purchasers of said alcolohl, alcoholic liquid, and alcoholic beverages; also declaring certain places nuisances and providing for their abatement; also providing penalties; and also repealing all acts or parts of acts inconsistent with this act," further providing for the rights of manufacturers of wine.

be dropped from the Calendar.

Mr. SHAPIRO. Mr. President, I second the motion.

The motion was agreed to.

NOMINATIONS BY THE GOVERNOR

NOTARIES PUBLIC

The Secretary to the Governor being introduced, presented in writing from His Excellency, the Governor of the Commonwealth, nominations for appointment as Notaries Public.

CONSIDERATION OF NOTARIES PUBLIC

Mr. JAMES. Mr. President, I move that the Senate do now proceed to the consideration of nominations for appointment as Notaries Public, sent to the Senate, July 12,

1941, by His Excellency, the Governor of the Commonwealth.

Mr. EALY. Mr. President, I second the motion.

The motion was agreed to.

The nominations were read as follows:

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, July 12, 1941.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate John F. Sload, 245 Walnut Street, Columbia, Lancaster County, for appointment as a Notary Public in the Borough of Columbia, Lancaster County, for a term of four years, to compute from the date of confirmation.

ARTHUR H. JAMES.

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, July 12, 1941.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following persons for appointment as Notaries Public, for terms of four years to compute from the date of confirmation:

Mrs. Evelyn M. Crissinger, Dauphin, Upper Paxton Twp., Millersburg.

Miss Gwendolyn Ross, Westmoreland, Latrobe.

ARTHUR H. JAMES.

NOMINATIONS FOR NOTARIES PUBLIC

A motion was made by Mr. JAMES and Mr. EALY,

That the Senate do advise and consent to said nominations.

On the question,

Will the Senate agree to the motion?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—47

Barr,	Ealy,	Letzler,	Stiefel,
Bartlett,	Edmonds,	Mallery,	Tallman,
Becker,	Farrell,	McCreesh,	Taylor,
Carr,	Frey,	McGinnis,	Thomas,
Chapman,	Geltz,	McQuiddy,	Tyler,
Coleman,	Haluska,	Miller,	Wade,
Cox,	Heyburn,	Mundy,	Walker,
Crider,	Homsher,	Ruth,	Watkins,
Crowe,	James,	Scarlett,	Wilson, H. I.,
Deitrick,	Jaspan,	Shapiro,	Wilson, T. B.,
Dent	Kephart,	Snowden,	Woodward,
DiSilvestro,	Lanius,	Stevenson,	

NAYS—0

Two-thirds of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Governor be informed accordingly.

BILLS SIGNED

The PRESIDENT (Lieutenant-Governor Samuel S. Lewis) announced that the Chief Clerk having reported that the following bills had passed both houses of the General Assembly and the same being correct, the titles were publicly read as follows:

Senate Bill No. 618, entitled:

An Act to further amend section two of the act, approved the third day of May, one thousand nine hundred thirty-three (P. L. 252), entitled, as amended "An act to regulate and restrain the traffic in malt and brewed beverages, as herein defined; providing for the licensing of the manufacture, transportation, sale and distribution of such beverages; imposing license and permit fees, and providing for collection and distribution thereof; restricting ownership and interest in licensed places; permitting municipalities and townships, by vote of the electors, to prevent the licensing therein of places where such beverages may be sold for consumption on the premises, and regulating elections for this purpose; imposing duties upon the Pennsylvania Liquor Control Board, quarter sessions courts, district attorneys, the Department of Justice, proper authorities of political subdivisions of the State, and election officers; providing penalties;" and repealing existing acts, by permitting clubs to waive or reduce or pay dues payable by members in military service.

Senate Bill No. 1308, entitled:

An Act to further amend the first paragraph of section three of the act, approved the twenty-second day of May, one thousand nine hundred thirty-three (P. L. 912), entitled "An act to protect the public health; defining and providing for the licensing of bakeries, and regulating the inspection, maintenance, and operation of bakeries and premises, stores and shops connected therewith; defining and regulating the manufacture, sale, and offering for sale of bakery products; conferring powers on the Department of Agriculture; and providing penalties," by extending the exception from registration and licensing requirements.

House Bill No. 11, entitled:

An Act to create a uniform and exclusive system for the administration of parole in this Commonwealth; establishing the "Pennsylvania Board of Parole"; conferring and defining its jurisdiction, duties, powers and functions, including the supervision of persons placed upon probation in certain designated cases; providing for the method of appointment of its members; regulating the appointment, removal and discharge of its officers, clerks and employees; dividing the Commonwealth into administrative districts for purposes of parole; fixing the salaries of members of the board and of certain other officers and employees thereof; making violations of certain provisions of this act misdemeanors; providing penalties therefor and for other cognate purposes; and making an appropriation.

House Bill No. 53, entitled:

An Act providing for the acquisition of the Admiral Peary Memorial Park, and for its management and development by the Pennsylvania Historical Commission; and making an appropriation.

House Bill No. 70, entitled:

An Act to amend section seven hundred three of the act, approved the twenty-fourth day of June, one thousand nine hundred and thirty-one (P. L. 1206), entitled "First Class Township Law," by providing for the compensation paid to township commissioners.

House Bill No. 215, entitled:

An Act to further amend sections one and four of the act approved the sixteenth day of May one thousand nine hundred and nineteen (P. L. 180) entitled "An act providing a method of establishing title to land acquired at a sale for unpaid taxes or municipal claims" extending the provisions of said act to include land acquired at city treasurer's sales for unpaid taxes

House Bill No. 248, entitled:

An Act authorizing taxpayers in cities of the second class A to inspect the books and records of such cities at any reasonable time

House Bill No. 355, entitled:

An Act to provide for the change of object of the corporate existence of beneficial and relief associations as herein defined; and authorizing and providing a mode for the dissolution and surrender of the charter of such associations.

House Bill No. 413, entitled:

An Act prohibiting the employment by the Commonwealth or any political subdivision thereof of persons whose philosophy proposes the change of the government of the United States by means not provided for in the Constitution of the United States declaring inoperative any contract or civil service law or regulation providing for tenure in employment and repealing inconsistent acts

House Bill No. 472, entitled:

An Act making an appropriation to the Department of Health for use in research work dealing with human nutrition for children.

House Bill No. 522, entitled:

An Act making an appropriation to the Department of Agriculture to advance the tobacco interests of this Commonwealth.

House Bill No. 551, entitled:

A Supplement to the act, approved the twenty-seventh day of June, one thousand nine hundred thirty-nine (Appropriation Acts, page 60), entitled, "An act to provide for the ordinary expenses of the Executive, Legislative, and Judicial Departments of the Commonwealth, interest on the public debt, and the support of the Public schools for two years beginning June first, one thousand nine hundred and thirty-nine; and for the payment of bills incurred and remaining unpaid at the close of the fiscal year ending May thirty-first, one thousand nine hundred and thirty-nine," providing for a deficiency in the appropriation to the Department of Property and Supplies for the fiscal biennium ending May thirty-first, one thousand nine hundred forty-one; providing for payment out of revenues of the fiscal biennial period beginning June first, one thousand nine hundred forty-one; and preventing lapsing.

House Bill No. 553, entitled:

An Act to amend section twenty-two of the act approved the seventh day of June, one thousand nine hundred and seventeen (P. L. 403), entitled "Wills Act of 1917," by providing for forfeiture of the right to take property under the will of a murdered testator.

House Bill No. 554, entitled:

An Act to amend section twenty-three of the act approved the seventh day of June, one thousand nine hundred and seventeen (P. L. 429), entitled "Intestate Act of 1917," by providing for forfeiture of the right to inherit or to take property of a murdered intestate under the said act.

House Bill No. 571, entitled:

An Act making an appropriation to the Department of Public Assistance, and providing for certain allocations therefrom for the purpose of carrying out the Public Assistance Law for the two fiscal years beginning June first, one thousand nine hundred forty-one, and for the payment of assistance and expenses accrued or incurred prior to, and remaining unpaid on, May thirty-first, one thousand nine hundred forty-one.

House Bill No. 579, entitled:

An Act relating to acknowledgments of written instruments and to make uniform the law with relation thereto.

House Bill No. 629, entitled:

An Act to add section three and one-tenth to the act, approved the twentieth day of June, one thousand nine hundred and one (P. L. 582), entitled "An act to provide for the registration of labels, trade-marks, trade-names, stamps, designs, devices, shopmarks, terms, brands, designations, descriptions, or forms of advertisement, and protect and secure the rights, property and interest therein of the persons, copartnerships or corporations adopting and filing the same, and providing penalties for the violation of the act," providing for the cancellation of the registration of labels, trade-marks, trade-names, devices, shopmarks, designations and forms of advertisement, in certain cases.

House Bill No. 647, entitled:

An Act relating to the bonds to be given by county officers their deputies clerks and assistants in counties of the second class the amount and conditions thereof, the sureties for such bonds, the payment of the premiums, therefor, and the recording and custody thereof.

House Bill No. 652, entitled:

An Act authorizing any county, city, borough, town, township, poor district, school district or institution district to execute a special warranty deed for any real property which it has acquired at any sale for the nonpayment of taxes or municipal claims.

House Bill No. 653, entitled:

An Act to add clause eighteen A to section three of article nineteen of the act, approved the seventh day of March, one thousand nine hundred one (P. L. 20), entitled "Second Class City Law," authorizing cities of the second class to impose and collect charges for the care and treatment at municipal hospitals of persons who are financially able to pay the expenses of such care and treatment.

House Bill No. 656, entitled:

An Act to amend the third paragraph of article seven of the act approved the seventh day of March, one thousand nine hundred and one (P. L. 20), entitled "Second Class City Law," permitting the city treasurer to collect delinquent taxes under the act approved the thirtieth day of March, one thousand nine hundred and three (P. L. 106).

House Bill No. 657, entitled:

An Act to amend sections one, two, three and four of the act, approved the twenty-first day of May, one thousand nine hundred thirty-seven (P. L. 787), entitled "An act authorizing the compromise or reduction of tax claims on real property purchased by any county, city, borough, town, school district or poor district at any sale for the nonpayment of taxes; and the reconveyance or private sale of such property," extending the provisions of said act to properties purchased by said political subdivisions at sales for municipal claims, and to the payment of such claims from the proceeds of such compromises or sales, and changing the time when such compromises may be made.

House Bill No. 687, entitled:

An Act to further amend the title and section one of the act approved the third day of May, one thousand nine hundred and nine (P. L. 424), entitled "An act providing that in all counties having more than five hundred thousand inhabitants, advertisements and notices, required by law or rules of court to be published in newspapers of general circulation, unless dispensed with by special order of court, shall be published in the legal newspaper, issued at least weekly, of the proper county, designated by rules of court for the publication of court or other legal notices,"

as amended, extending the provisions of the said act to counties of the sixth class

House Bill No. 692, entitled:

An Act to amend clauses (k) and (l), and to add clause (n) to section two thousand four hundred two of the act, approved the ninth day of April, one thousand nine hundred and twenty-nine (P. L. 177), entitled "Administrative Code of 1929," authorizing the leasing of Indiantown Gap Military Reservation to the United States.

House Bill No. 724, entitled:

An Act to further amend section 363 of the act approved May second, one thousand nine hundred twenty-nine (P. L. 1278), entitled "General County Law," and further regulating the form and contents of county auditors' reports.

House Bill No. 736, entitled:

An Act to further amend section two thousand five hundred and sixty-three of the act, approved the twenty-third day of June, one thousand nine hundred, and thirty-one (P. L. 932), entitled "Third Class City Law," changing the penalties and interest imposed for the nonpayment of taxes.

House Bill No. 750, entitled:

An Act authorizing the Department of Property and Supplies, with the approval of the Governor, to convey to the county commissioners of Somerset County certain real property located in said county and heretofore acquired by the Commonwealth for development as an airport.

House Bill No. 846, entitled:

An Act to amend an act approved the eighteenth day of May, one thousand nine hundred eleven (P. L. 309), entitled "Public School Code" as amended, by requiring school boards in all school districts to grant leaves of absence to all school employes who shall volunteer or be called for military naval or similar service under the Selective Service Law of 1940 or subsequent laws of the United States of America and to all school employes in the National Guard, land or naval reserve forces who shall be called for active duty; preserving certain contracts, salaries, increments, retirement rights, seniority, State contributions and grants to local school boards, eligibility lists, re-employment; requiring school boards to employ substitutes in place of such employes; reserving all rights and privileges of employes granted leaves of absence under the provisions herein; superseding or repealing all contrary laws.

House Bill No. 848, entitled:

An Act to further amend paragraph nineteen of section one thousand two hundred ten of the act, approved the eighteenth day of May, one thousand nine hundred eleven (P. L. 309), entitled "Public School Code," providing for the continuation of payments for closed schools to districts which by reason of any increase in population have been changed from a fourth class district to one of another class.

House Bill No. 861, entitled:

An Act to further amend the act, approved the fourth day of May, one thousand nine hundred and twenty-seven P. L. 519), entitled, "General Borough Act," by further regulating the affairs of boroughs and revising, amending and changing the law relating thereto.

House Bill No. 892, entitled:

An Act authorizing a commission to study recreational facilities available in first class cities imposing powers and duties on said commission and making an appropriation

House Bill No. 895, entitled:

An Act to authorize cities, boroughs, incorporated towns, townships, school districts, poor districts and county institution districts, to file tax and municipal claims, not filed within the time specified by law and to file suggestions of nonpayment and averments of default, or to sue out writs of scire facias on certain tax or municipal claims, and to revive judgments where the lien of such claims or the judgments thereon have been lost; and providing for the reinstatement of the liens of such claims and judgments.

House Bill No. 896, entitled:

An Act authorizing and requiring county commissioners to sell seated and unseated lands purchased at tax sales, upon which the period of redemption has expired; and validating certain sales heretofore made.

House Bill No. 971, entitled:

An Act to further amend sections fifteen and fifteen and three-tenths, and to repeal sections fifteen and one-tenth and fifteen and two-tenths, of the act approved the sixteenth day of May, one thousand nine hundred and twenty-three (P. L. 207), entitled "Municipal Claim and Tax Lien Law," as amended, by providing for the renewal, extension and continuation of liens for taxes and water, lighting, power and sewer rates, until such taxes and rates are fully paid and satisfied; and authorizing the filing and revival of liens heretofore lost, and in certain cases, reviving, validating, preserving and extending liens.

House Bill No. 974, entitled:

An Act to amend article twelve, section one thousand two hundred six, of the act approved the ninth day of April, one thousand nine hundred and twenty-nine (P. L. 177), entitled "Administrative Code of 1929," by providing for the issuance of a certificate of approval for weights and measures of county, city and borough sealers.

House Bill No. 1014, entitled:

An Act to further amend clause eight of section one thousand two hundred and ten of the act, approved the eighteenth day of May, one thousand nine hundred and eleven (P. L. 309), entitled "Public School Code," by changing the minimum salary of county superintendents.

House Bill No. 1035, entitled:

An Act to further amend clause ten of section one of the act approved the twenty-seventh day of June, one thousand nine hundred and twenty-three (P. L. 858), entitled "State Employes Retirement Law," further defining "new member."

House Bill No. 1121, entitled:

A further Supplement to the act approved the first day of April one thousand eight hundred and sixty-three (P. L. 213) entitled "An act to accept the grant of Public Lands by the United States to the several states for the endowment of Agricultural Colleges" making an appropriation for carrying the same into effect.

House Bill No. 1127, entitled:

An Act defining, regulating and providing for the licensing and registration of employment agents and their representatives, including private employment agents, theatrical employment agencies and nurses' registries; providing for revocation and suspension of licenses and registrations, subject to appeal, and for their reinstatement; defining the powers and duties of the Department of Labor and Industry and the Department of Public Instruction; providing penalties; and repealing existing laws.

House Bill No. 1129, entitled:

An Act to further amend subsection (a) of section six of the act, approved the seventh day of June, one thousand nine hundred seventeen (P. L. 447), entitled as amended "Fiduciaries Act of 1917," eliminating requirements for advertising and for appointment of masters where value of estates of presumed decedents is not in excess of five hundred dollars.

House Bill No. 1130, entitled:

An Act making an appropriation to the Department of Commerce, towards expenses of the National Encampment in Philadelphia.

House Bill No. 1156, entitled:

An Act to add section one thousand six hundred and seven and one-tenth to article sixteen of the act, approved the eighteenth day of May one thousand nine hundred and eleven (P. L. 309), entitled "Public School Code," requiring teaching in the public schools of principles of democratic government and patriotism and imposing certain duties on the Superintendent of Public Instruction.

House Bill No. 1194, entitled:

An Act to amend sections two and three of the act approved the eleventh day of May one thousand nine hundred and eleven (P. L. 275) entitled "An act to provide for the appointment of county and city inspectors of weights and measures providing for their compensation and expenses prescribing their duties prohibiting vendors from giving false or insufficient weights and fixing the penalties for the violation of the provisions hereof" as amended by providing for the issuance of certificates of approval for weights and measures of county city and borough sealers

House Bill No. 1197, entitled:

An Act to amend Sections 201, 202, 204, 205, 211 and 805 of the act, approved the fourth day of May, one thousand nine hundred twenty-seven (P. L. 519), entitled "General Borough Act," changing certain provisions relating to the incorporation of new boroughs, and providing for the incorporation of boroughs from townships of the first class having a population of eight thousand or more, and for the organization of the government therein.

House Bill No. 1253, entitled:

An Act providing a method of annexation of parts of townships now owned by and contiguous to cities of the first class and regulating the proceedings pertaining thereto

House Bill No. 1326, entitled:

An Act to amend sections three and four of the act, approved the thirtieth day of March, one thousand nine hundred three (P. L. 110), entitled "A supplement to an act, entitled 'An act regulating the construction, maintenance, alteration, and inspection of buildings and party walls in cities of the second class,' approved the seventh day of June, Anno Domini one thousand eight hundred and ninety-five; regulating the construction, alteration and ventilation of tenement-houses, and providing for the safety of the inhabitants thereof; and providing penalties for the violation of the same," further regulating the erection, alteration and ventilation of certain tenement houses.

House Bill No. 1327, entitled:

An Act to amend section six and to further amend section eleven of the act, approved the twenty-eighth day of May, one thousand nine hundred and fifteen (P. L. 596), entitled "An act requiring cities of the second class to establish a pension fund for employes of said cities, and regulating the administration and the payment of such pensions," restricting the right of per diem employes to join such pension system, and giving peace time drafted employes credit for the time spent in the services of the United States.

House Bill No. 1328, entitled:

An Act to reenact and amend the title and the act, approved the twenty-ninth day of April, one thousand nine hundred thirty-seven (P. L. 526), entitled "An act providing for and regulating joint purchases by counties (other than counties of the first and second classes), cities of the third class, boroughs, towns, townships, school districts, and poor districts," by including second class counties within the provisions of the act.

House Bill No. 1336, entitled:

An Act authorizinfig and directing the Department of Property and Supplies to reprint the Report of the Commission to Locate the Sites of the Frontier Forts of Pennsylvania; and providing for the distribution thereof.

House Bill No. 1365, entitled:

An Act to amend the act approved the first day of May, one thousand nine hundred and twenty-nine, (P. L. 905), entitled "Vehicle Code" as variously amended; amplifying and changing provisions of said act relating to lighting and signal devices; redefining the term dealer; further regulating dealers in junked vehicles, permits for oversize and overweight vehicles, use of school buses, registration plates and cards, maximum size of vehicles, and medical examinations by physicians; providing for payment of certain fees by counties; limiting and providing new exemptions from the various provisions of said act; giving additional authority to peace officers and department employes in the matter of investigations; further regulating prosecutions; giving certain powers to cities for the regulation of traffic and the establishment of traffic courts, fixing additional fees, changing and imposing new penalties, and giving the secretary additional powers and duties.

House Bill No. 1390, entitled:

An Act making an appropriation to the Treasury Department out of various funds to pay replacement checks issued in lieu of outstanding checks when presented.

House Bill No. 1398, entitled:

An Act to amend the act, approved the fifth day of May, one thousand nine hundred thirty-three (P. L. 289) entitled "Non-profit Corporation Law," as amended, by changing certain provisions of the act relating to corporate names, by requiring certain certificates of the payment of taxes and other charges to be filed with the Department of State in certain cases, by making certain changes in the scope of the act and by making certain provisions relating to the filing of notices of changes of registered offices.

House Bill No. 1400, entitled:

An Act to amend the act, approved the fifth day of May, one thousand nine hundred thirty-three (P. L. 364), entitled "Business Corporation Law," as amended, by changing certain provisions of the act relating to corporate names and requirig certificates of the payment of taxes and other charges to be filed with the Department of State in certain cases.

House Bill No. 1417, entitled:

An Act making an appropriation to The General State Authority to defray the costs and expenses of the said Authority in connection with the organization administration, and operation thereof.

House Bill No. 1419, entitled:

An Act making an appropriation to the Department of Welfare, for the maintenance of certain hospitals.

House Bill No. 1420, entitled:

An Act to amend the act, approved the seventeenth day of June, one thousand nine hundred and thirteen (P. L. 507), entitled "Intangible Personal Property Tax Law" as amended, by imposing the tax upon personal property held and managed in this Commonwealth, owned, held or possessed by residents as trustees, agents, or attorneys-in-fact jointly with one or more trustees, agents, or attorneys-in-fact domiciled in another state, and by imposing the tax upon equitable interests of residents in personal property held and managed in another state, where the legal title to such personal property is held by more than one trustee, agent or attorney-in-fact, one or more of whom are domiciled in another state and one or more of who mare domiciled within this Commonwealth.

House Bill No. 1435, entitled:

An Act to authorize housing authorities to undertake the development or administration of projects to provide safe and sanitary dwellings for persons engaged in national defense activities who would not otherwise be able to secure such dwellings within the vicinity thereof; to limit the initiation of the development of such projects until December 31, 1943; to authorize housing authorities to cooperate with or act as agent of the Federal Government in the development and administration of such projects of the Federal Government, to acquire or lease such projects and to sell or lease certain projects to the Federal Government; to authorize public bodies to assist such projects of housing authorities and of the Federal Government; and to declare valid all bonds, notes and obligations of housing authorities issued for projects heretofore undertaken to provide safe and sanitary dwellings for persons engaged in national defense activities.

House Bill No. 1487, entitled:

An Act providing for the construction and maintenance by the Department of Forests and Waters with the advice of the Bushy Run Battlefield Commission, of a Bushy Run Museum Building on land owned by the Commonwealth in Westmoreland County; and making an appropriation.

House Bill No. 1511, entitled:

An Act making an apropriation for the expenses of the Committee of the House of Representatives created by House Resolution Serial Number thirty-five, adopted the twenty-fourth day of February, one thousand nine hundred and forty-one.

House Bill No. 1513, entitled:

An Act to further amend section three of the act approved the twenty-second day of June, one thousand nine hundred thirty-five (P. L. 414), entitled, as amended "State Personal Property Tax Act," by exempting assets held by liquidating trustees.

House Bill No. 1570, entitled:

An Act authorizing the Department of Property and Supplies to have a certain number of copies printed of the Report of the Joint State Government Commission on the Organization and Administration of Pennsylvania's State Government providing for the distribution and sale of such copies imposing new duties on the Joint State Government Commission and making an appropriation

House Bill No. 1658, entitled:

An Act to further amend the first paragraph of section one of article fifteen of the act, approved the seventh day of March, one thousand nine hundred and one (P. L. 20), entitled "Second Class City Law," by further regulating the manner of letting contracts relating to city affairs.

House Bill No. 1662, entitled:

An Act to amend the title and further amend section one of the act, approved the twenty-second day of June, one thousand nine hundred and thirty-one (P. L. 844), entitled "An act authorizing the Commonwealth of Pennsylvania, or any department or division thereof, and counties, cities, boroughs, incorporated towns, townships, school districts and poor districts to make contracts of life, health, and accident policies for the benefit of employes thereof, and contracts for pensions for such employes; and providing for the payment of the cost thereof," authorizing the making of contracts for hospitalization; and extending the provisions of the act to vocational school districts and institution districts.

House Bill No. 1678, entitled:

An Act to further amend section one thousand one hundred thirty-three of the act, approved the eighteenth day of May, one thousand nine hundred and eleven (P. L. 309). entitled "Public School Code," by removing certain limitations of the appointment of district superintendents.

House Bill No. 1770, entitled:

An Act to amend the title and to further amend section forty-three of the act, approved the seventh day of June, one thousand nine hundred and one (P. L. 493), entitled "An act providing for the examination, licensure, and registration of persons, firms, or corporations engaged or engaging in the business or work of plumbing or house drainage, and prescribing certain rules, regulations, and requirements for the construction of plumbing, house drainage, and cesspools in cities of the second class; and imposing fines, penalties, and forfeitures for violation thereof," by permitting the use of enclosed woodwork about sinks in all except tenement-houses and lodging houses in cities of the second class, second class A, and third class.

House Bill No. 1831, entitled:

An Act to further amend section twenty-one of the act, approved the seventh day of June, one thousand nine hundred fifteen (P. L. 900), entitled "Vital Statistics Law," by directing the Department of Health to maintain branch offices in counties of the second class for the filing of death certificates; authorizing such offices to issue certified copies of death certicates and make searches of their files; imposing additional duties upon local registrars in such counties; and prescribing fees.

House Bill No. 1832, entitled:

An Act making an emergency appropriation to the Department of Highways for allocation to and distribution among boroughs and townships for the repair of certain roads and streets in Western Pennslvania.

House Bill No. 1835, entitled:

An Act creating a Highway Traffic Advisory Committee to the War Department of the United States of America; providing for its appointment; prescribing its powers and duties; and authorizing the use by the committee of the employes, equipment, supplies and facilities of certain State agencies.

House Bill No. 1878, entitled:

An Act to further amend the act approved the

eighteenth day of May, one thousand nine hundred and eleven (P. L. 309), entitled "Public School Code" as amended, by providing for the appointment of a deputy school treasurer, a deputy school controller and clerks to the school controller.

House Bill No. 1895, entitled:

An Act to amend section five of the act, approved the fourth day of April, one thousand nine hundred twenty-nine (P. L. 144), entitled "Farm Products Standards Laws," by including certificates of the United States Department of Agriculture as evidence of grade and classification.

House Bill No. 1935, entitled:

An Act to further amend clause six of section one and section three of the act, approved the twenty-seventh day of June, one thousand nine hundred and twenty-three (P. L. 858), entitled "State Employes Retirement Law," by further defining "State employe" so as to include certain employes of the Board of Fish Commissioners and the Pennsylvania Game Commission; providing that such employes shall have the option of joining the State Employes Retirement Association; and permitting their membership in such association to be retroactive upon the making of certain back payments by them and by the Board of Fish Commissioners and the Pennsylvania Game Commission.

Whereupon,

The PRESIDENT (Lieutenant-Governor Samuel S. Lewis) in the presence of the Senate signed the same.

PERMISSION TO ADDRESS SENATE

Mr. COLEMAN. Mr. President, I ask permission to address the Senate.

The PRESIDENT. The gentleman from Lackawanna may proceed.

Mr. COLEMAN. Mr. President, when I came into the Senate Chamber today I saw something which I think may have escaped the attention of the members of the Senate, which I believe carries a very significant message.

Upon entering the Senate Chamber my attention was called to the fluttering of wings near the ceiling of the Senate Chamber, and as I looked skyward, I saw two beautiful white pigeons flying around the Senate Chamber.

Now, Mr. President, doves have always been symbolic of peace and harmony and I am hopeful that this incident that I witnessed today is a prophetic sign.

PERMISSION TO ADDRESS SENATE

Mr. WALKER. Mr. President, I ask permission to address the Senate.

The PRESIDENT. The gentleman from Allegheny may proceed.

Mr. WALKER. Mr. President, for some time I have been very deeply interested in the discussions on the floor in connection with congressional reapportionment, and at various times I have read in the newspapers about members of this body who were making positive statements that they would not vote for adjournment sine die unless there had been some agreement reached on congressional reapportionment.

Now, Mr. President, we have been told on this floor repeatedly about our responsibility to properly reapportion the state for congressional elections, and we at the same time have been warned repeatedly on this floor of the dangers that might arise if we permitted this Legislature to adjourn without some kind of a reapportionment bill. The multiplicity of impossible situations that we would get into if we elected these congressmen at large has been repeatedly told, not only in the cloak rooms and through the newspapers but on the Senate floor, so that all the people throughout the state realize how impossible the situation would become if this conference committee on congressional reapportionment does not reach some conclusion.

In both political parties we have men in the House of Representatives in Congress, who have spent years and years acquiring experience and knowledge of federal plans and federal projects and federal business; they have obtained envious positions on various committees of the House of Representatives in Washington permitting them to more extensively function as public officials.

I think it would be a travesty if those men would lose the positions they have acquired through their years of experience in Washington, men who have throughout their terms studied federal problems, and have them replaced by a Joe Blow who might be lucky enough to acquire one of the first thirty-three places on a congressional ballot that would carry over five hundred names. Not only would we lose the lifetime work that is represented by their positions on these committees, but we, the citizens of Pennsylvania, would lose the opportunity of having at our finger tips their knowledge and their experience, especially at a time, Mr. President, when the federal government is calling upon all of the brains of this great nation to devote themselves to public service.

The maze of situations that have arisen have disturbed each and every member of this Senate, and the sympathetic encouragement of all the members of the Senate has gone out to the conferees of this conference committee, hoping and hoping and rehoping that something would happen to bring about an agreement of this committee.

Now, Mr. President, there have been a lot of stories told back and forth as to what was holding it up. I personally have been deeply interested and wondering why we could not agree on something, and finally came to the personal conclusion, and I want to say to the members of this Senate, that any conclusions that I might state are my own and of course do not bind my party; neither do they bind the Royal Oak party—The trend of population as reflected in the 1940 census indicated very strongly that the City of Philadelphia and the County of Philadelphia had lost in population. Mr. President, one of the most natural objectives in this reapportionment would be to go into the County of Philadelphia and remove one congressman and redivide the County of Philadelphia so that there would be one congressman out of Philadelphia, and leave the rest of the districts alone. That would probably be the most expeditious plan, because that would least disturb the present members of Congress and their districts.

Of course, Mr. President, if you were to take the sixty-seven counties of the state and redivide all of our thirty-three congressional districts, then, Mr. President,

you might have chaos that would not only be dissatisfactory to the major political parties, but would not please the citizens of the Commonwealth.

For a long time, Mr. President, I contemplated voting against adjourning sine die unless and until a congressional reapportionment project had been agreed on. Sometime ago I decided that perhaps the best thing to do would be to actively and physically prevent a sine die adjournment. At this present moment, Mr. President, I have the floor of this Senate and I have here on my desk two volumes by Carl Sandburg on the Life of Abraham Lincoln. These two volumes, Mr. President, run over one thousand pages, and I contemplated standing up here and quoting, starting at page one, volume one and reading these two volumes slowly and carefully and with gestures, so that about Labor Day perhaps, these conferees, who would still be out conferring, would come to some kind of an agreement. I talked to various political leaders to see whether or not there could be some method of agreement, and I asked various members of the conference committee why it was they did not take one from Philadelphia, take him out and leave the rest of the districts alone, reshuffle the congressional districts in Philadelphia, and I was advised that the only reason that seemed to be apparent why they could not do that was because the political leaders in Philadelphia, Mr. President—and I say political leaders without designating either party, because I think this is a bi-partisan proposition—the political leaders of Philadelphia were absolutely opposed to losing one of their congressmen; they did not care where Pennsylvania lost a congressman, as long as he was not from Philadelphia County.

Mr. President, when the Wade bill was first introduced in the Senate, it provided for the elimination of one congressman from Allegheny County. When that bill passed the Senate, my distinguished colleague, the gentleman from Allegheny Senator Geltz and I both voted against the bill. It has become apparent—as we speed closer to adjournment, and it has been indicated by our Floor Leader that within a few moments we will speed through three days in three minutes—it has become very apparent that the conferees, in spite of their valiant and patriotic work, have been unable to get the political leaders of both political parties to agree on something. So, Mr. President, I would like to suggest that I am very reluctant to start reading these two volumes by Carl Sandburg of the Life of Abraham Lincoln, to give this Senate some idea about how Abraham Lincoln felt upon congressional reapportionment, and I would like to suggest to the distinguished gentleman on this conference committee that they go back into a huddle and take one congressman from the great State of Allegheny and then leave the rest of the districts as they are, because I feel that back in Allegheny County, although we gained in population and although we are entitled to the five congressmen we now have, that rather than see Pennsylvania plunged into chaos we would rather have the burden on the Congressmen in Allegheny County made just a little heavier, and we are perfectly willing—and I speak for myself when I use the Lindbergh "we"—that Allegheny County have only four congressmen, and give Philadelphia one more than it deserves, rather than have political re-apportionment chaos in this great Commonwealth.

I should like to suggest to these gentlemen that they go back again, call the conference committee together, and see whether or not the political leaders of both parties, who have in their endeavors, and rightfully so, tried to get the best political bargains they could, see whether or not Allegheny County will give up one congressman, and leave the rest of the state undisturbed, so that we can go back home and report to our people, bad as it is and weak as it is, at least we did not adjourn sine die without a reapportionment plan.

I am not inclined to threaten by keeping these two volumes on my desk, and I say to the members of the Senate in all sincerity, if it is impossible to get some kind of an agreement on congressional reapportionment, I am still opposed to adjourning sine die without a congressional reapportionment bill, and I feel that we are passing the buck, if I may use that expression, to the chief executive of this Commonwealth in expecting him to call a special session to do the job that we have been unable to do here in this present regular session.

Mr. President, I again say I am not threatening to read these two volumes if I take the floor again, but I feel we should now make any sacrifice for the people of Pennsylvania.

Mr. SHAPIRO. Mr. President, I am glad the gentleman from Allegheny, Mr. Walker, gave me an opportunity to say what has been in my mind for several days. I have heard very many rumors around this Capitol and the streets during the last two or three days, about a great many things that have not occurred, and I think it might be helpful to clear the atmosphere by removing the smoke screen of paper discussion and political discussion. I think, after all, when we go home most of us will realize this session of the Senate accomplished very little. There are, however, several important bills which in my opinion are of sufficient importance to make it necessary for us to do something about them.

There remain for determination two bills which deal with the unemployment compensation laws. One of them is a bill which deals with the civil service provisions of that department and several others. The other is a bill which is in the nature of a moral obligation bill, which commits the Commonwealth of Pennsylvania to repayment to the Federal Government of all of the monies which the Federal Government claims should be repaid, by virtue of the improper handling—and I use that word as the best word I can find at the moment—improper handling of the administration funds of unemployment compensation.

With respect to the first one, which is civil service, that takes in several departments; with respect to the second one it takes in only one department.

There remains also another bill, which is unemployment compensation itself, that is, the basis, the rate upon which unemployment compensation shall be paid to unemployables.

Then, of course, there is the bill just referred to, the reapportionment bill, and there is I think a bill dealing with the subversive activities of those on relief. There is also, I should say, the truck bill, No. 690, which has been referred to here.

Mr. President, it seems to me that the application of a little common sense and the ascertainment of certain information should bring about an early settlement of these disputes.

I want to dispose of two of them because I have no suggestions to make as to them, and then proceed to the others with which I am concerned and about which I think I can make suggestions which will be helpful.

In the first place, if I had an opportunity to do so again, I would vote for the truck bill. I think it is a pity that a piece of legislation the merits of which no one has yet questioned, the desirability of which no one can doubt, should have received such a bad start and have been placed in such an atmosphere of discredit, in view of the fact there are reasons now which might not have existed a year ago that make that an important bill. When it first came up I knew nothing about the bill. I was curious to know why there must be an overall weight for a truck of forty-five thousand pounds and then in addition to that an axle weight, and when I investigated the matter I found out that when a man loads a truck and there is a permissive weight of thirty-nine thousand pounds, even if he only had thirty-seven thousand pounds on that truck, he still could be fined if the weight is so distributed that on one of the axles there would be nineteen thousand pounds instead of eighteen thousand pounds, which means that the trucker either must adjust his weight, employ help to adjust it, or subject himself to a fine.

The Commonwealth of Pennsylvania is spending five hundred thousand dollars this coming biennium—it did spend that amount last biennium—to advertise all over the country that Pennsylvania has the most beautiful scenery and the finest roads, and yet when these people from outside the state who read those pamphlets come in with a truck weighing over thirty-nine thousand pounds and that truck arrives at the state line, they must either unload the truck or divide the load or take another truck, and that does not only happen once, but it happens in the four surrounding states of New York, New Jersey, Maryland and Ohio.

It seems to me silly, aside from the expenditures we are making, when we with one breath tell those people what a marvelous state we have, what marvelous roads we have, and then in the next breath we set up a barrier, in addition to which we know from information already before all of us that the railroads are short in their equipment to such an extent as to interfere with national defense and throw a burden on these trucks.

The only trouble with that bill, the only thing that is keeping that bill from passing, is the fact that two lobbies which are interested in it, and have a right to be interested in it, are lobbying for it. In my opinion they have a right to lobby for it like anybody else around here. I have been discussing and conferring with what I consider the greatest legitimate lobby existing in the state, the labor lobby, and I want to say that those men have an interest and they have things to consider, matters to direct to our attention.

I have always, and propose to continue to discuss these matters with anybody who has an interest. I am not afraid to sit down and take dinner with them; I am not afraid of myself, and there is no danger, I repeat, if a Senator or a Representative who sits down with a lobbyist knows he will do nothing which is not right; he will do everything right, he will listen, and if he is offered a bribe he will know how to reject it, and he will not get excited, I propose to continue along those lines, I will take dinner with lobbyists and sit down and talk with lobbyists, no matter who they are, and if that be treason, you may make the most of it. I have never found it hard or difficult to talk to lobbyists, and I have never been offered a bribe.

These two lobbies have brought the situation to a point where whichever has the most strength will prevail. Insofar as I am concerned, I am not interested in what the committee does that has this bill, but I think in fairness to the people who are interested in the passage of this bill they have good cause to be disappointed, because it is a shame they have not been able to present their case without some people and somebody surrounding it with an atmosphere it does not deserve.

So much for that.

Now, as far as congressional re-apportionment is concerned, let me say to you quite frankly the way the law is now, it always was and always will be a political problem. When one party is in complete control of the affairs of the state and re-apportionment comes up, that party will do what it thinks best for its political future, and there is no crime in that, it will either re-apportion or, according to law, they will have representatives at large. I have not heard a single word raised here about one of the things I think we are wrong about and according to the law we are malfeasant, because nobody on the floor of the Senate has said or suggested that they would not vote to adjourn sine die unless there was legislative apportionment, and yet we have failed twice to do that job. Nobody is crying about that. Why? Because there is no reaction to that.

The individual congressmen who feel that they can be elected from their district but cannot be elected from the whole state, are up in arms and certainly the individual senators know that if their districts are not changed they will go back home and the situation will be the same and they will run from the same district. No senator coming up for re-election talks about the fact that he wants to stay here all summer unless we have a bill covering legislative re-apportionment.

I say to you it is completely political. May I suggest a story which comes to me from my father, which is to the effect that you can always get two people to agree to how much a third should give to charity. You can always get Allegheny to agree that Philadelphia shall give up a congressman, and I am sure you can get Philadelphia to agree that Allegheny give up a congressman, and that repeats itself throughout the state. There is no crime in that. It is political. It is made political. The whole basis of it is political representation and our present leaders will simply have to say to themselves either we will have or we will not have re-apportionment, and I do not see any reason why there should be any excitement about that.

I do see every reason why there should be excitement and an effort made to pass this other bill, Senate Bill No. 80, the Unemployment Compensation Bill, and I would like to give you some figures about that in an effort to bring about an adjustment. Senate Bill No. 80, without going into all of the details, in its present form provides a decrease of from three to two weeks in the waiting period. It provides for an increase from seven and one-half to eight dollars as the minimum compensation.

The labor people say: "Our greatest difficulty is not covered in this bill; we can have a situation where a man works three days a week for five weeks straight and he gets no compensation; we want what is known as partial unemployment compensation." They also say "We want a maximum increase; other states have increased it"; and they have several other important questions on which I think they are entitled to a hearing. They say they want also the period of compensation extended from thirteen to sixteen weeks.

Now, in the first place, when you reach that problem, you ask yourself the question, whose fund is it, for whom was it established, and I think you will agree it was established for the purpose of aiding the unemployed. The second question you have to ask yourself is, what is the inroad to be made on this fund if these requests are granted.

Let me give you some figures on that. We all know what the fund is. The fund in the first year brought in $26,000,000—I will use just round figures—and that was due to the fact that the tax was then one per cent; by the end of the second year there was $69,000,000 in the fund. The third year alone produced $69,000,000, and the fourth year produced $78,000,000, and last year, 1940, produced $83,000,000.

This year, the first quarter has produced $22,000,000, and that means that we will receive $88,000,000 approximately this year. Payments from that fund have never, except for one year, exceeded the actual income, and that was in 1938, which was the first year, because there were no payments in 1936 and 1937. Then, if you add interest, the sum of a million and a half dollars, you will find a very slight difference between the income and the payments, which as I pointed out to you for 1938, were $71,000,000 and the receipts were $69,000,000, and $1,500,000 for interest. In 1939 the receipts were $73,000,000, and the expeditures $54,000,000. In 1940, the payments were $44,000,000, and the interest in 1940 is now up to $2,500,000.

Here is an amazing picture. Out of the $22,000,000 received in the first quarter of this year, there were seven and one half million dollars $7,844,000, to be exact, paid out in benefits. On that basis, if there would be $88,000,000 received, there will be $30,000,000 paid out. There is now $131,000,000 in the fund. At the end of this year, on the basis of the figures I have given you, there will be approximately $185,000,000 balance in the fund.

Now, we allow companies to reinsure, to be self-insurers, if their capital, their assets and surplus is one and one-half times the highest amount paid out. The highest amount paid out here is $71,000,000. If we had $100,000,000 in surplus, we could insure, according to the actuarial figures.

Now, the cost of the three things that these gentlemen are asking for is this, figuring an increase from $15 maximum to $18 maximum is on the basis of $800,000 for the first dollar and lower as you go on, because as the maximum is increased, the money paid out is less, but assuming it will be $800,000, that is $2,400,000, the increase necessary to cover partial compensation, and that is interesting, because according to all other states it will not exceed more than fifteen per cent.

I have prepared a list of my own from the percentage to the total payments for the partial payments, pay in other states, and one of the most interesting things about this is that in forty-five out of forty-eight states there are partial payments and Pennsylvania and New York are two of those remaining three states that do not have partial payments.

If you take fifteen per cent of the $44,000,000 that we paid out last year, it would cost us somewhere around $6,600,000 to take care of that request and those two requests, that is, $6,600,000 and $2,400,000, would cost approximately $9,000,000.

If you grant the third request, which is an increase in the period of compensation to sixteen weeks, it will cost $2,000,000 for each week, or $6,000,000, so that you would have a total expenditure, if you granted the requests of these men, who are the only ones to benefit from the fund, of $15,000,000 out of a fund that will have a surplus this year of over $35,000,000, and if you take that $15,000,000 off the total surplus, the fund will be left with $170,000,000.

I say to you in all sincerity, first of all, I do not criticize any member of the conference committee, I want to pay my respects to the gentleman from Delaware, Mr. Heyburn, who has worked hard on this matter and has been very careful and has tried to do a good job for both sides, but what this thing required was to have some figures to let us know just what we are doing and just where we are going if we are going to do these things. Up until now, we did not have available many of these figures. The figures which I have given you are subject to fluctuation, but these are the nearest approach that you can get to the figures, but with this picture before us it seems to me we ought to be able to sit down and arrive at a conclusion that will satisfy everybody. I think that bill can be disposed of.

The civil service bill is the next bill. The only objection that I see, first of all, is that I am now of the opinion that civil service is not regarded by all as a good thing. I do not think we are doing a whole lot of good when we have civil service, as we have a division on the other side of the House—there is a definite group which says we want civil service and if—we want it, we want to get as good a civil service bill as possible and then there is another group on the other side of the house which says we do not want civil service, and you have those two groups to satisfy.

Their objection to this bill is, first, that the Governor has the right to dismiss anybody for any reason. They say that is not civil service, and as a matter of fact, I think the gentleman from Lehigh, Mr. Tallman, will agree with me that "the federal government and the Federal Security Commission also said that is not civil service, but after some time, when this matter was thoroughly discussed, they finally said, very well, they would agree to accept this bill, with the Governor having permission to dismiss."

Under the present law there is granted the right to every aggrieved person on the civil service lists to appeal. This bill takes it out. In the last bill, in the present law, it is provided that if a man against whom a charge is made is exonerated, the Commission must restore him to his position. This bill provides that he may.

In this bill there are eleven referees who were removed and placed on civil service. You say, why should they not be? Well, I am afraid when you get eleven referees

selected from examinations held on the basis of the kind of examinations we have had here at the Hill, you will get a lot of scientists and social service workers and scholars who will sit there and treat every case as we see some bills treated here by some constitutional lawyers who will argue for days over whether the word "or" is conjunctive or subjunctive, and in the meantime the gentleman who is trying to get a decision will have to appeal to some other place.

I say that a practical man who is a referee, an honest man, a business man with experience can handle these contests as a referee from a common sense viewpoint. I have had such experience, and the members of the House feel the same way about the matter, and I am not so sure but what a lot of the Senate members feel the same way about it.

Those are the four points. I think there is enough common sense on the other side which will enable us to sit down and settle that bill.

The third and last bill of this group is the bill which is known as 1768. In that bill it is provided that any of the things that the present Department of Labor and Industry in the Unemployment Compensation Division did, which are contrary to the civil service law, as approved by the Social Security Board, must be paid back, and we commit ourselves morally to do that.

Now, our objection on the other side is that bill in effect frees everybody who had anything to do with the wrongful expenditure of those monies—and I use the word wrongful not in the sense of a commission of a crime—that bill frees them and prevents the state from at any time recovering that money if it should want to. There is a difference of opinion, in an administrative sense, as to whether that matter should remain as it is. I can not see any point in our standing up and saying we want to protect the state and the administration does not, but I think even that can be ironed out, and I might suggest along the lines of the Senator from Lackawanna, Senator Coleman—that you pay some heed to that omen that happened this morning and maybe you could have a Caucus and sit down and see if these things can not be ironed out. I do not see any necessity for any special session of this Legislature to take care of these matters, because they will still be before us, and if they are not adjusted at this stage it would be foolish to call another session of this Legislature.

I think the matter can be straightened out. In the last few days I have been working on both sides of the House and I am quite convinced there is no attitude of merely saying "no". Those men have their opinions on the matter and they are sincere, just as you think you are sincere.

I do feel, if you want a civil service bill, you must satisfy those people on Civil Service, and in real civil service there ought to be an appeal as far as an employee is concerned; that has been in the law for two or three years now, and if this administration changes that law if this administration persists in it, the responsibility will be theirs. In any event to me there are no insurmountable difficulties.

PERMISSION TO ADDRESS SENATE

Mr. HALUSKA. Mr. President, I ask permission to address the Senate.

The PRESIDENT. The gentleman from Cambria will proceed.

Mr. HALUSKA. Mr. President, I request permission to make a brief statement with reference to my congressional district. When I voted for the Wade Bill I made a few brief remarks and I said that at some later date I would rise on the floor and protest if nothing were accomplished with reference to the Twenty-seventh Congressional District.

The gentleman from Philadelphia stated a while ago that any two men could easily decide how much a third man should give to charity, and that is why we are in this deadlock today, because Philadelphia and Allegheny Counties are deciding how much we should give to charity.

Mr. President, nothing has been done with one of the greatest and largest congressional districts in Pennsylvania. That is where I come from, the Twenty-Seventh Congressional District, comprising Cambria, Indiana, Jefferson and Armstrong Counties with a population of 428,490, more than twice as many as in one of the Pittsburgh districts of 205,000, and almost twice as many as in a district in Philadelphia County of 239,000.

Then they have the audacity to fight for their districts to retain their present congressmen. They have given no thought whatsoever to my district and I think every man in this chamber will agree that if any district should have some consideration it is the Twenty-Seventh Congressional District of Pennsylvania.

Mr. President, I do not intend to vote for any bill unless my district is given some consideration; whether it be a Republican district or a Democratic district I care not, but I say that no congressman can truthfully and sincerely represent 428,000 persons; compared with others which have 205,000; it appears like trying to cut the melon from the inside.

I say that two counties, Allegheny and Philadelphia, are entirely to blame. We members here from the rural districts sit here like puppets; we have no knowledge of what is going on because the leaders have made up their minds that they shall not yield, and as long as they maintain that position we will be here until Christmas and then into the next year, so I say let us go home, let us adjourn, let us elect them at large, or if you are honest about this reapportionment bill, let us start from one state line to the other and take them in order and make up thirty-three districts, and let the chips fall where they may, but no, they will set aside any thought, any consideration of my district, knowing full well it is out of bounds, and fight like kids over marbles, over Philadelphia and Allegheny. All I can say is that I am going to vote against any bill, Mr. President, unless my district is given some deep and sincere consideration. My colleague in the House, Mr. O'Connor, offered a bill combining Clearfield and Cambria Counties and it was given no consideration. Give us Indiana and Cambria, give us Blair and Cambria. We do not care what counties you give us. I do not care, I will say again, whether we have a Democratic District or a Republican District, but certainly you are unfair to fight here for weeks and weeks and weeks as to whether Allegheny and Philadelphia shall maintain their positions and the people back in my district are never mentioned.

Mr. COX. Mr. President, my remarks will be very brief. I welcome the opportunity to thank the Senator

from Allegheny, Mr. Walker, for his prospective vote for the resolution introduced in this body by Senator Dent, Senator Coleman, Senator Barr and myself, which would call on the members of the General Assembly not to adjourn sine die until such time as we have congressional reapportionment.

I assure the gentleman from Allegheny, Senator Walker, that if he cares to filibuster on the floor of this Senate and read two volumes of Carl Sandberg's life of Abraham Lincoln, that the four of us, I know, will be very happy to help him if his voice should become weak or if he should become tired. I further assure the gentleman from Allegheny, Mr. Walker, if those two volumes are not sufficient we will be glad to go into the eight volume set of Carlisle's History of England or perhaps the four volume set of the life of George Washington.

Mr. President, when this resolution was introduced we were very serious about it. We feel that congressional reapportionment should not be a matter of partisan politics and we feel that as members of this Senate we have an obligation to reapportion the congressional districts of Pennsylvania. The legislative halls of the House and Senate of this General Assembly are among the most beautiful legislative halls in the world. During the last six and one-half months as I sat in the rear of this room frequently my attention was directed to the beautiful murals which we find in the front of this Senate. On the left, Mr. President, is a scene taken from the history of Pennsylvania and of this great country, which has for its local Independence Hall in Philadelphia. When I looked at that picture during the many speeches that have been made on congressional reapportionment the thought again recurred to me constantly that those men, Thomas Jefferson, George Washington, Benjamin Franklin, and the other men who were the original fathers of our great country had problems much greater than this one on Congressional Reapportionment, and we know that our government is a government of compromise, compromise not only as to the form of government but as to the philosophy and the economic conception of those men who have created our great country.

I assure the gentleman from Cambria, Senator Haluska, that as far as I personally am concerned, if the Joint Committee on Congressional Reapportionment can agree on a method of reapportioning this state, I shall certainly vote for the acceptance of that report.

PERMISSION TO ADDRESS SENATE

Mr. TALLMAN. Mr. President, I ask permission to make a statement.

The PRESIDENT. The gentleman from Lehigh will proceed.

Mr. TALLMAN. Mr. President, I should like to make a very brief statement in connection with what the gentleman from Philadelphia, Senator Shapiro, has said with relation to civil service matter.

In the first instance, I should like to say that this entire matter, not only in connection with civil service but all of these things that are happening has in a great measure to do with just the ordinary decencies of give and take, and I think what happened in connection with the civil service bills, Senate Bills Nos. 653 and 654, sheds some light upon this situation.

First of all I should like to say that I want to pay my respects and compliments to Senator Shapiro for endeavoring sincerely I think, to bring these matters to some satisfactory conclusion. However, on Saturday night and that was the factual Saturday night of last week—the House conferees and the Senate conferees on Senate Bills Nos. 653 and 654, met in the conference room from nine o'clock in the evening until five minutes of nine the next morning. When we left that room it was my understanding, and I am certain it was the understanding of all the other gentleman that were there, that conclusions had been reached and that a report was ready to be made.

There were, of course, serious disputes but it was felt that they had been ironed out, with the exception of one House member, Mr. Petrosky, who reserved the right not to sign the conference report, and there was some misunderstanding on my part about that, for which I take full responsibility.

The matter which Senator Shapiro brings up concerning the referees was a further thought on the part of some person, and it emanated from the House. It was not a matter which was a subject of discussion in the course of that conference. There was grave, long and serious debates with regard to the matter of the Governor's right of removal.

When we left that conference I certainly, and the other members of that committee I believe, were under the impression that the matter had been settled, not probably to the satisfaction of everyone who was there, but that an agreement had been reached and that it was concluded. The pressure on that matter comes, therefore, anew from the members of the House. I can not understand for the life of me why that matter should be a matter of serious dispute now by the gentlemen on the other side in the House, because I would remind them that in 1937, in a Democratic administration, the Liquor Control Law was amended by the Democrats, who then had control of both houses of this Assembly, to do the very thing that is proposed to be done in Senate Bill No. 653 in that direction.

I think everybody in this Assembly knows that right was exercised once by the Liquor Control Board, immediately after the passage of that amendment, by Governor Earle. I think everybody knows that right has been exercised by Governor James in the Liquor Control Board with regard to I believe three employes. Since the Department of Public Assistance Law has been amended giving the Governor that same right, and it happens to be this Republican Governor, I believe that I am correct in making the statement on the floor of this Senate that it has never been exercised.

The other point at issue, concerning the right of appeal, was a matter that was thoroughly discussed in that conference. When the conference was over I believe and I think the other members of this committee believed that that matter had been ironed out satisfactorily to the conferees and that it was agreed that the bill should remain in the condition that it passed the Senate.

It seems to me to be a little bit unfortunate at this time, when time and earnest effort is spent, that there should always be these afterthoughts which prevent the culmination and the bringing before this Legislature of matters that have been agreed upon ostensibly by the people

authorized to speak on these matters, and I take it certainly the conferees should be the people who should have the authority to say, this is the result of our best thinking on the subject, and it seems to me that in this entire situation with regard to these particular bills, and I cite it simply as an example, that there ought to be some time now in this procedure when the idea will cease that the gentlemen in the House have the right to determine completely what shall be done.

So, Mr. President, I hope and trust very sincerely and very earnestly that the thing that Senator Shapiro is talking about, the thing he has said that there ought to be, some means of reaching these agreements, may come about. I know he is exerting his good offices to bring it about, but let the gentlemen in the House take heed, that there comes a time when they must in the interest of all that is right and all that is decent, recede from the position where they say, "you must take what I want or you get nothing."

PERMISSION TO ADDRESS SENATE

Mr. WADE. I ask permission to address the Senate, Mr. President.

The PRESIDENT. The gentleman from Cumberland will proceed.

Mr. WADE. Mr. President, during the discussion of the Senator from Philadelphia, Mr. Shapiro, the matter of congressional reapportionment has again been brought before this body and I want to say for the members of the committee, including myself, that we have—I want to repeat, Mr. President—that we have had a great many meetings. As a matter of fact my reference to rooming with Senator Mundy and Senator Taylor is correct.

I might add too that this committee, after these repeated meetings, being easily led, decided because the Senate had adopted the famous song entitled "Old soldiers never die," we thought it would be well to adopt a theme or motto; one of the suggestions coming from Senator Taylor, "it is more blessed to give than to receive." Senator Mundy suggested that we adopt the motto that "conference committees make funny bed fellows." However, on the final vote the motto adopted was "to get the boys out of the trenches before Christmas."

I stated to this body the other evening, when we were discussing congressional reapportionment, that we had presented seven different propositions, all of which we felt to be of merit, and at that time there had been no counter proposition nor any approval of the propositions we had offered. Since that time the Democratic members of the Conference Committee have offered two proposals and I think in fairness we should discuss them. The first was the abolition of the nineteenth district, now comprising Dauphin, Lebanon and Cumberland Counties. Speaking for Senators Becker, Taylor and myself, we would be perfectly willing to accept that proposition if it were an honest solution to the problem, but in proving it is not an honest solution to the problem, I submit that the Shoe String District, it which the proposition suggested would add the County of Dauphin, now has a population of 255,000 and with the addition of 177,000 population for Dauphin, would make it a district composed of 392,863 people. That would be 92,863 over its quota.

If the County of Cumberland was added to the twenty-second district composed of Franklin, York and Adams Counties, it would then have a population of 361,635, or 61,635 more than the state ratio.

Again, if the County of Lebanon were added to the tenth district, now composed of Lancaster and Chester Counties, it would bring the population up to 420,726, or a total population in excess of the state quota of 120,726.

The second proposition was to add to what is now known as the Horseshoe District of the County of Lackawanna. This proposition was immediately accepted by all of the Republican members of the Conference Committee.

Now, let us go back and quote a few statistics regarding this, and I submit to you the record of the districts prior to the last congressional reapportionment in 1931. At that time the State of Pennsylvania lost two congressmen; its members were reduced from thirty-six to thirty-four and after a bitter fight in the House and Senate—and I was a member of the House at that time—those districts were taken from central Pennsylvania and it led to a condition, the exact condition that the Senator from Cambria, Mr. Haluska, refers to. Prior to that time his district was composed of Cambria County only. In order to make this new reapportionment and reduce the number of districts, his district was increased from one county to four counties with a total population now of 428,500, which I agree with him, was very inequitable.

The sixteenth district was increased from four to six counties; the fifteenth district was increased from five to eight counties; and the two districts abolished were the Twentieth and Seventeenth districts.

Again I say to you, in an effort to solve this problem, I give you some figures regarding Philadelphia where we believe, and we are honest in that belief, that the district now to be lost should be taken from Philadelphia. They now have a population of 1,935,086 people. On the average their districts are 23,534 light—they lack, I repeat, 23,534, on the average of having the state ratio. By reducing that to six districts they would have 322,516 people in each district, but that would only be 22,516 over the quota, leaving out the geographical advantage, the fact that a candidate, whether he is a Republican or a Democrat, can go from one corner of his district to the extreme farthest point in a matter of a few minutes instead of from the central Pennsylvania districts, where it takes an entire day.

If this proposition were accepted I think that we would reverse the process that was followed ten years ago and again bring about an equalization of the congressional districts.

In conclusion, Mr. President, I ask permission to submit some of the figures that have been prepared so that you will realize, and the members of this body will realize, that the members of the Committee on Congressional Reapportionment—not the Conference Committee but the Committee on Congressional Reapportionment—have dug into it, have worked out every possible solution and finally arrived at what we consider a sensible, sound and fair solution to the problem, which is to take one district from the City of Philadelphia.

PERMISSION TO ADDRESS SENATE

Mr. McGINNIS. Mr. President, I ask permission to address the Senate.

The PRESIDENT. The gentleman from Allegheny may proceed.

Mr. McGINNIS. Mr. President, we have been sitting around here for several days wondering what might be the final result on several bills, and I was glad to hear the Senator from Philadelphia Mr. Shapiro, say a word on behalf of the truck owners of this state. I regret I was not here a few weeks ago when insidious charges and other remarks were made about the truck owners of Pennsylvania.

Mr. President, do you know that to my mind the ugliest word in the English language is the word "suspicion." It has caused brothers to become bitter enemies; it has caused sisters to part forever; it has caused husbands and wives to follow different paths to their graves, and when this monster "suspicion" gets into a legislative body like this, to be leveled against the truck owners of this state, I feel that a word should be said in their behalf. I have not been proud of the press of this state the way they have attacked the truck owners of this state about the Box Car Bill. Did you ever stop to think, ladies and gentlemen, that if you see a box car truck on the road, that truck may be filled with goods for some poor souls' needs at the other end?

In this state, the truck industry is a new industry. In the past, the railroads and the steel corporations had a lot to say about legislation in Pennsylvania, and in a few years the truck industry has come to be a great industry. A few weeks ago the truck drivers in Pittsburgh pulled a strike, and after a week or so industry and business practically stopped in Pittsburgh, so that the trucking industry, three hundred thousand persons, came down here like any other body. They were not as well schooled, perhaps, as the railroads and the utilities, but they came here in their humble way and they had a right to organize. Most of these trucks are owned by some poor soul, some individual who had to borrow the money, who does not own his truck, his boy runs those trucks over the highways day and night, and half the people in Pennsylvania have their green goods and their fruit every morning, something that never happened before.

Right now we talk about national defense. Railroads are several hundred thousand cars short. We have always been proud of the fact, as we watched the movements of freight throughout the United States, that we ship our steel to California to build their bridges, or to Florida, and have the cars come back loaded with fresh fruit, and never stopped at the line. Today a railroad car can be loaded in Pittsburgh and pass to California without ever being stopped at a single state line, but lo and behold you, in this State of Pennsylvania, where the heavy loads originate, coal, iron and steel, with every state around us having their limitations up to 45,000, 50,000 or 65,000 pounds, here in this heavy industrial state, where heavy loads originate, in twenty-three years we have not done a single thing for these three hundred thousand truck owners that employ and pay taxes. Do you know that last year the trucking industry, paid $27,000,000 in license fees and gasoline taxes alone in this state? Since when is it a crime for three hundred thousand people that pay $27,000,000 of taxes, more than the State Highway Department put into their system in this state, since when has it became a crime for them to come to Harrisburg and ask for something without being suspicioned and accused and practically driven out of the Capitol?

I say to you, Mr. President, it has been unfair; we have not done the right thing for those people, we have not listened to them, and I am very glad of what the House did; in spite of the press, in spite of the propaganda that was cut loose, the House stood up and represented the people back home. Why, do you know there is not an automobile dealer in Pennsylvania, there is not an automobile salesman, there is not a truck owner, there is not a truck driver but what is offended and hurt. Mr. President, that is a group that I would not want to have against me if I were running for reelection.

I say to you, Mr. President, if there was one industry in the United States that kept its chin up during the depression, it was the automobile industry. Most of them lost money, but their store fronts looked as though they were millionaires; most of them were losing money, but they sold their cars and the wheels of their factories kept turning. In other words, they would not be downed even during the depression, and when that industry comes to the Commonwealth of Pennsylvania and receives the treatment that they did receive—I would not say by this Senate, but I say to you Mr. President the truck bill deserves more consideration than has been given to it on this floor.

The way to kill a thing is perhaps to start propaganda and raise and bring into this Senate that ugly monster "suspicion." I regret it was brought in here against an industry that can not be stopped; you cannot stifle it, you can not turn back progress. I say to you the trucking industry is a modern industry, it has grown fast, it will grow faster, and you can not put barriers around your state. To me it is a regrettable thing that Pennsylvania should not allow these trucks that come from other states to roll over our highways and that our heavy loads should not be allowed to go out of our state.

This barrier, Mr. President, in the last ten years in the United States is one of the most dangerous things that we have seen, and I think if the states of this nation continue to put barriers around their state lines and stop the free movement of goods, it will be the worst thing that ever happened to the United States, and so in defense of these truck owners, if they go back home licked, if they do feel that they were not treated right here, if they do feel that unjust suspicion and criticism were thrown upon them, I am glad that I at least have brought this thing into the open, and have defended the truck drivers, the truck owners and the automobile industry of the State of Pennsylvania.

PERMISSION TO ADDRESS SENATE

Mr. TAYLOR. Mr. President, I ask permission to address the Senate.

The PRESIDENT. The gentleman from Dauphin will proceed.

Mr. TAYLOR. Mr. President. In answer to the suggestion of the gentleman from Allegheny, Mr. Walker, that we consider calling a meeting of the Committee of Conference on Congressional Reapportionment, to take one congressman from Allegheny, I want to say to the Senate that was the third proposition we made to the Conferees and it was rejected, so I see no reason for calling a committee meeting for that specific purpose.

Mr. President, I appreciate that the conferees are ap-

pointed to effect a compromise, but I do not think they should be the only fellows to compromise. We are the majority party in Pennsylvania, we have the administration, we have the Senate, and our friends on the other side have the House. We have made proposition after proposition; I think we have held more meetings than all the rest of the conference committees put together, with no result.

Now, at the last minute, after we said we had made six different propositions, our friends on the other side come in with two propositions, one was to go from the State of Maryland, and go three-quarters of the way up the state and then jump across and add Dauphin County to it. They laughed when they presented it, so we considered it a joke, just to have a little fun with the freshmen Senators. Then a Democratic Senator suggested that we add Lackawanna to the northeast corner, which is low in population but large in area. Within thirty seconds the Republican members agreed to it, and then we had to take a little recess until somebody was talked to and they came back and said, "out the window."

I do not see any rhyme or reason to it, when we are advised by the three conferees on the other side that there is not anything further to offer, that we take the minority party's suggestion in Pennsylvania and lose a Republican congressman, or everything is out the window.

Mr. President, we are ready to sign a report that we can not agree. I can not for the life of me see how we can do otherwise, unless the leaders on the other side will tell somebody they must get together. I could say a great deal about this but I am not going to get personal. I made some notes here that are a little personal, but I am just going to sit down.

BILL SIGNED

The PRESIDENT (Lieutenant-Governor Samuel S. Lewis) announced that the Chief Clerk having reported that the following bill has passed both houses of the General Assembly and the same being correct, the title was publicly read as follows:

Senate Bill No. 1215, entitled:

A Supplement to the act, approved the sixteenth day of June one thousand nine hundred forty-one (Appropriation Act No. 12A), entitled "An act to provide for the ordinary expenses of the Executive, Legislative and Judicial Departments of the Commonwealth, interest on the public debt and the support of the public schools for two years beginning June first, one thousand nine hundred and forty-one, and for the payment of bills incurred and remaining unpaid at the close of the fiscal year ending May thirty-first, one thousand nine hundred and forty-one"

Whereupon,

The PRESIDENT. (Lieutenant-Governor Samuel S. Lewis) in the presence of the Senate signed the same.

HOUSE MESSAGE

HOUSE INSISTS UPON ITS NON-CONCURRENCE IN AMENDMENTS TO HOUSE BILL No. 1952 AND APPOINTS COMMITTEE OF CONFERENCE

The Clerk of the House of Representatives being introduced, informed the Senate that the House insists on its non-concurrence in Senate amendments to House Bill No. 1952, entitled:

An Act fixing the salary of the Parliamentarian of the House of Representatives.

and has appointed Messrs. Readinger, Mihm, and Turner as a Committee of Conference to confer with a similar committee of the Senate (if the Senate shall appoint such committee) to consider the differences existing between the two houses in relation to said bill.

ADJOURNMENT

Mr. GELTZ. Mr. President, I move that the Senate do now adjourn until Tuesday, July 15, 1941, at 5:10 o'clock p. m. Eastern Standard Time.

Mr. FARRELL. Mr. President, I second the motion.

The motion was agreed to.

The Senate adjourned at 5:00 o'clock, Eastern Standard Time, until Tuesday, July 15, 1941, at 5:10 o'clock, Eastern Standard Time.

HOUSE OF REPRESENTATIVES

SATURDAY, July 12, 1941

The House met at 11 a. m.

The SPEAKER (Elmer Kilroy) in the Chair.

PRAYER

The Chaplain, Rev. Donald McFall offered the following prayer:

Almighty God, be Thou patient with us and lovingly overlook and forgive the faults which we so presumptuously carry into Thy presence.

When, O God, our highest hopes in Thee are blighted, help us to see that they were not too high, but not high enough. Open our eyes to see ourselves just as we are and as we would be if Thou hadst not befriended us. Give us grace to humble ourselves, to deny our wilful self, and to follow Thy loving counsel to the end that we shall know Thee better and desire to serve Thee more.

Hear our prayer. Amen.

JOURNAL APPROVED

The SPEAKER. The Clerk will read the Journal of yesterday.

The Clerk proceeded to read the Journal of yesterday, when, on motion of Mr. McSURDY, unanimously agreed to, the further reading was dispensed with and the Journal approved.

BILLS SIGNED BY SPEAKER

Bills numbered and entitled as follows having been prepared for presentation to the Governor, and the same being correct, the titles were publicly read as follows:

HOUSE BILL No. 90.

An Act providing that whenever the term "Veterans of the Spanish American War" or the term "Spanish American War Veterans" occurs or is referred to in any existing law such term or reference shall be deemed to refer to and include the United Spanish War Veterans Inc

HOUSE BILL No. 437.

An Act authorizing the Department of Property and Supplies to acquire by purchase gift lease or condemnation on behalf of the Commonwealth of Pennsylvania ten acres of land adjacent to the Daniel Boone Homestead or so much thereof as may be necessary to properly honor the pioneer Daniel Boone on the spot where he was born providing for the control management supervision improvement preservation and maintenance thereof authorizing the Pennsylvania Historical Commission to make and enforce rules and regulations for the preservation and visitation thereof and making an appropriation

HOUSE BILL No. 602.

An Act to amend sections eight hundred one and nine hundred seventy-six of the act approved the third day of June one thousand nine hundred thirty-seven (P. L. 1333) entitled "An act concerning elections including general municipal special and primary elections the nomination of candidates primary and election expenses and election contests creating and defining membership of county boards of elections imposing duties upon the Secretary of the Commonwealth courts county boards of elections county commissioners imposing penalties for violation of the act and codifying revising and consolidating the laws relating thereto and repealing certain acts and parts of acts relating to elections" by further defining parties and political bodies providing procedure for rejection of nomination petitions papers or certificates in certain cases imposing duties on the Governor and the Attorney General and imposing additional duties on county boards of elections the Secretary of the Commonwealth and the courts

HOUSE BILL No. 708.

An Act enabling city county poor institution district ward school borough and township tax collectors their executors and administrators if they are deceased or either surety or sureties to collect taxes for the payment of which they have become personally liable without having collected the same by the expiration of the authority of their respective warrants or by the expiration of their terms of office extending the time for the collection of the same for a period of two years from the passage of this act and validating collections and proceedings for collections made or commenced without previous authority

HOUSE BILL No. 909.

An Act to further amend section three hundred three of and to add section three hundred seven of the act, approved the twenty-ninth day of November, one thousand nine hundred and thirty-three (P. L. 15, 1933-34), entitled as amended "An act to regulate and restrain the sale, manufacture, possession, transportation, importation, traffic in, and use of alcohol, and alcoholic and malt or brewed beverages; conferring powers and imposing duties upon the Pennsylvania Liquor Control Board and its agents, the Department of Public Instruction, other officers of the State Government, courts, and district attorneys; authorizing the establishment and operation of State stores for the sale of such beverages not for consumption on the premises, and the granting of licenses, subject to local option, to sell such beverages for consumption on and off the premises; forbidding importation or bringing of such beverages into the State except as herein provided; prohibiting certain sales or practices in connection with, and transactions in such beverages by licensees and others; providing for the forfeiture of certain property; making disposition of the receipts from State stores and of fees; and imposing penalties," by providing for the appointment of assistant managers in Pennsylvania Liquor Stores; and by establishing minimum salaries for certain employes of the Pennsylvania Liquor Control Board working in Pennsylvania Liquor Stores.

HOUSE BILL No. 955.

An Act to amend section ninety-five of the act approved the second day of May one thousand nine hundred and twenty-five (P. L. 448) entitled "An act relating to fish and amending revising consolidating and changing the law relating to fish in the inland waters and the boundary lakes and boundary rivers of the Commonwealth" further regulating use of gillnets in boundary lakes

HOUSE BILL No. 1023.

An Act prohibiting employers from directly or indirectly offering for sale selling procurng for sale having in possession or under control for sale to employes or others any merchandise not produced by employers not handled in the regular course of employer's business or not connected or related to his or its business providing exceptions thereto declaring such prohibited sales to be unfair competition and repealing prior inconsistent legislation

HOUSE BILL No. 1418.

An Act making an appropriation to the Department of Welfare for the maintenance of certain homes

HOUSE BILL No. 1543.

An Act providing a method for supplying perfecting and recording birth records of certain persons whose births have not heretofore been made a public record or whose record of birth is incomplete or incorrect making such records competent legal evidence prescribing fees and imposing certain duties upon the orphans' court and the Bureau of Vital Statistics of the Department of Health authorizing the orphans' court to appoint masters for the determination of certain questions and requiring counties to pay the compensation of such masters

Whereupon, The Speaker, in the presence of the House, signed the same.

REPORT OF COMMITTEE OF CONFERENCE ON HOUSE BILL No. 551

Mr. GERARD. Mr. Speaker, I desire to offer the report of the Committee of Conference on House Bill No. 551.

The SPEAKER. The report will lie over for printing under the rules.

MR. ACHTERMAN IN THE CHAIR

COMMUNICATIONS FROM THE GOVERNOR

The Secretary to the Governor being introduced, presented a communication in writing from His Excellency the Governor, which was read as follows:

APPROVAL OF HOUSE BILLS Nos. 230 AND 234

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, July 11, 1941.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed the following:

House Bill No. 230, Printer's No. 1175, entitled, "An Act to reenact and amend the title and the act approved the twenty-second day of June one thousand nine hundred thirty-five (P. L. 414) entitled "An act to provide revenue for State purposes imposing taxes upon certain classes of personal property providing for the assessment collection and lien of the same and the distribution of the proceeds thereof imposing duties on executors administrators registers of wills recorders of deeds prothono-

taries and court clerks and on persons copartnerships associations banks national banks trust companies and other corporations receiving deposits of money and on certain corporations and limited partnerships conferring powers and imposing duties on certain State officers and departments imposing penalties and making an appropriation" as previously reenacted and amended by continuing the State personal property tax and the emergency rate of tax on scrip bonds certificates and evidences of indebtedness assumed or on which interest is paid by corporations for a further limited period of time exempting casualty insurance corporations not having capital stock relieving life insurance corporations from the duty of reporting and paying tax under section seventeen of said act exempting assets held by liquidating trustees imposing the tax upon personal property held and managed in this Commonwealth owned held or possessed by residents as trustees agents or attorneys-in-fact jointly with one or more trustees agents or attorneys-in-fact domiciled in another state and imposing the tax upon equitable interests of residents in personal property held and managed in another state where the legal title to such personal property is held by more than one trustee agent or attorney-in-fact one or more of whom are domiciled in another state and one or more of whom are domiciled within this Commonwealth."

House Bill No. 234, Printer's No. 1174, "An Act to further amend section one of the act approved the fifteenth day of July one thousand eight hundred ninety-seven (P. L. 292), entitled 'An act to provide revenue by taxation' by increasing the rate of tax for a further limited period of time."

ARTHUR H. JAMES.

APPROVAL OF HOUSE BILL No. 663

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, July 11, 1941.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Bill No. 663, Printer's No. 1170, entitled "An Act authorizing the Commonwealth to negotiate temporary emergency loans to defray the current and other expenses of the State government during the two fiscal years beginning the first day of June one thousand nine hundred forty-one evidenced by tax anticipation notes secured by and payable from current revenues levied assessed collectible and accruing during such two fiscal years defining the powers and duties of the Governor the Auditor General and the State Treasurer in relation thereto providing for the payment of interest on and the repayment of such loans and making an appropriation."

ARTHUR H. JAMES.

SENATE MESSAGES

AMENDED HOUSE BILLS RETURNED FOR CONCURRENCE

The Clerk of the Senate being introduced, returned bill from the House of Representatives numbered and entitled as follows:

HOUSE BILL No. 11.

An Act to create a uniform and exclusive system for the administration of parole in this Commonwealth establishing the "Pennsylvania Board of Parole" conferring and defining its jurisdiction duties powers and functions including the supervision of persons placed upon probation in certain designated cases provided for the method of appointment of its members regulating the appointment removal and discharge of its officers clerks and employes dividing the Commonwealth into administrative districts for purposes of parole fixing the salaries of members of the board and of certain other officers and employes thereof making violations of certain provisions of this act misdemeanors providing penalties therefor and for other cognate purposes and making an appropriation.

With the information that the Senate has passed the same with amendments, in which the concurrence of the House of Representatives is requested.

The SPEAKER. The Clerk will read the amendments.

The Clerk read the amendments as follows:

Amend Section 9, page 5, by striking out in lines 19 and 20 the words "and hold office during the pleasure of".

Amend Section 12, page 7, by striking out in line 18 the words "and its General Director of Parole".

Amend Section 13, page 8, line 1, by striking out the words "of the General Director of Parole and".

Amend Section 15, page 10, line 2, by striking out the words "and General Director of Parole".

Amend Section 17, page 12, line 7, by inserting after the word "provided" where it appears the first time in said line, the following:

"It is further provided that the Board shall have exclusive power to supervise any person hereafter placed on probation by any judge of a court having criminal jurisdiction when the court may by special order direct supervision by the Board in which case the probation case shall be known as a special case and the authority of the Board with regard thereto shall be the same as herein provided with regard to parole cases within one of the classifications above set forth"; also same page, line 9, by inserting after the word "a" and before the word "period" the word "maximum"; also at the end of the same line by striking out the word "one"; also same page, at the beginning of line 10, by striking out the word "year" and inserting in lieu thereof the words "two years"; also same page, line 12, by inserting after the word "a" and before the word "period" the word "maximum"; also at the end of the same line by striking out the words "one year" and inserting in lieu thereof the words "two years".

Amend Section 21, page 15, line 16, by inserting after the word "may" the word "not"; also same line by striking out the word "its" and inserting in lieu thereof the words "the Board's"; also same page, line 17, by inserting after the word "time" the words "before but only"; also in same line by striking out the words "sentence is imposed regardless of any" and inserting in lieu thereof the words "the expiration of the"; also same page, line 19, by inserting after the word "sentence" the words "or by the Pardon Board in a sentence which has been reduced by commutation"; also on page 16, by striking out all of lines 1 to 20 inclusive as follows:

"It is further provided that the parole board in its discretion in any case where after complete study the board is of the opinion that the minimum term imposed was in excess of that needed to protect the public interest that insistence upon the prisoner's serving the minimum term imposed would be against the best interests of the prisoner and would mitigate against the possibilities of his success rehabilitation may petition the sentencing judge or court for a modification of the said minimum term imposed and the court shall have authority upon presentation of the petition and after public hearing notwithstanding the term having passed to make such modification as the court shall deem proper in the protection of the public interest and in consideration of the prisoner's probable rehabilitation which decision of the court upon the board's petition shall be final The court in the exercise of sound discretion may upon presentation of such a petition by the board order a public hearing thereon not later than ten days after the filing of the said petition".

Amend Section 22, page 17, line 9, by inserting after the word "inspection" the words "in no case shall a parole be granted or an application for parole be dismissed unless one member of the Board shall have seen

and heard him in person in regard thereto within one year prior to the granting or dismissal thereof".

Amend Section 31, page 20, by striking out in lines 4, 5 and 6 the words "sentenced to imprisonment in the Pennsylvania Industrial School at Huntingdon" and inserting in lieu thereof the words "committed to"; also same page by striking out all of lines 13 to 16 inclusive as follows: "Provided however That the board herein created shall supervise the parole of all persons sentenced to imprisonment in the Pennsylvania Industrial School at Huntingdon when paroled or reparoled as now provided by law".

Amend bill, page 20, by inserting between lines 23 and 24 the following new sections:

"Section 33 In compliance with the Federal Interstate Compact Laws the Parole Board is authorized to supervise persons paroled by other states and now residing in Pennsylvania where such other states agree to perform similar services for the Pennsylvania Board of Parole

Section 34 The Pennsylvania Board of Parole shall be charged with the duty of making investigations and recommendations to the Pardon Board in cases coming before it and upon its request".

Amend Section 33, page 20, line 24, by striking out after the word "Section" the figures "33" and inserting in lieu thereof the figures "35".

Amend Section 34, page 21, line 17, by striking out after the word "Section" the figures "34" and inserting in lieu thereof the figures "36".

Amend Section 35, page 21, line 28, by striking out after the word "Section" the figures "35" and inserting in lieu thereof the figures "37".

On the question,

Will the House concur in the amendments made by the Senate?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows, viz:

YEAS—198

Achterman,	Flynn,	Malloy,	Royer,
Allmond,	Foor,	Marks,	Rush,
Auker,	French,	McClanaghan,	Sarge,
Baker,	Gallagher,	McClester,	Sarraf,
Balthaser,	Gates,	McDermott,	Scanlon,
Bentley,	Gerard,	McDowell,	Schwab,
Bentzel,	Gillan,	McFall,	Serrill,
Boies,	Gillette,	McIntosh,	Shaffer,
Boney,	Goodwin,	McKinney,	Shaw,
Boorse,	Greenwood,	McLanahan,	Shepard,
Bower,	Gross,	McLane,	Simons,
Brown,	Gryskewicz,	McMillen,	Skale,
Bradley,	Gyger,	McSurdy,	Snyder,
Bretherick,	Haines,	Melchiorre,	Sollenberger,
Brunner, C. H.,	Hall,	Mihm,	Sorg,
Brunner, P. A.,	Hamilton,	Modell,	Stambaugh,
Burns,	Hare,	Monks,	Stank,
Burris,	Harkins,	Mooney,	Stine,
Cadwalader,	Harmuth,	Moran,	Stockham,
Chervenak,	Harris,	Moul,	Tarr,
Chudoff,	Heatherington,	Muir,	Tate,
Cochran,	Helm,	Munley,	Taylor,
Cohen, M. M.,	Hering,	Nagel,	Thompson, E. F.,
Cohen, R. E.,	Herman,	Nunemacher,	Thompson, R. L.,
Cook,	Hersch,	O'Brien,	Trout,
Cooper,	Hewitt,	O'Connor,	Turner,
Cordier,	Hirsch,	O'Dare,	Van Allsburg,
Corrigan,	Holland,	O'Mullen,	Verona,
Croop,	Huntley,	O'Neill,	Vincent,
Cullen,	Imbrie,	Owens,	Vogt,
Dalrymple,	James,	Pettit,	Voldow,
Dennison,	Jefferson,	Polaski,	Voorhees,
DiGenova,	Jones, G. E.,	Polen,	Wagner,
Dix,	Jones, P. N.,	Powers,	Watkins,
Dolon,	Keenan,	Prosen,	Weingartner,
D'Ortona,	Kenehan,	Rank,	Welsh, E. B.,
Duffy,	Kline,	Rausch,	Welsh, M. J.,
Early,	Knoble,	Readinger,	Wilkinson,
Eckels,	Kolankiewicz,	Reagan,	Winner,
Elder,	Komorofski,	Reese, D. P.,	Wood, L. H.,
Elliott,	Krise,	Reese, R. E.,	Wood, N.,
Ely,	Lee, E. A.,	Regan,	Woodring,
Falkenstein,	Lee, T. H.,	Reynolds,	Woodside,
Finestone,	Leisey,	Rhea,	Wright,
Finnerty,	Leonard,	Riley,	Yeakel,
Fisher,	Levy,	Rooney,	Yester,
Fiss,	Leydic,	Rose, S.,	Young,
Fleming,	Lichtenwalter,	Rose, W. E.,	Kilroy,
Fletcher,	Longo,	Rosenfeld,	Speaker.
	Lyons,		

NAYS—6

Haberlen,	Lovett,	Petrosky,	Weiss,
Lesko,	Maxwell,		

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative, and the amendments were concurred in.

Ordered, That the Clerk inform the Senate accordingly.

The Clerk of the Senate being introduced, returned bill from the House of Representatives numbered and entitled as follows:

HOUSE BILL No. 1419.

An Act making an appropriation to the Department of Welfare for the maintenance of certain hospitals.

With the information that the Senate has passed the same with amendments, in which the concurrence of the House of Representatives is requested.

The SPEAKER. The Clerk will read the amendments.

The Clerk read the amendments as follows:

Amend Section 1, page 1, by striking out in lines 2 and 3 the words and figures "eight million seven hundred thirty-six thousand five hundred dollars ($8,736,500)" and inserting in lieu thereof the words and figures "eight million nine hundred forty-three thousand three hundred fifty dollars ($8,943,350)"; also on page 8, at the end of line 28, by striking out the figures "19,500" and inserting in lieu thereof the figures "18,000"; also on page 9, at the end of line 1, by striking out the figures "14,500" and inserting in lieu thereof the figures "16,000"; also same page, at the end of line 4, by striking out the figures "4,000" and inserting in lieu thereof the figures "6,000"; also same page, at the end of line 6, by striking out the figures "35,600" and inserting in lieu thereof the figures "32,000"; also same page, at the end of line 7, by striking out the figures "45,500" and inserting in lieu thereof the figures "48,600"; also same page, at the end of line 8, by striking out the figures "30,000" and inserting in lieu thereof the figures "31,600"; also same page, at the end of line 11, by striking out the figures "27,600" and inserting in lieu thereof the figures "31,000"; also same page, at the end of line 15, by striking out the figures "26,500" and inserting in lieu thereof the figures "26,000"; also same page, at the end of line 16, by striking out the figures "27,000" and inserting in lieu thereof the figures "29,000"; also same page, at the end of line 17, by striking out the figures "24,400" and inserting in lieu thereof the figures "27,000"; also same page, at the end of line 27, by striking out the figures "32,700" and inserting in lieu thereof the figures "42,000"; also on page 10, at the end of line 1, by striking out the figures "40,500" and inserting in lieu thereof the figures "43,200"; also same page, at the end of line 3, by striking out the figures "5,000" and inserting in lieu thereof the figures "8,000"; also same page, at the end of line 5, by striking out the figures "3,000" and inserting in lieu thereof the figures "4,000"; also same page, by inserting between lines 6 and 7 the words and figures "Convalescent Hospital for Colored Women .....3,500"; also same page, at the end of line 7, by striking out the figures "10,800" and inserting in lieu thereof the figures "12,000"; also same page, at the end of line 8, by striking out the figures "3,500" and inserting in lieu thereof the figures "3,900"; also same page, at the end of line 9, by striking out the figures "3,000" and inserting in lieu thereof the figures "4,500"; also same page, at the end of line 11, by striking

out the figures "116,000" and inserting in lieu thereof the figures "121,000"; also same page, at the end of line 12, by striking out the figures "66,500" and inserting in lieu thereof the figures "68,000"; also same page, at the end of line 14, by striking out the figures "17,100" and inserting in lieu thereof the figures "19,100"; also same page, at the end of line 15, by striking out the figures "10,100" and inserting in lieu thereof the figures "10,400"; also same page, at the end of line 19, by striking out the figures "17,500" and inserting in lieu thereof the figures "18,000"; also same page, at the end of line 22, by striking out the figures "20,000" and inserting in lieu thereof the figures "22,000"; also on page 11, at the end of line 4, by striking out the figures "3,100" and inserting in lieu thereof the figures "3,600"; also same page, at the end of line 5, by striking out the figures "193,200" and inserting in lieu thereof the figures "245,000"; also same page, at the end of line 7, by striking out the figures "102,000" and inserting in lieu thereof the figures "107,000"; also same page, at the end of line 12, by striking out the figures "30,600" and inserting in lieu thereof the figures "31,400"; also same page, at the end of line 17, by striking out the figures "24,500" and inserting in lieu thereof the figures "26,000"; also same page by inserting between lines 17 and 18 the words and figures "Jeanes Hospital Fox Chase Philadelphia .....5,000"; also same page, at the end of line 19, by striking out the figures "7,300" and inserting in lieu thereof the figures "7,500"; also same page, at the end of line 20, by striking out the figures "42,050" and inserting in lieu thereof the figures "45,000"; also same page, at the end of line 21, by striking out the figures "54,900" and inserting in lieu thereof the figures "57,400"; also same page, at the end of line 27, by striking out the figures "38,500" and inserting in lieu thereof the figures "40,000"; also same page, at the end of line 28, by striking out the figures "62,900" and inserting in lieu thereof the figures "65,000"; also on page 12, at the end of line 5, by striking out the figures "11,000" and inserting in lieu thereof the figures "12,000"; also same page, at the end of line 6, by striking out the figures "41,600" and inserting in lieu thereof the figures "42,000"; also same page, at the end of line 7, by striking out the figures "41,700" and inserting in lieu thereof the figures "45,000"; also same page, at the end of line 8, by striking out the figures "80,000" and inserting in lieu thereof the figures "77,000"; also same page, at the end of line 19, by striking out the figures "33,000" and inserting in lieu thereof the figures "45,000"; also same page by inserting between lines 19 and 20 the words and figures "Northwestern General Hospital Philadelphia . . . 20,000"; also same page, at the end of line 21, by striking out the figures "25,500" and inserting in lieu thereof the figures "30,000"; also same page, at the end of line 27, by striking out the figures "170,000" and inserting in lieu thereof the figures "172,000"; also same page, at the end of line 29, by striking out the figures "6,900" and inserting in lieu thereof the figures "8,000"; also on page 13, at the end of line 9, by striking out the figures "9,000" and inserting in lieu thereof the figures "9,600"; also same page, at the end of line 11, by striking out the figures "8,000" and inserting in lieu thereof the figures "9,000"; also same page, at the end of line 14, by striking out the figures "63,000" and inserting in lieu thereof the figures "70,000"; also same page, line 19, by striking out the words "Homeopathic Hospital" and inserting in lieu thereof the words "Medical Centre"; also same page, at the end of line 20, by striking out the figures "90,400" and inserting in lieu thereof the figures "95,000"; also same page, at the end of line 21, by striking out the figures "89,000" and inserting in lieu thereof the figures "94,000"; also same page, at the end of line 26, by striking out the figures "34,100" and inserting in lieu thereof the figures "35,000"; also same page, at the end of line 27, by striking out the figures "10,000" and inserting in lieu thereof the figures "15,000"; also on page 14, at the end of line 3, by striking out the figures "158,600" and inserting in lieu thereof the figures "175,000"; also same page, at the end of line 10, by striking out the figures "26,000" and inserting in lieu thereof the figures "29,000"; also same page, at the end of line 14, by striking out the figures "145,000" and inserting in lieu thereof the figures "150,000"; also same page, at the beginning of line 20, by striking out the word "Women's" and inserting in lieu thereof the word "Woman's"; also same page, at the end of line 24, by striking out the figures "47,400" and inserting in lieu thereof the figures "46,000".

On the question,

Will the House concur in the amendments made by the Senate?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows, viz:

YEAS—204

Achterman,	French,	Lyons,	Rosenfeld,
Allmond,	Gallagher,	Malloy,	Royer,
Auker,	Gates,	Marks,	Rush,
Baker,	Gerard,	Maxwell,	Sarge,
Balthaser,	Gillan,	McClanaghan,	Sarraf,
Bentley,	Gillette,	McChester,	Scanlon,
Bentzel,	Goodwin,	McDermott,	Schwab,
Boles,	Greenwood,	McDowell,	Serrill,
Boney,	Gross,	McFall,	Shaffer,
Boorse,	Gryskewicz,	McIntosh,	Shaw,
Bower,	Gyger,	McKinney,	Shepard,
Bradley,	Habbyshaw,	McLanahan,	Simons,
Bretherick,	Haberlen,	McLane,	Skale,
Brown,	Haines,	McMillen,	Snyder,
Brunner, C. H.,	Hall,	McSurdy,	Sollenberger,
Brunner, P. A.,	Hamilton,	Melchiorre,	Sorg,
Burns,	Hare,	Mihm,	Stambaugh,
Burris,	Harkins,	Modell,	Stank,
Cadwalader,	Harmuth,	Monks,	Stine,
Chervenak,	Harris,	Mooney,	Stockham,
Chudoff,	Heatherington,	Moran,	Tarr,
Cochran,	Helm,	Moul,	Tate,
Cohen, M. M.,	Hering,	Muir,	Taylor,
Cohen, R. E.,	Herman,	Munley,	Thompson, E. F.,
Cook,	Hersch,	Nagel,	Thompson, R. L.,
Cooper,	Hewitt,	Nunemacher,	Trout,
Cordier,	Hirsch,	O'Brien,	Turner,
Corrigan,	Holland,	O'Connor,	VanAllsburg,
Croop,	Huntley,	O'Dare,	Verona,
Cullen,	Imbrie,	O'Mullen,	Vincent,
Dalrymple,	James,	O'Neill,	Vogt,
Dennison,	Jefferson,	Owens,	Voldow,
DiGenova,	Jones, G. E.,	Petrosky,	Voorhees,
Dix,	Jones, P. N.,	Pettit,	Wagner,
Dolon,	Keenan,	Polaski,	Watkins,
D'Ortona,	Kenehan,	Polen,	Weingartner,
Duffy,	Kline,	Powers,	Weiss,
Early,	Knoble,	Prosen,	Welsh, E. B.,
Eckels,	Kolankiewicz,	Rank,	Welsh, M. J.,
Elder,	Komorofski,	Rausch,	Wilkinson,
Elliott,	Krise,	Readinger,	Williams,
Ely,	Lee, E. A.,	Reagan,	Winner,
Falkenstein,	Lee, T. H.,	Reese, D. P.,	Wood, L. H.,
Finestone,	Leisey,	Reese, R. E.,	Wood, N.,
Finnerty,	Leonard,	Regan,	Woodring,
Fisher,	Lesko,	Reynolds,	Woodside,
Fiss,	Levy,	Rhea,	Wright,
Fleming,	Leydic,	Riley,	Yeakel,
Fletcher,	Lichtenwalter,	Rooney,	Yester,
Flynn,	Longo,	Rose, S.,	Young,
Foor,	Lovett,	Rose, W. E.,	Kilroy, Speaker

NAYS—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative, and the amendments were concurred in.

Ordered, That the Clerk inform the Senate accordingly.

The Clerk of the Senate being introduced, returned bill from the House of Representatives numbered and entitled as follows:

HOUSE BILL No. 1435.

An Act to authorize housing authorities to undertake the development or administration of projects to provide safe and sanitary dwellings for persons engaged in national-defense activities who would not otherwise be

able to secure such dwellings within the vicinity thereof; to limit the initiation of the development of such projects until December 31, 1943; to authorize housing authorities to cooperate with or act as agent of the Federal Government in the development and administration of such projects of the Federal Government, to acquire or lease such projects and to sell or lease certain projects to the Federal Government; to authorize public bodies to assist such projects of housing authorities and of the Federal Government; and to declare valid all bonds, notes and obligations of housing authorities issued for projects heretofore undertaken to provide safe and sanitary dwellings for persons engaged in national-defense activities.

With the information that the Senate has passed the same with amendments, in which the concurrence of the House of Representatives is requested.

The SPEAKER. The Clerk will read the amendments.

The Clerk read the amendments as follows:

Amend the title, page 1, at the end of line 14, by striking out the word "and"; also same page, by striking out all of lines 15 and 16 of the title as follows: "to declare valid all bonds notes and obligations of housing authorities issued for projects heretofore under-"; also on page 2 of the title, at the beginning of line 1 by striking out the word "taken".

Amend bill, page 2, by inserting between the title and the first section the following:

"The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows".

Amend Section 1, page 2, by striking out in lines 1 to 4 inclusive the words "Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That this" and inserting in lieu thereof the word "This".

Amend Section 3, page 5, line 2, by striking out the word "appropriations" and inserting in lieu thereof the word "preparation".

Amend Section 4, page 7, line 14, by inserting after the word "authority" the words "pursuant to this act"; also same page by inserting between lines 20 and 21 the following paragraph:

"After the National Defense Period any such projects owned and administered by a housing authority shall be administered for the purpose and in accordance with the provisions of the Housing Authorities Law".

Amend Section 5, page 8, line 5, by inserting after the word "and" and before the word "shall" at the end of said line the words "any such sale".

Amend Section 6, page 9, by striking out after the word "body" the word "or" and inserting in lieu thereof the word "for".

Amend Section 7, page 9, by striking out in lines 6 to 15 inclusive the entire section as follows:

"Section 7 All bonds notes contracts agreements and obligations of housing authorities heretofore issued or entered into relating to financing or undertaking (including cooperating with or acting as agent of the Federal Government in) the development or administration of any project to provide safe and sanitary dwellings for persons engaged in national-defense activities are hereby validated and declared legal in all respects notwithstanding any defect or irregularity therein or any want of statutory authority".

Amend Section 8, page 9, line 16, by striking out after the word "Section" the figure "8" and inserting in lieu thereof the figure "7".

Amend Section 9, page 10, line 12, by striking out after the word "Section" the figure "9" and inserting in lieu thereof the figure "8".

Amend Section 10, page 10, line 16, by striking out after the word "Section" the figures "10" and inserting in lieu thereof the figure "9".

Amend Section 11, page 10, line 24, by striking out after the word "Section" the figures "11" and inserting in lieu thereof the figures "10"; also at the end of same line by inserting after the word "immediately" the words "upon final enactment".

On the question,

Will the House concur in the amendments made by the Senate?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows, viz:

YEAS—204

Achterman,	French,	Lyons,	Rosenfeld,
Allmond,	Gallagher,	Malloy,	Royer,
Auker,	Gates,	Marks,	Rush,
Baker,	Gerard,	Maxwell,	Sarge,
Balthaser,	Gillan,	McClanaghan,	Sarraf,
Bentley,	Gillette,	McClester,	Scanlon,
Bentzel,	Goodwin,	McDermott,	Schwab,
Boles,	Greenwood,	McDowell,	Serrill,
Boney,	Gross,	McFall,	Shaffer,
Boorse,	Gryskewicz,	McIntosh,	Shaw,
Bower,	Gyger,	McKinney,	Shepard,
Bradley,	Habbyshaw,	McLanahan,	Simons,
Bretherick,	Haberlen,	McLane,	Skale,
Brown,	Haines,	McMillen,	Snyder,
Brunner, C. H.,	Hall,	McSurdy,	Sollenberger,
Brunner, P. A.,	Hamilton,	Melchiorre,	Sorg,
Burns,	Hare,	Mihm,	Stambaugh,
Burris,	Harkins,	Modell,	Stank,
Cadwalader,	Harmuth,	Monks,	Stine,
Chervenak,	Harris,	Mooney,	Stockham,
Chudoff,	Heatherington,	Moran,	Tarr,
Cochran,	Helm,	Moul,	Tate,
Cohen, M. M.,	Hering,	Muir,	Taylor,
Cohen, R. E.,	Herman,	Munley,	Thompson, E. F.,
Cook,	Hersch,	Nagel,	Thompson, R. L.,
Cooper,	Hewitt,	Nunemacher,	Trout,
Cordier,	Hirsch,	O'Brien,	Turner,
Corrigan,	Holland,	O'Connor	VanAllsburg,
Croop,	Huntley,	O'Dare,	Verona,
Cullen,	Imbrie,	O'Mullen,	Vincent,
Dalrymple,	James,	O'Neill,	Vogt,
Dennison,	Jefferson,	Owens,	Voldow,
DiGenova,	Jones, G. E.,	Petrosky,	Voorhees,
Dix,	Jones, P. N.,	Pettit,	Wagner,
Dolon,	Keenan,	Polaski,	Watkins,
D'Ortona,	Kenehan,	Polen,	Weingartner
Duffy,	Kline,	Powers,	Welsh, E. B.,
Early,	Knoble,	Prosen,	Welsh, M. J.,
Eckels,	Kolankiewicz,	Rank,	Wilkinson,
Elder,	Komorofski,	Rausch,	Williams,
Elliott,	Krise,	Readinger,	Winner,
Ely,	Lee, E. A.,	Reagan,	Wood, L. H.,
Falkenstein,	Lee, T. H.,	Reese, D. P.,	Wood, N.,
Finestone,	Leisey,	Reese, R. E.,	Woodring,
Finnerty,	Leonard,	Regan,	Woodside,
Fisher,	Lesko,	Reynolds,	Wright,
Fiss,	Levy,	Rhea,	Yeakel,
Fleming,	Leydic,	Riley,	Yester,
Fletcher,	Lichtenwalter,	Rooney,	Young,
Flynn,	Longo,	Rose, S.,	Kilroy,
Foor,	Lovett,	Rose, W. E.,	Speaker.

NAYS—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative, and the amendments were concurred in.

Ordered, That the Clerk inform the Senate accordingly.

THE SPEAKER (Elmer Kilroy) IN THE CHAIR

The SPEAKER. The Chair thanks the gentleman from Monroe, Mr. Achterman, for presiding.

REPORT OF COMMITTEE OF CONFERENCE RECOMMITTED

Mr. ROSENFELD. Mr. Speaker, I move that the report of the Committee of Conference on Senate Bill No. 561, be recommitted to the Committee of Conference.

The motion was agreed to.

BILL ON FINAL PASSAGE RECALLED FROM GOVERNOR

Agreeably to order,

The House proceeded to the consideration on final passage of House Bill No. 472, as follows:

An Act making an appropriation to the Department of Health for use in research work dealing with human nutrition for children

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The sum of forty thousand dollars ($40,000) or so much thereof as may be necessary is hereby specifically appropriated to the Department of Health for the use of the Land Grant College of Pennsylvania engaged by the department for the purpose of advancing research in human nutrition for children so as to continue the work now in progress in certain areas and in order that this research work may be extended into other areas The Department of Health shall commission this research to said Land Grant College and remain in an advisory capacity so as to benefit and be directed in its work by such findings as may ensue The moneys so appropriated shall be advanced to the Land Grant College of Pennsylvania at such time or times and in such amount or amounts as the college shall request

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows, viz:

YEAS—204

Achterman,	French,	Lyons,	Rosenfeld,
Allmond,	Gallagher,	Malloy,	Royer,
Auker,	Gates,	Marks,	Rush,
Baker,	Gerard,	Maxwell,	Sarge,
Balthaser,	Gillan,	McClanaghan,	Sarraf,
Bentley,	Gillette,	McClester,	Scanlon,
Bentzel,	Goodwin,	McDermott,	Schwab,
Boles,	Greenwood,	McDowell,	Serrill,
Boney,	Gross,	McFall,	Shaffer,
Boorse,	Gryskewicz,	McIntosh,	Shaw,
Bower,	Gyger,	McKinney,	Shepard,
Bradley,	Habbyshaw,	McLanahan,	Simons,
Bretherick,	Haberlen,	McLane,	Skale,
Brown,	Haines,	McMillen,	Snyder,
Brunner, C. H.,	Hall,	McSurdy,	Sollenberger,
Brunner, P. A.,	Hamilton,	Melchiorre,	Sorg,
Burns,	Hare,	Mihm,	Stambaugh,
Burris,	Harkins,	Modell,	Stank,
Cadwalader,	Harmuth,	Monks,	Stine,
Chervenak,	Harris,	Mooney,	Stockham,
Chudoff,	Heatherington,	Moran,	Tarr,
Cochran,	Helm,	Moul,	Tate,
Cohen, M. M.,	Hering,	Muir,	Taylor,
Cohen, R. E.,	Herman,	Munley,	Thompson, E.,
Cook,	Hersch,	Nagel,	Thompson, R.,
Cooper,	Hewitt,	Nunemacher,	Trout,
Cordier,	Hirsch,	O'Brien,	Turner,
Corrigan,	Holland,	O'Connor,	Van Allsburg,
Croop,	Huntley,	O'Dare,	Verona,
Cullen,	Imbrie,	O'Mullen,	Vincent,
Dalrymple,	James,	O'Neill,	Vogt,
Dennison,	Jefferson,	Owens,	Voldow,
DiGenova,	Jones, G. E.,	Petrosky,	Voorhees,
Dix,	Jones, P. N.,	Pettit,	Wagner,
Dolon,	Keenan,	Polaski,	Watkins,
D'Ortona,	Kenehan,	Polen,	Weingartner,
Duffy,	Kline,	Powers,	Weiss,
Early,	Knoble,	Prosen,	Welsh, E. B.,
Eckels,	Kolankiewicz,	Rank,	Welsh, M. J.,
Elder,	Komorofski,	Rausch,	Wilkinson,
Elliott,	Krise,	Readinger,	Williams,
Ely,	Lee, E. A.,	Reagan,	Winner,
Falkenstein,	Lee, T. H.,	Reese, D. P.,	Wood, L. H.,
Finestone,	Leisey,	Reese, R. E.,	Wood, N.,
Finnerty,	Leonard,	Regan,	Woodring,
Fisher,	Lesko,	Reynolds,	Woodside,
Fiss,	Levy,	Rhea,	Wright,
	Leydic,	Riley,	Yeakel,
Fleming,	Lichtenwalter,	Rooney,	Yester,
Fletcher,	Longo,	Rose, S.,	Young,
Flynn,	Lovett,	Rose, W. E.,	Kilroy, Speaker.
Foor,			

NAYS—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrnce.

BILL ON FINAL PASSAGE PASSED OVER

There being no objection House Bill No. 1445, (Senate Bill No. 302), Printer's No. 464, was passed over at the request of the SPEAKER.

BILL ON FINAL PASSAGE

Agreeably to order,

The House proceeded to the consideration on final passage of House Bill No. 570, as follows:

An Act to add two new definitions to Section 102 to amend the table of contents to Article VI to further amend Section 601 603 605 and 606 to amend Section 609 to further amend Sections 613 620 and 621 to add Sections 623 to 638 both inclusive to Article VI and to further amend Section 713 of the act approved the first day of May one thousand nine hundred twenty-nine (P. L. 905) entitled "An act for the protection of the public safety regulating the use of highways and the operation of vehicles tractor street cars trackless trolley omnibuses bicycles pedestrians and the riding of animals upon the highways of this Commonwealth providing for the titling including liens encumbrances and legal claims registration of certain vehicles and licensing the operators thereof upon payment of prescribed fees prescribing and limiting the powers of local authorities to deal with the subject matter of this act conferring powers and imposing duties upon the Department of Revenue the Department of Highways peace officers mayors burgesses magistrates aldermen justices of the peace the courts and the clerks thereof owners of vehicles and garage keepers providing that records are admissible as evidence imposing upon owners counties cities boroughs incorporated towns townships within the Commonwealth liability for damages caused by the negligent operation of their motor vehicles imposing penalties imposing certain costs upon counties providing for the disposition of fines forfeitures fees and miscellaneous receipts making an appropriation and providing for refunds" providing for the issuance of commercial operators' licenses further regulating the operation of motor vehicles commercial motor vehicles motor buses omnibuses and school busses fixing fees and imposing additional penalties

On the question,

Shall the bill pass finally?

BILL DROPPED FROM CALENDAR

Mr. ACHTERMAN. Mr. Speaker, I move that House Bill No. 570, Printer's No. 1194, be dropped from the calendar.

The motion was agreed to.

BILL ON THIRD READING

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1096, as follows:

An Act to regulate the practice of general contracting

in Pennsylvania to establish a State Registration Board for Contractors and to define its powers and duties to provide the method of obtaining a certificate of registration to engage in the practice of general contracting and to fix fees for such certificates to dispose of the moneys raised to provide the method of suspension and cancellation of such certificate of registration and to prescribe the punishment for violation of the provisions of this act

On the question,
Will the House agree to the bill on third reading?

BILL DROPPED FROM CALENDAR

Mr. ACHTERMAN. Mr. Speaker, I move that House Bill No. 1096, Printer's No. 698, be dropped from the calendar.

The motion was agreed to.

BILLS PASSED OVER

There being no objection House Bill No. 1620, (Senate Bill No. 714), Printer's No. 227 and House Bill No. 1752, (Senate Bill No. 1016), Printer's No. 344, were passed over at the request of the SPEAKER.

BILL ON THIRD READING

Agreeably to order,
The House proceeded to the third reading and consideration of House Bill No. 1539, entitled:

An Act to amend section two of the act approved the second day of July one thousand nine hundred and thirty-five (P. L. 599) entitled "An act relating to motion picture exhibitions and sound motion picture exhibitions together with orchestral or other instrumental musical or mechanical musical accompaniment prelu[illegible] playing or selection in connection with or incidental thereto on Sunday prohibiting motion picture exhibitions and sound motion picture exhibitions and orchestral or other instrumental musical or mechanical musical accompaniment prelude playing or selection incidental thereto on Sunday during certain hou[illegible] and also during other hours unless the electors of a municipality approve thereof regulating the employment of persons in conducting such exhibitions on Sunday providing for referendums to ascertain the will of the electors and providing penalties and repealing inconsistent laws" by making it lawful for persons co-partnerships associations or corporations to conduct stage manage operate or engage in motion picture exhibitions whether or n[illegible] there be a charge of admission thereto within a radius of ten miles of any army depot military reservation military encampment naval base or naval encampment

On the question,
Will the House agree to the bill on third reading?

BILL DROPPED FROM CALENDAR

Mr. ACHTERMAN. Mr. Speaker, I move that House Bill No. 1539, Printer's No. 1171, be dropped from the calendar.

The motion was agreed to.

BILLS ON THIRD READING

Agreeably to order,
The House proceeded to the third reading and consideration of House Bill No. 1960, (Senate Bill No. 258), entitled:

An Act making an appropriation to the Medical School of the University of Pittsburgh Pittsburgh Pennsylvania

And said bill having been read at length the third time, considered and agreed to.

On the question,
Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows, viz:

YEAS—204

Achterman,	French,	Lyons,	Rosenfeld,
Allmond,	Gallagher,	Malloy,	Royer,
Auker,	Gates,	Marks,	Rush,
Baker,	Gerard,	Maxwell,	Sarge,
Balthaser,	Gillan,	McClanaghan,	Sarraf,
Bentley,	Gillette,	McClester,	Scanlon,
Bentzel,	Goodwin,	McDermott,	Schwab,
Boies,	Greenwood,	McDowell	Serrill,
Boney,	Gross,	McFall,	Shaffer,
Boorse,	Gryskewicz,	McIntosh,	Shaw,
Bower,	Gyger,	McKinney,	Shepard,
Bradley,	Habbyshaw,	McLanahan,	Simons,
Bretherick,	Haberlen,	McLane,	Skale,
Brown,	Haines,	McMillen,	Snyder,
Brunner, C. H.,	Hall,	McSurdy,	Sollenberger,
Brunner, P. A.,	Hamilton,	Melchiorre,	Sorg,
Burns,	Hare,	Mihm,	Stambaugh,
Burris,	Harkins,	Modell,	Stank,
Cadwalader,	Harmuth,	Monks,	Stine,
Chervenak,	Harris,	Mooney,	Stockham,
Chudoff,	Heatherington,	Moran,	Tarr,
Cochran,	Helm,	Moul,	Tate,
Cohen, M. M.,	Hering,	Muir,	Taylor,
Cohen, R. E.,	Herman,	Munley,	Thompson, E. F.,
Cook,	Hersch,	Nagel,	Thompson, R. L.,
Cooper,	Hewitt,	Nunemacher,	Trout,
Cordier,	Hirsch,	O'Brien,	Turner,
Corrigan,	Holland,	O'Connor,	Van Allsburg,
Croop,	Huntley,	O'Dare,	Verona,
Cullen,	Imbrie,	O'Mullen,	Vincent,
Dalrymple,	James,	O'Neill,	Vogt,
Dennison,	Jefferson,	Owens,	Voldow,
DiGenova,	Jones, G. E.,	Petrosky,	Voorhees,
Dix,	Jones, P. N.,	Pettit,	Wagner,
Dolon,	Keenan,	Polaski,	Watkins,
D'Ortona,	Kenehan,	Polen,	Weingartner,
Duffy,	Kline,	Powers,	Weiss,
Early,	Knoble,	Prosen,	Welsh, E. B.,
Eckels,	Kolankiewicz,	Rank,	Welsh, M. J.,
Elder,	Komorofski,	Rausch,	Wilkinson,
Elliott,	Krise,	Readinger,	Williams,
Ely,	Lee, E. A.,	Reagan,	Winner,
Falkenstein,	Lee, T. H.,	Reese, D. P.,	Wood, L. H.,
Finestone,	Leisey,	Reese, R. E.,	Wood, N.,
Finnerty,	Leonard,	Regan,	Woodring,
Fisher,	Lesko,	Reynolds,	Woodside,
Fiss,	Levy,	Rhea,	Wright,
Fleming,	Leydic,	Riley,	Yeakel,
Fletcher,	Lichtenwalter,	Rooney,	Yester,
Flynn,	Longo,	Rose, S.,	Young,
Foor,	Lovett,	Rose, W. E.,	Kilroy,
			Speaker.

NAYS—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return it to the Senate with information that the House has passed it without amendments.

Agreeably to order,
The House proceeded to the third reading and consideration of House Bill No. 1959, (Senate Bill No. 257), entitled:

An Act making an appropriation to the Nursing School of the University of Pittsburgh Pittsburgh Pennsylvania

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows, viz:

YEAS—204

Achterman,	French,	Lyons,	Rosenfeld,
Allmond,	Gallagher,	Malloy,	Royer,
Auker,	Gates,	Marks,	Rush,
Baker,	Gerard,	Maxwell,	Sarge,
Balthaser,	Gillan,	McClanaghan,	Sarraf,
Bentley,	Gillette,	McClester,	Scanlon,
Bentzel,	Goodwin,	McDermott,	Schwab,
Boles,	Greenwood,	McDowell,	Serrill,
Boney,	Gross,	McFall,	Shaffer,
Boorse,	Gryskewicz,	McIntosh,	Shaw,
Bower,	Gyger,	McKinney,	Shepard,
Bradley,	Habbyshaw,	McLanahan,	Simons,
Bretherick,	Haberlen,	McLane,	Skale,
Brown,	Haines,	McMillen,	Snyder,
Brunner, C. H.,	Hall,	McSurdy,	Sollenberger,
Brunner, P. A.,	Hamilton,	Melchiorre,	Sorg,
Burns,	Hare,	Mihm,	Stambaugh,
Burris,	Harkins,	Modell,	Stank,
Cadwalader,	Harmuth,	Monks,	Stine
Chervenak,	Harris,	Mooney,	Stockham,
Chudoff,	Heatherington,	Moran,	Tarr,
Cochran,	Helm,	Moul,	Tate,
Cohen, M. M.,	Hering,	Muir,	Taylor,
Cohen, R. E.,	Herman,	Munley	Thompson, E. F.
Cook,	Hersch,	Nagel	Thompson, R. L.,
Cooper,	Hewitt,	Nunemacher	Trout,
Cordier,	Hirsch,	O'Brien,	Turner,
Corrigan,	Holland,	O'Connor,	VanAllsburg,
Croop,	Huntley,	O'Dare,	Verona,
Cullen,	Imbrie,	O'Mullen,	Vincent,
Dalrymple,	James,	O'Neill,	Vogt,
Dennison,	Jefferson,	Owens,	Voldow,
DiGenova,	Jones, G. E.,	Petrosky,	Voorhees,
Dix,	Jones, P. N.,	Pettit,	Wagner,
Dolon,	Keenan,	Polaski,	Watkins,
D'Ortona,	Kenehan,	Polen,	Weingartner,
Early,	Kline,	Powers,	Weiss,
Eckels,	Knoble,	Prosen,	Welsh, E. B.,
Elder,	Kolankiewicz,	Rank,	Welsh, M. J.,
Elliott,	Komorofski,	Rausch,	Wilkinson,
Ely,	Krise,	Readinger,	Williams,
Falkenstein,	Lee, E. A.,	Reagan,	Winner,
Finestone,	Lee, T. H.,	Reese, D P.,	Wood, L. H.,
Finnerty,	Leisey,	Reese, R E.,	Wood, N.,
Fisher,	Leonard,	Regan,	Woodring,
Fiss,	Lesko,	Reynolds,	Woodside,
Fleming,	Levy,	Rhea,	Wright,
Fletcher,	Leydic,	Riley,	Yeakel,
Flynn	Lichtenwalter,	Rooney,	Yester,
Foor,	Longo,	Rose, S.,	Young,
	Lovett,	Rose, W. E.,	Kilroy, Speaker

NAYS—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return it to the Senate with information that the House has passed it without amendment.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1941, (Senate Bill No. 1190), entitled:

An Act making an appropriation to the Department of Public Instruction for the cost of improving, repairing, operating and maintaining the Thaddeus Stevens Industrial School at Lancaster, Pennsylvania.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows, viz:

YEAS—204

Achterman,	French,	Lyons,	Rosenfeld,
Allmond,	Gallagher,	Malloy,	Royer,
Auker,	Gates,	Marks,	Rush,
Baker,	Gerard,	Maxwell,	Sarge,
Balthaser,	Gillan,	McClanaghan,	Sarraf,
Bentley,	Gillette,	McClester,	Scanlon,
Bentzel,	Goodwin,	McDermott,	Schwab,
Boles,	Greenwood,	McDowell,	Serrill,
Boney,	Gross,	McFall,	Shaffer,
Boorse,	Gryskewicz,	McIntosh,	Shaw,
Bower,	Gyger,	McKinney,	Shepard,
Bradley,	Habbyshaw,	McLanahan,	Simons,
Bretherick,	Haberlen,	McLane,	Skale,
Brown,	Haines,	McMillen,	Snyder,
Brunner, C. H.,	Hall,	McSurdy,	Sollenberger,
Brunner, P. A.,	Hamilton,	Melchiorre,	Sorg,
Burns,	Hare,	Mihm,	Stambaugh,
Burris,	Harkins,	Modell,	Stank,
Cadwalader,	Harmuth,	Monks,	Stine,
Chervenak,	Harris,	Mooney,	Stockham,
Chudoff,	Heatherington,	Moran,	Tarr,
Cochran,	Helm,	Moul,	Tate,
Cohen, M. M.,	Hering,	Muir,	Taylor,
Cohen, R. E.,	Herman,	Munley,	Thompson, E. F.,
Cook,	Hersch,	Nagel,	Thompson, R. L.,
Cooper,	Hewitt,	Nunemacher,	Trout,
Cordier,	Hirsch,	O'Brien,	Turner,
Corrigan,	Holland,	O'Connor,	Van Allsburg,
Croop,	Huntley,	O'Dare,	Verona,
Cullen,	Imbrie,	O'Mullen,	Vincent,
Dalrymple,	James,	O'Neill,	Vogt,
Dennison,	Jefferson,	Owens,	Voldow,
DiGenova,	Jones, G. E.,	Petrosky,	Voorhees,
Dix,	Jones, P. N.,	Pettit,	Wagner,
Dolon,	Keenan,	Polaski,	Watkins,
D'Ortona,	Kenehan,	Polen,	Weingartner,
Duffy,	Kline,	Powers,	Weiss,
Early,	Knoble,	Prosen,	Welsh, E. B.,
Eckels,	Kolankiewicz,	Rank,	Welsh, M. J.,
Elder,	Komorofski,	Rausch,	Wilkinson,
Elliott,	Krise,	Readinger,	Williams,
Ely,	Lee, E. A.,	Reagan,	Winner,
Falkenstein,	Lee, T. H.,	Reese, David P.,	Wood, L. H.,
Finestone,	Leisey,	Reese, R. E.,	Wood, N.,
Finnerty,	Leonard,	Regan,	Woodring,
Fisher,	Lesko,	Reynolds,	Woodside,
Fiss,	Levy,	Rhea,	Wright,
Fleming,	Leydic,	Riley,	Yeakel,
Fletcher,	Lichtenwalter,	Rooney,	Yester,
Flynn,	Longo,	Rose, S.,	Young,
Foor,	Lovett,	Rose, W. E.,	Kilroy, Speaker

NAYS—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return it to the Senate with information that the House has passed it without amendment.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1699, (Senate Bill No. 571), entitled:

An Act making an appropriation to the Local Government Commission to continue its work

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows, viz:

YEAS—204

Achterman,	French,	Lyons,	Rosenfeld,
Allmond,	Gallagher,	Malloy,	Royer,
Auker,	Gates,	Marks,	Rush,
Baker,	Gerard,	Maxwell,	Sarge,
Balthaser,	Gillan,	McClanaghan,	Sarraf,
Bentley,	Gillette,	McClester,	Scanlon,
Bentzel,	Goodwin,	McDermott,	Schwab,
Boles,	Greenwood,	McDowell,	Serrill,
Boney,	Gross,	McFall,	Shaffer,
Boorse,	Gryskewicz,	McIntosh,	Shaw,
Bower,	Gyger,	McKinney,	Shepard,
Bradley,	Habbyshaw,	McLanahan,	Simons,
Bretherick,	Haberlen,	McLane,	Skale,
Brown,	Haines,	McMillen,	Snyder,
Brunner, C. H.,	Hall,	McSurdy,	Sollenberger,
Brunner, P. A.,	Hamilton,	Melchiorre,	Sorg,
Burns	Hare,	Mihm,	Stambaugh,
Burris,	Harkins,	Modell,	Stank,
Cadwalader,	Harmuth,	Monks,	Stine,
Chervenak,	Harris,	Mooney,	Stockham,
Chudoff,	Heatherington,	Moran,	Tarr,
Cochran,	Helm,	Moul,	Tate,
Cohen, M. M.,	Hering,	Muir,	Taylor,
Cohen, R. E.,	Herman,	Munley,	Thompson, E. F.,
Cook,	Hersch,	Nagel,	Thompson, R. L.,
Cooper,	Hewitt,	Nunemacher,	Trout,
Cordier,	Hirsch,	O'Brien,	Turner,
Corrigan,	Holland,	O'Connor	VanAllsburg,
Croop,	Huntley,	O'Dare,	Verona,
Cullen,	Imbrie,	O'Mullen,	Vincent,
Dalrymple,	James,	O'Neill,	Vogt,
Dennison,	Jefferson,	Owens,	Voldow,
DiGenova,	Jones, G. E.,	Petrosky,	Voorhees,
Dix,	Jones, P. N.,	Pettit,	Wagner,
Dolon,	Keenan,	Polaski,	Watkins,
D'Ortona,	Kenehan,	Polen,	Weingartner,
Duffy,	Kline,	Powers,	Weiss,
Early,	Knoble,	Prosen,	Welsh, E. B.,
Eckels,	Kolankiewicz,	Rank,	Welsh, M. J.,
Elder,	Komorofski,	Rausch,	Wilkinson,
Elliott,	Krise,	Readinger,	Williams,
Ely,	Lee, E. A.,	Reagan,	Winner,
Falkenstein,	Lee, T. H.,	Reese, D. P.,	Wood, L. H.,
Finestone,	Leisey,	Reese, R. E.,	Wood, N.,
Finnerty,	Leonard,	Regan,	Woodring,
Fisher,	Lesko,	Reynolds,	Woodside,
Fiss,	Levy,	Rhea,	Wright,
Fleming,	Leydic,	Riley,	Yeakel,
Fletcher,	Lichtenwalter,	Rooney,	Yester,
Flynn,	Longo,	Rose, S.,	Young,
Foor,	Lovett,	Rose, W. E.,	Kilroy, Speaker

NAYS—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return it to the Senate with information that the House has passed it without amendment.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1967, (Senate Bill No. 1260), entitled:

An Act to amend the act approved the twenty-second day of June one thousand nine hundred and thirty-one (P. L. 594) entitled "An act establishing certain township roads as State highways authorizing their construction maintenance and improvement under certain conditions and restrictions limiting the obligation of the Commonwealth in the construction of certain structures located on such highways conferring certain powers upon the Department of Highways and local authorities persons associations and corporations for sharing the cost of the maintenance and construction of such highways and making an appropriation to carry out the provisions of said act" as amended by changing a certai route

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows, viz:

YEAS—204

Achterman,	French,	Lyons,	Royer,
Allmond,	Gallagher,	Malloy,	Rush,
Auker,	Gates,	Marks,	Sarge,
Baker,	Gerard,	Maxwell,	Sarraf,
Balthaser,	Gillan,	McClanaghan,	Scanlon,
Bentley,	Gillette,	McClester,	Schwab,
Bentzel,	Goodwin,	McDermott,	Serrill,
Boles,	Greenwood,	McDowell,	Shaffer,
Boney,	Gross,	McFall,	Shaw,
Boorse,	Gryskewicz,	McIntosh,	Shepard,
Bower,	Gyger,	McKinney,	Simons,
Bradley,	Habbyshaw,	McLanahan,	Skale,
Bretherick,	Haberlen,	McLane,	Snyder,
Brown,	Haines,	McMillen,	Sollenberger,
Brunner, C. H.,	Hall,	McSurdy,	Sorg,
Brunner, P. A.,	Hamilton,	Melchiorre,	Stambaugh,
Burns,	Hare,	Mihm,	Stank,
Burris,	Harkins,	Modell,	Stine,
Cadwalader,	Harmuth,	Monks,	Stockham,
Chervenak,	Harris,	Mooney,	Tarr,
Chudoff,	Heatherington,	Moran,	Tate,
Cochran,	Helm,	Moul,	Taylor,
Cohen, M. M.,	Hering,	Muir,	Thompson, E. F.,
Cohen, R. E.,	Herman,	Munley	Thompson, R. L.,
Cook,	Hersch,	Nagel	Trout,
Cooper,	Hewitt,	Nunemacher	Turner,
Cordier,	Hirsch,	O'Brien,	VanAllsburg,
Corrigan,	Holland,	O'Connor,	Verona,
Croop,	Huntley,	O'Dare,	Vincent,
Cullen,	Imbrie,	O'Mullen,	Vogt,
Dalrymple,	James,	O'Neill,	Voldow,
Dennison,	Jefferson,	Owens,	Voorhees,
DiGenova,	Jones, G. E.,	Petrosky,	Wagner,
Dix,	Jones, P. N.,	Pettit,	Watkins,
Dolon,	Keenan,	Polaski,	Weingartner,
D'Ortona,	Kenehan,	Polen,	Weiss,
Duffy,	Kline,	Powers,	Welsh, E. B.,
Early,	Knoble,	Prosen,	Welsh, M. J.,
Eckels,	Kolankiewicz,	Rank,	Wilkinson,
Elder,	Komorofski,	Rausch,	Williams,
Elliott,	Krise,	Readinger,	Winner,
Ely,	Lee, E. A.,	Reagan,	Wood, L. H.,
Falkenstein,	Lee, T. H.,	Reese, D. P.,	Wood, N.,
Finestone,	Leisey,	Reese, R. E.,	Woodring,
Finnerty,	Leonard,	Regan,	Woodside,
Fisher,	Lesko,	Reynolds,	Wright,
Fiss,	Levy,	Rhea,	Yeakel,
Fleming,	Leydic,	Riley,	Yester,
Fletcher,	Lichtenwalter,	Rooney,	Young,
Flynn,	Longo,	Rose, S.,	Kilroy,
Foor,	Lovett,	Rose, W. E.,	Speaker.
		Rosenfeld,	

NAYS—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return it to the Senate with information that the House has passed it without amendment.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1887, (Senate Bill No. 1172), entitled:

An Act making an appropriation to the Department of Health for the purpose of equipping and operating a sanitorium for the treatment of cancer and for cancer research.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows, viz:

YEAS—204

Achterman,	French,	Lyons,	Royer,
Allmond,	Gallagher,	Malloy,	Rush,
Auker,	Gates,	Marks,	Sarge,
Baker,	Gerard,	Maxwell,	Sarraf,
Balthaser,	Gillan,	McDowell,	Scanlon,
Bentley,	Gillette,	McClanaghan,	Schwab,
Bentzel,	Goodwin,	McClester,	Serrill,
Boies,	Greenwood,	McFall,	Shaffer,
Boney,	Gross,	McDermott,	Shaw,
Boorse,	Gryskewicz,	McIntosh,	Shepard,
Bower,	Gyger,	McKinney,	Simons,
Bradley,	Habbyshaw,	McLanahan,	Skale,
Bretherick,	Haberlen,	McLane,	Snyder,
Brown,	Haines,	McMillen,	Sollenberger,
Brunner, C. H.,	Hall,	McSurdy,	Sorg,
Brunner, P. A.,	Hamilton,	Melchiorre,	Stambaugh,
Burns,	Hare,	Mihm,	Stank,
Burris,	Harkins,	Modell,	Stine,
Cadwalader,	Harmuth,	Monks,	Stockham,
Chervenak,	Harris,	Mooney,	Tarr,
Chudoff,	Heatherington,	Moran,	Tate,
Cochran,	Helm,	Moul,	Taylor,
Cohen, M. M.,	Hering,	Muir,	Thompson, E. F.,
Cohen, R. E.,	Herman,	Munley	Thompson, R. L.,
Cook,	Hersch,	Nagel	Trout,
Cooper,	Hewitt,	Nunemacher	Turner,
Cordier,	Hirsch,	O'Brien,	VanAllsburg,
Corrigan,	Holland,	O'Connor,	Verona,
Croop,	Huntley,	O'Dare,	Vincent,
Cullen,	Imbrie,	O'Mullen,	Vogt,
Dalrymple,	James,	O'Neill,	Voldow,
Dennison,	Jefferson,	Owens,	Voorhees,
DiGenova,	Jones, G. E.,	Petrosky,	Wagner,
Dix,	Jones, P. N.,	Pettit,	Watkins,
Dolon,	Keenan,	Polaski,	Weingartner,
D'Ortona,	Kenehan,	Polen,	Weiss,
Duffy,	Kline,	Powers,	Welsh, E. B.,
Early,	Knoble,	Prosen,	Welsh, M. J.,
Eckels,	Kolankiewicz,	Rank,	Wilkinson,
Elder,	Komorofski,	Rausch,	Williams,
Elliott,	Krise,	Readinger,	Winner,
Ely,	Lee, E. A.,	Reagan,	Wood, L. H.,
Falkenstein,	Lee, T. H.,	Reese, D. P.,	Wood, N.,
Finestone,	Leisey,	Reese, R. E.,	Woodring,
Finnerty,	Leonard,	Regan,	Woodside,
Fisher,	Lesko,	Reynolds,	Wright,
Fiss,	Levy,	Rhea,	Yeakel,
Fleming,	Leydic,	Riley,	Yester,
Fletcher,	Lichtenwalter,	Rooney,	Young,
Flynn,	Longo,	Rose, S.,	Kilroy,
Foor,	Lovett,	Rose, W. E.,	
		Rosenfeld,	Speaker.

NAYS—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return it to the Senate with information that the House has passed it without amendment.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1969, (Senate Bill No. 1282), entitled:

An Act authorizing the Department of Property and Supplies with the approval of the Governor and the Board of Trustees of the California State Teachers College to acquire a certain tract of land for the use of said college and making an appropriation

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows, viz:

YEAS—204

Achterman,	French,	Malloy,	Royer,
Allmond,	Gallagher,	Marks,	Rush,
Auker,	Gates,	Maxwell,	Sarge,
Baker,	Gerard,	McClanaghan,	Sarraf,
Balthaser,	Gillan,	McClester,	Scanlon,
Bentley,	Gillette,	McDermott,	Schwab,
Bentzel,	Goodwin,	McDowell,	Serrill,
Boies,	Greenwood,	McFall,	Shaffer,
Boney,	Gross,	McIntosh,	Shaw,
Boorse,	Gryskewicz,	McKinney,	Shepard,
Bower,	Gyger,	McLanahan,	Simons,
Bradley,	Habbyshaw,	McLane,	Skale,
Bretherick,	Haberlen,	McMillen,	Snyder,
Brown,	Haines,	McSurdy,	Sollenberger,
Brunner, C. H.,	Hall,	Melchiorre,	Sorg,
Brunner, P. A.,	Hamilton,	Mihm,	Stambaugh,
Burns,	Hare,	Modell,	Stank,
Burris,	Harkins,	Monks,	Stine,
Cadwalader,	Harmuth,	Mooney,	Stockham,
Chervenak,	Harris,	Moran,	Tarr,
Chudoff,	Heatherington,	Moul,	Tate,
Cochran,	Helm,	Muir,	Taylor,
Cohen, M. M.,	Hering,	Munley,	Thompson, E. F.,
Cohen, R. E.,	Herman,	Nagel,	Thompson, R. L.,
Cook,	Hersch,	Nunemacher	Trout,
Cooper,	Hewitt,	O'Brien,	Turner,
Cordier,	Hirsch,	O'Connor,	Van Allsburg,
Corrigan,	Holland,	O'Dare,	Verona,
Croop,	Huntley,	O'Mullen,	Vincent,
Cullen,	Imbrie,	O'Neill,	Vogt,
Dalrymple,	James,	Owens,	Voldow,
Dennison,	Jefferson,	Petrosky,	Voorhees,
DiGenova,	Jones, G. E.,	Pettit,	Wagner,
Dix,	Jones, P. N.,	Polaski,	Watkins,
Dolon,	Keenan,	Polen,	Weingartner,
D'Ortona,	Kenehan,	Powers,	Weiss,
Duffy,	Kline,	Prosen,	Welsh, E. B.,
Early,	Knoble,	Rank,	Welsh, M. J.,
Eckels,	Kolankiewicz,	Rausch,	Wilkinson,
Elder,	Komorofski,	Readinger,	Williams,
Elliott,	Krise,	Reagan,	Winner,
Ely,	Lee, E. A.,	Reese, D. P.,	Wood, L. H.,
Falkenstein,	Lee, T. H.,	Reese, R. E.,	Wood, N.,
Finestone,	Leisey,	Regan,	Woodring,
Finnerty,	Leonard,	Reynolds,	Woodside,
Fisher,	Lesko,	Rhea,	Wright,
Fiss,	Levy,	Riley,	Yeakel,
Fleming,	Leydic,	Rooney,	Yester,
Fletcher,	Lichtenwalter,	Rose, S.,	Young,
Flynn,	Longo,	Rose, W. E.,	Kilroy,
Foor,	Lovett,	Rosenfeld,	Speaker.
	Lyons,		

NAYS—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return it to the Senate with information that the House has passed it without amendment.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1904, (Senate Bill No. 1188), entitled:

An Act making an appropriation for the purpose of reconstruction, preservation and maintenance of public roads, and improving and replacing bridges thereon through the Cornplanter Indian Reservation in Elk Township, Warren County, Pennsylvania.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows, viz:

YEAS—204

Achterman,	French,	Malloy,	Royer,
Allmond,	Gallagher,	Marks,	Rush,
Auker,	Gates,	Maxwell,	Sarge,
Baker,	Gerard,	McClanaghan,	Sarraf,
Balthaser,	Gillan,	McClester,	Scanlon,
Bentley,	Gillette,	McDermott,	Schwab,
Bentzel,	Goodwin,	McDowell,	Serrill,
Boles,	Greenwood,	McFall,	Shaffer,
Boney,	Gross,	McIntosh,	Shaw,
Boorse,	Gryskewicz,	McKinney,	Shepard,
Bower,	Gyger,	McLanahan,	Simons,
Bradley,	Habbyshaw,	McLane,	Skale,
Bretherick,	Haberlen,	McMillen,	Snyder,
Brown,	Haines,	McSurdy,	Sollenberger,
Brunner, C. H.,	Hall,	Melchiorre,	Sorg,
Brunner, P. A.,	Hamilton,	Mihm,	Stambaugh,
Burns,	Hare,	Modell,	Stank,
Burris,	Harkins,	Monks,	Stine,
Cadwalader,	Harmuth,	Mooney,	Stockham,
Chervenak,	Harris,	Moran,	Tarr,
Chudoff,	Heatherington,	Moul,	Tate,
Cochran,	Helm,	Muir,	Taylor,
Cohen, R. E.,	Hering,	Munley,	Thompson, E. F.,
Cohen, M. M.,	Herman,	Nagel,	Thompson, R. L.,
Cook,	Hersch,	Nunemacher,	Trout,
Cooper,	Hewitt,	O'Brien,	Turner,
Cordier,	Hirsch,	O'Connor,	Van Allsburg,
Corrigan,	Holland,	O'Dare,	Verona,
Croop,	Huntley,	O'Mullen,	Vincent,
Cullen,	Imbrie,	O'Neill,	Vogt,
Dalrymple,	James,	Owens,	Voldow,
Dennison,	Jefferson,	Petrosky,	Voorhees,
DiGenova,	Jones, G. E.,	Pettit,	Wagner,
Dix,	Jones, P. N.,	Polaski,	Watkins,
Dolon,	Keenan,	Polen,	Weingartner,
D'Ortona,	Kenehan,	Powers,	Weiss,
Duffy,	Kline,	Prosen,	Welsh, E. B.,
Early,	Knoble,	Rank,	Welsh, M. J.,
Eckels,	Kolankiewicz,	Rausch,	Wilkinson,
Elder,	Komorofski,	Readinger,	Williams,
Elliott,	Krise,	Reagan,	Winner,
Ely,	Lee, E. A.,	Reese, D. P.,	Wood, L. H.,
Falkenstein,	Lee, T. H.,	Reese, R. E.,	Wood, N.,
Finestone,	Leisey,	Regan,	Woodside,
Finnerty,	Leonard,	Reynolds,	Woodring,
Fisher,	Lesko,	Rhea,	Wright,
Fiss,	Levy,	Riley,	Yeakel,
Fleming,	Leydic,	Rooney,	Yester,
Fletcher,	Lichtenwalter,	Rose, S.,	Young,
Flynn,	Longo,	Rose, W. E.,	Kilroy,
Foor,	Lovett,	Rosenfeld,	Speaker.
	Lyons,		

NAYS—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return it to the Senate with information that the House has passed it without amendment.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1974, (Senate Bill No. 1306), entitled:

An Act making an appropriation to the Trustees of the Pennsylvania State College for the use of the School of Mineral Industries

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows, viz:

YEAS—204

Achterman,	French,	Malloy,	Royer,
Allmond,	Gallagher,	Marks,	Rush,
Auker,	Gates,	Maxwell,	Sarge,
Baker,	Gerard,	McClanaghan,	Sarraf,
Balthaser,	Gillan,	McClester,	Scanlon,
Bentley,	Gillette,	McDermott,	Schwab,
Bentzel,	Goodwin,	McDowell,	Serrill,
Boles,	Greenwood,	McFall,	Shaffer,
Boney,	Gross,	McIntosh,	Shaw,
Boorse,	Gryskewicz,	McKinney,	Shepard,
Bower,	Gyger,	McLanahan,	Simons,
Bradley,	Haberlen,	McLane,	Skale,
Bretherick,	Habbyshaw,	McMillen,	Snyder,
Brown,	Haines,	McSurdy,	Sollenberger,
Brunner, C. H.,	Hall,	Melchiorre,	Sorg,
Brunner, P. A.,	Hamilton,	Mihm,	Stambaugh,
Burns,	Hare,	Modell,	Stank,
Burris,	Harkins,	Monks,	Stine,
Cadwalader,	Harmuth,	Mooney,	Stockham,
Chervenak,	Harris,	Moran,	Tarr,
Chudoff,	Heatherington,	Moul,	Tate,
Cochran,	Helm,	Muir,	Taylor,
Cohen, M. M.,	Hering,	Munley,	Thompson, R. L.,
Cohen, R. E.,	Herman,	Nagel,	Thompson, E. F.,
Cook,	Hersch,	Nunemacher,	Trout,
Cooper,	Hewitt,	O'Brien,	Turner,
Cordier,	Hirsch,	O'Connor,	Van Allsburg,
Corrigan,	Holland,	O'Dare,	Verona,
Croop,	Huntley,	O'Mullen,	Vincent,
Cullen,	Imbrie,	O'Neill,	Vogt,
Dalrymple,	James,	Owens,	Voldow,
Dennison,	Jones, G. E.,	Petrosky,	Voorhees,
DiGenova,	Jefferson,	Pettit,	Wagner,
Dix,	Jones, P. N.,	Polaski,	Watkins,
Dolon,	Keenan,	Polen,	Weingartner,
D'Ortona,	Kenehan,	Powers,	Weiss,
Duffy,	Kline,	Prosen,	Welsh, E. B.,
Early,	Knoble,	Rank,	Welsh, M. J.,
Eckels,	Kolankiewicz,	Rausch,	Wilkinson,
Elder,	Komorofski,	Readinger,	Williams,
Elliott,	Krise,	Reagan,	Winner,
Ely,	Lee, E. A.,	Reese, D. P.,	Wood, N.,
Falkenstein,	Lee, T. H.,	Reese, R. E.,	Wood, L. H.,
Finestone,	Leisey,	Regan,	Woodring,
Finnerty,	Leonard,	Reynolds,	Woodside,
Fisher,	Lesko,	Rhea,	Wright,
Fiss,	Levy,	Riley,	Yeakel,
Fleming,	Leydic,	Rooney,	Yester,
Fletcher,	Lichtenwalter,	Rose, S.,	Young,
Flynn,	Longo,	Rose, W. E.,	Kilroy,
Foor,	Lovett,	Rosenfeld,	Speaker.
	Lyons,		

NAYS—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return it to the Senate with information that the House has passed it without amendment.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1916, (Senate Bill No. 489), entitled:

An Act authorizing the Department of Property and Supplies to acquire by gift from the Pennsylvania State College on behalf of the Commonwealth of Pennsylvania that certain tract of land in Northumberland Borough County of Northumberland upon which is located the home of Joseph Priestley and now the property of the Pennsylvania State College providing for the control management and maintenance thereof by the said department and the Pennsylvania Historical Commission authorizing the Pennsylvania Historical Commission to accept in trust from the American Chemical Society and other interested societies or individuals such moneys as they may see fit to present to the Commonwealth to assist in the maintenance and development of this property as a permanent memorial authorizing the Pennsyl-

vania Historical Commission to accept as gifts or loan such books manuscripts pamphlets relics and furniture as interested societies or individuals may provide for the permanent utilization of the property as a museum of science and making an appropriation

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows, viz:

YEAS—204

Achterman,	French,	Lyons,	Royer,
Allmond,	Gallagher,	Malloy,	Rush,
Auker,	Gates,	Marks,	Sarge,
Baker,	Gerard,	Maxwell,	Sarraf,
Balthaser,	Gillan,	McClanaghan,	Scanlon,
Bentley,	Gillette,	McClester,	Schwab,
Bentzel,	Goodwin,	McDermott,	Serrill,
Boles,	Greenwood,	McDowell,	Shaffer,
Boney,	Gross,	McFall,	Shaw,
Boorse,	Gryskewicz,	McIntosh,	Shepard,
Bower,	Gyger,	McKinney,	Simons,
Bradley,	Habbyshaw,	McLanahan,	Skale,
Bretherick,	Haberlen,	McLane,	Snyder,
Brown,	Haines,	McMillen,	Sollenberger,
Brunner, C. H.,	Hall,	McSurdy,	Sorg,
Brunner, P. A.,	Hamilton,	Melchiorre,	Stambaugh,
Burns,	Hare,	Mihm,	Stank,
Burris,	Harkins,	Modell,	Stine,
Cadwalader,	Harmuth,	Monks,	Stockham,
Chervenak,	Harris,	Mooney,	Tarr,
Chudoff,	Heatherington,	Moran,	Tate,
Cochran,	Helm,	Moul,	Taylor,
Cohen, M. M.,	Hering,	Muir,	Thompson, E. F.,
Cohen, R. E.,	Herman,	Munley	Thompson, R. L.,
Cook,	Hersch,	Nagel	Trout,
Cooper,	Hewitt,	Nunemacher	Turner,
Cordier,	Hirsch,	O'Brien,	VanAllsburg,
Corrigan,	Holland,	O'Connor,	Verona,
Croop,	Huntley,	O'Dare,	Vincent,
Cullen,	Imbrie,	O'Mullen,	Vogt,
Dalrymple,	James,	O'Neill,	Voldow,
Dennison,	Jefferson,	Owens,	Voorhees,
DiGenova,	Jones, G. E.,	Petrosky,	Wagner,
Dix,	Jones, P. N.,	Pettit,	Watkins,
Dolon,	Keenan,	Polaski,	Weingartner,
D'Ortona,	Kenehan,	Polen,	Weiss,
Duffy,	Kline,	Powers,	Welsh, E. B.,
Early,	Knoble,	Prosen,	Welsh, M. J.,
Eckels,	Kolankiewicz,	Rank,	Wilkinson,
Elder,	Komorofski,	Rausch,	Williams,
Elliott,	Krise,	Readinger,	Winner,
Ely,	Lee, E. A.,	Reagan,	Wood, L. H.,
Falkenstein,	Lee, T. H.,	Reese, D. P.,	Wood, N.,
Finestone,	Leisey,	Reese, R. E.,	Woodring,
Finnerty,	Leonard,	Regan,	Woodside,
Fisher,	Lesko,	Reynolds,	Wright,
Fiss,	Levy,	Rhea,	Yeakel,
Fleming,	Leydic,	Riley,	Yester,
Fletcher,	Lichtenwalter,	Rooney,	Young,
Flynn,	Longo,	Rose, S.,	Kilroy,
Foor,	Lovett,	Rose, W. E.,	
		Rosenfeld,	Speaker.

NAYS—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return it to the Senate with information that the House has passed it without amendment.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1970, (Senate Bill No. 229), entitled:

An Act creating a commission to make a study and investigation of the laws governing and the practical operation of the parole and penal systems of this Commonwealth and other parole and penal systems defining its powers and duties and making an appropriation

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows, viz:

YEAS—204

Achterman,	French,	Malloy,	Royer,
Allmond,	Gallagher,	Marks,	Rush,
Auker,	Gates,	Maxwell,	Sarge,
Baker,	Gerard,	McClanaghan,	Sarraf,
Balthaser,	Gillan,	McClester,	Scanlon,
Bentley,	Gillette,	McDermott,	Schwab,
Bentzel,	Goodwin,	McDowell,	Serrill,
Boles,	Greenwood,	McFall,	Shaffer,
Boney,	Gross,	McIntosh,	Shaw,
Boorse,	Gryskewicz,	McKinney,	Shepard,
Bower,	Gyger,	McLanahan,	Simons,
Bradley,	Habbyshaw,	McLane,	Skale,
Bretherick,	Haberlen,	McMillen,	Snyder,
Brown,	Haines,	McSurdy,	Sollenberger,
Brunner, C. H.,	Hall,	Melchiorre,	Sorg,
Brunner, P. A.,	Hamilton,	Mihm,	Stambaugh,
Burns,	Hare,	Modell,	Stank,
Burris,	Harkins,	Monks,	Stine,
Cadwalader,	Harmuth,	Mooney,	Stockham,
Chervenak,	Harris,	Moran,	Tarr,
Chudoff,	Heatherington,	Moul,	Tate,
Cochran,	Helm,	Muir,	Taylor,
Cohen, M. M.,	Hering,	Munley,	Thompson, E. F.,
Cohen, R. E.,	Herman,	Nagel,	Thompson, R. L.,
Cook,	Hersch,	Nunemacher,	Trout,
Cooper,	Hewitt,	O'Brien,	Turner,
Cordier,	Hirsch,	O'Connor,	Van Allsburg,
Corrigan,	Holland,	O'Dare,	Verona,
Croop,	Huntley,	O'Mullen,	Vincent,
Cullen,	Imbrie,	O'Neill,	Vogt,
Dalrymple,	James,	Owens,	Voldow,
Dennison,	Jefferson,	Petrosky,	Voorhees,
DiGenova,	Jones, G. E.,	Pettit,	Wagner,
Dix,	Jones, P. N.,	Polaski,	Watkins,
Dolon,	Keenan,	Polen,	Weingartner,
D'Ortona,	Kenehan,	Powers,	Weiss,
Duffy,	Kline,	Prosen,	Welsh, E. B.,
Early,	Knoble,	Rank,	Welsh, M. J.,
Eckels,	Kolankiewicz,	Rausch,	Wilkinson,
Elder,	Komorofski,	Readinger,	Williams,
Elliott,	Krise,	Reagan,	Winner,
Ely,	Lee, E. A.,	Reese, D. P.,	Wood, L. H.,
Falkenstein,	Lee, T. H.,	Reese, R. E.,	Wood, N.,
Finestone,	Leisey,	Regan,	Woodring,
Finnerty,	Leonard,	Reynolds,	Woodside,
Fisher,	Lesko,	Rhea,	Wright,
Fiss,	Levy,	Riley,	Yeakel,
Fleming,	Leydic,	Rooney,	Yester,
Fletcher,	Lichtenwalter,	Rose, S.,	Young,
Flynn,	Longo,	Rose, W. E.,	Kilroy,
Foor,	Lovett,	Rosenfeld,	Speaker.
	Lyons,		

NAYS—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return it to the Senate with information that the House has passed it without amendment.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1945, (Senate Bill No. 1259), entitled:

An Act to amend article twenty of the act, approved the ninth day of April, one thousand nine hundred twenty-nine (P. L. 177) entitled "An act providing for

and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments, boards, commissions, and officers thereof, including the boards of trustees of State Normal Schools or Teachers Colleges; abolishing, creating, reorganizing or authorizing the reorganization of certain administrative departments, boards, and commissions; defining the powers and duties of the Governor and other executive and administrative officers, and of the several administrative departments, boards, commissions, and officers; fixing the salaries of the Governor, Lieutenant-Governor, and certain other executive and administrative officers; providing for the appointment of certain administrative officers, and of all deputies and other assistants and employes in certain departments, boards, and commissions; and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments, boards, and commissions shall be determined," by authorizing the Department of Highways to construct, repair and maintain certain facilities of airports.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows, viz:

YEAS—204

Achterman,	French,	Malloy,	Royer,
Allmond,	Gallagher,	Marks,	Rush,
Auker,	Gates,	Maxwell,	Sarge,
Baker,	Gerard,	McClanaghan,	Sarraf,
Balthaser,	Gillan,	McClester,	Scanlon,
Bentley,	Gillette,	McDermott,	Schwab,
Bentzel,	Goodwin,	McDowell,	Serrill,
Boles,	Greenwood,	McFall,	Shaffer,
Boney,	Gross,	McIntosh,	Shaw,
Boorse,	Gryskewicz,	McKinney,	Shepard,
Bower,	Gyger,	McLanahan,	Simons,
Bradley,	Habbyshaw,	McLane,	Skale,
Bretherick,	Haberlen,	McMillen,	Snyder,
Brown,	Haines,	McSurdy,	Sollenberger,
Brunner, C. H.,	Hall,	Melchiorre,	Sorg,
Brunner, P. A.,	Hamilton,	Mihm,	Stambaugh,
Burns,	Hare,	Modell,	Stank,
Burris,	Harkins,	Monks,	Stine,
Cadwalader,	Harmuth,	Mooney,	Stockham,
Chervenak,	Harris,	Moran,	Tarr,
Chudoff,	Heatherington,	Moul,	Tate,
Cochran,	Helm	Muir,	Taylor,
Cohen, M. M.,	Hering,	Munley,	Thompson, E. F.,
Cohen, R. E.,	Herman,	Nagel,	Thompson, R. L.,
Cook,	Hersch,	Nunemacher,	Trout,
Cooper,	Hewitt,	O'Brien,	Turner,
Cordier,	Hirsch,	O'Connor,	Van Allsburg,
Corrigan,	Holland,	O'Dare,	Verona,
Croop,	Huntley,	O'Mullen,	Vincent,
Cullen,	Imbrie,	O'Neill,	Vogt,
Dalrymple,	James,	Owens,	Voldow,
Dennison,	Jefferson,	Petrosky,	Voorhees,
DiGenova,	Jones, G. E.,	Pettit,	Wagner,
Dix,	Jones, P. N.,	Polaski,	Watkins,
Dolon,	Keenan,	Polen,	Weingartner,
D'Ortona,	Kenehan,	Powers,	Weiss,
Duffy,	Kline,	Prosen,	Welsh, E. B.,
Early,	Knoble,	Rank,	Welsh, M. J.,
Eckels,	Kolankiewicz,	Rausch,	Wilkinson,
Elder,	Komorofski,	Readinger,	Williams,
Elliott,	Krise,	Reagan,	Winner,
Ely,	Lee, E. A.,	Reese, D. P.,	Wood, L. H.,
Falkenstein,	Lee, T. H.,	Reese, R. E.,	Wood, N.,
Finestone,	Leisey,	Regan,	Woodring,
Finnerty,	Leonard,	Reynolds,	Woodside,
Fisher,	Lesko,	Rhea,	Wright,
Fiss,	Levy,	Riley,	Yeakel,
Fleming,	Leydic,	Rooney,	Yester,
Fletcher,	Lichtenwalter,	Rose, S.,	Young,
Flynn,	Longo,	Rose, W. E.,	Kilroy,
Foor,	Lovett,	Rosenfeld,	Speaker.
	Lyons,		

NAYS—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return it to the Senate with information that the House has passed it without amendment.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1901, (Senate Bill No. 1087), entitled:

An Act authorizing the Secretary of Property and Supplies to sell and convey certain tracts of coal lands in Hempfield Township, Westmoreland County, Pennsylvania

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows, viz:

YEAS—204

Achterman,	French,	Malloy,	Royer,
Allmond,	Gallagher,	Marks,	Rush,
Auker,	Gates,	Maxwell,	Sarge,
Baker,	Gerard,	McClanaghan,	Sarraf,
Balthaser,	Gillan,	McClester,	Scanlon,
Bentley,	Gillette,	McDermott,	Schwab,
Bentzel,	Goodwin,	McDowell,	Serrill,
Boles,	Greenwood,	McFall,	Shaffer,
Boney,	Gross,	McIntosh,	Shaw,
Boorse,	Gryskewicz,	McKinney,	Shepard,
Bower,	Gyger,	McLanahan,	Simons,
Bradley,	Habbyshaw,	McLane,	Skale,
Bretherick,	Haberlen,	McMillen,	Snyder,
Brown,	Hall,	McSurdy,	Sollenberger,
Brunner, C. H.,	Haines,	Melchiorre,	Sorg,
Brunner, P. A.,	Hamilton,	Mihm,	Stambaugh,
Burns,	Hare,	Modell,	Stank,
Burris,	Harkins,	Monks,	Stine,
Cadwalader,	Harmuth,	Mooney,	Stockham,
Chervenak,	Harris,	Moran,	Tarr,
Chudoff,	Heatherington,	Moul,	Tate,
Cochran,	Helm,	Muir,	Taylor,
Cohen, M. M.,	Hering,	Munley,	Thompson, E. F.,
Cohen, R. E.,	Herman,	Nagel,	Thompson, R. L.,
Cook,	Hersch,	Nunemacher,	Trout,
Cooper,	Hewitt,	O'Brien,	Turner,
Cordier,	Hirsch,	O'Connor,	Van Allsburg,
Corrigan,	Holland,	O'Dare,	Verona,
Croop,	Huntley,	O'Mullen,	Vincent,
Cullen,	Imbrie,	O'Neill,	Vogt,
Dalrymple,	James,	Owens,	Voldow,
Dennison,	Jefferson,	Petrosky,	Voorhees,
DiGenova,	Jones, G. E.,	Pettit,	Wagner,
Dix,	Jones, P. N.,	Polaski,	Watkins,
Dolon,	Keenan,	Polen,	Weingartner,
D'Ortona,	Kenehan,	Powers,	Weiss,
Duffy,	Kline,	Prosen,	Welsh, E. B.,
Early,	Knoble,	Rank,	Welsh, M. J.,
Eckels,	Kolankiewicz,	Rausch,	Wilkinson,
Elder,	Komorofski,	Readinger,	Williams,
Elliott,	Krise,	Reagan,	Winner,
Ely,	Lee, E. A.,	Reese, D. P.,	Wood, L. H.,
Falkenstein,	Lee, T. H.,	Reese, R. E.,	Wood, N.,
Finestone,	Leisey,	Regan,	Woodring,
Finnerty,	Leonard,	Reynolds,	Woodside,
Fisher,	Lesko,	Rhea,	Wright,
Fiss,	Levy,	Riley,	Yeakel,
Fleming,	Leydic,	Rooney,	Yester,
Fletcher,	Lichtenwalter,	Rose, S.,	Young,
Flynn,	Longo,	Rose, W. E.,	Kilroy,
Foor,	Lovett,	Rosenfeld,	Speaker.
	Lyons,		

NAYS—0

The majority required by the Constitution having voted

in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return it to the Senate with information that the House has passed it without amendment.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1776, (Senate Bill No. 56), entitled:

An Act providing for the observance of a Bill of Rights Week in the public schools of this Commonwealth

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows, viz:

YEAS—204

Achterman,	French,	Malloy,	Royer,
Allmond,	Gallagher,	Marks,	Rush,
Auker,	Gates,	Maxwell,	Sarge,
Baker,	Gerard,	McClanaghan,	Sarraf,
Balthaser,	Gillan,	McClester,	Scanlon,
Bentley,	Gillette,	McDermott,	Schwab,
Bentzel,	Goodwin,	McDowell,	Serrill,
Boles,	Greenwood,	McFall,	Shaffer,
Boney,	Gross,	McIntosh,	Shaw,
Boorse,	Gryskewicz,	McKinney,	Shepard,
Bower,	Gyger,	McLanahan,	Simons,
Bradley,	Habbyshaw,	McLane,	Skale,
Bretherick,	Haberlen,	McMillen,	Snyder,
Brown,	Haines,	McSurdy,	Sollenberger,
Brunner, C. H.,	Hall,	Melchiorre,	Sorg,
Brunner, P. A.,	Hamilton,	Mihm,	Stambaugh,
Burns,	Hare,	Modell,	Stank,
Burris,	Harkins,	Monks,	Stine,
Cadwalader,	Harmuth,	Mooney,	Stockham,
Chervenak,	Harris,	Moran,	Tarr,
Chudoff,	Heatherington,	Moul,	Tate,
Cochran,	Helm,	Muir,	Taylor,
Cohen, M. M.,	Hering,	Munley,	Thompson, E. F.,
Cohen, R. E.,	Herman,	Nagel,	Thompson, R. L.,
Cook,	Hersch,	Nunemacher,	Trout,
Cooper,	Hewitt,	O'Brien,	Turner,
Cordier,	Hirsch,	O'Connor,	Van Allsburg,
Corrigan,	Holland,	O'Dare,	Verona,
Croop,	Huntley,	O'Mullen,	Vincent,
Cullen,	Imbrie,	O'Neill,	Vogt,
Dalrymple,	James,	Owens,	Voldow,
Dennison,	Jefferson,	Petrosky,	Voorhees,
DiGenova,	Jones, G. E.,	Pettit,	Wagner,
Dix,	Jones, P. N.,	Polaski,	Watkins,
Dolon,	Keenan,	Polen,	Weingartner,
D'Ortona,	Kenehan,	Powers,	Weiss,
Duffy,	Kline,	Prosen,	Welsh, E. B.,
Early,	Knoble,	Rank,	Welsh, M. J.,
Eckels,	Kolankiewicz,	Rausch,	Wilkinson,
Elder,	Komorofski,	Readinger,	Williams,
Elliott,	Krise,	Reagan,	Winner,
Ely,	Lee, E. A.,	Reese, D. P.,	Wood, L. H.,
Falkenstein,	Lee, T. H.,	Reese, R. E.,	Wood, N.,
Finestone,	Leisey,	Regan,	Woodring,
Finnerty,	Leonard,	Reynolds,	Woodside,
Fisher,	Lesko,	Rhea,	Wright,
Fiss,	Levy,	Riley,	Yeakel,
Fleming,	Leydic,	Rooney,	Yester,
Fletcher,	Lichtenwalter,	Rose, S.,	Young,
Flynn,	Longo,	Rose, W. E.,	Kilroy,
Foor	Lovett,	Rosenfeld,	Speaker.
	Lyons,		

NAYS—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return it to the Senate with information that the House has passed it without amendment.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1944, (Senate Bill No. 1257), entitled:

An Act to amend section one of the act, approved the twenty-fifth day of May, one thousand nine hundred and thirty-three (P. L. 1016), entitled "An act relating to aeronautics; providing for the maintenance and operation of intermediate landing fields and air navigation facilities by the Commonwealth alone or in cooperation with the United States Government or political subdivisions of the Commonwealth; providing for the execution of leases or the issuance of licenses to the United States Government or to political subdivisions of the Commonwealth for the maintenance of navigation facilities on intermediate landing fields of the Commonwealth; conferring powers and duties on the Department of Revenue with respect thereto; and repealing certain acts and parts of acts," by extending the powers of the department in relation to air transport facilities.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows, viz:

YEAS—204

Achterman,	French,	Malloy,	Royer,
Allmond,	Gallagher,	Marks,	Rush,
Auker,	Gates,	Maxwell,	Sarge,
Baker,	Gerard,	McClanaghan,	Sarraf,
Balthaser,	Gillan,	McClester,	Scanlon,
Bentley,	Gillette,	McDermott,	Schwab,
Bentzel,	Goodwin,	McDowell,	Serrill,
Boles,	Greenwood,	McFall,	Shaffer,
Boney,	Gross,	McIntosh,	Shaw,
Boorse,	Gryskewicz,	McKinney,	Shepard,
Bower,	Gyger,	McLanahan,	Simons,
Bradley,	Habbyshaw,	McLane,	Skale,
Bretherick,	Haberlen,	McMillen,	Snyder,
Brown,	Haines,	McSurdy,	Sollenberger,
Brunner, C. H.,	Hall,	Melchiorre,	Sorg,
Brunner, P. A.,	Hamilton,	Mihm,	Stambaugh,
Burns,	Harkins,	Modell,	Stank,
Burris,	Harmuth,	Monks,	Stine,
Cadwalader,	Harris,	Mooney,	Stockham,
Chervenak,	Heatherington,	Moran,	Tarr,
Chudoff,	Helm,	Moul,	Tate,
Cochran,	Hering,	Muir,	Taylor,
Cohen, M. M.,	Herman,	Munley,	Thompson, E. F.,
Cohen, R. E.,	Hersch,	Nagel,	Thompson, R. L.,
Cook,	Hewitt,	Nunemacher,	Trout,
Cooper,	Hirsch,	O'Brien,	Turner,
Cordier,	Holland,	O'Connor,	Van Allsburg,
Corrigan,	Huntley,	O'Dare,	Verona,
Croop,	Imbrie,	O'Mullen,	Vincent,
Cullen,	James,	O'Neill,	Vogt,
Dalrymple,	Jefferson,	Owens,	Voldow,
Dennison,	Jones, G. E.,	Petrosky,	Voorhees,
DiGenova,	Jones, P. N.,	Pettit,	Wagner,
Dix,	Keenan,	Polaski,	Watkins,
Dolon,	Kenehan,	Polen,	Weingartner,
D'Ortona,	Kline,	Powers,	Weiss,
Duffy,	Knoble,	Prosen,	Welsh, E. B.,
Early,	Kolankiewicz,	Rank,	Welsh, M. J.,
Eckels,	Komorofski,	Rausch,	Wilkinson,
Elder,	Krise,	Readinger,	Williams,
Elliott,	Lee, E. A.,	Reagan,	Winner,
Ely,	Lee, T. H.,	Reese, D. P.,	Wood, L. H.,
Falkenstein,	Leisey,	Reese, R. E.,	Wood, N.,
Finestone,	Leonard,	Reynolds,	Woodring,
Finnerty,	Lesko,	Rhea,	Woodside,
Fisher,	Levy,	Riley,	Wright,
Fiss,	Leydic,	Regan,	Yeakel,
Fleming,	Lichtenwalter,	Rooney,	Yester,
Fletcher,	Longo,	Rose, S.,	Young,
Flynn,	Lovett,	Rose, W. E.,	Kilroy,
Foor,	Lyons,	Rosenfeld,	Speaker.

NAYS—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return it to the Senate with information that the House has passed it without amendment.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1889, (Senate Bill No. 715), entitled:

An Act to repeal certain obsolete acts relating to paupers and the management control and operation of poor districts

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows, viz:

YEAS—204

Achterman,	French,	Malloy,	Royer,
Allmond,	Gallagher,	Marks,	Rush,
Auker,	Gates,	Maxwell,	Sarge,
Baker,	Gerard,	McClanaghan,	Sarraf,
Balthaser,	Gillan,	McClester,	Scanlon,
Bentley,	Gillette,	McDermott,	Schwab,
Bentzel,	Goodwin,	McDowell,	Serrill,
Boies,	Greenwood,	McFall,	Shaffer,
Boney,	Gross,	McIntosh,	Shaw,
Boorse,	Gryskewicz,	McKinney,	Shepard,
Bower,	Gyger,	McLanahan,	Simons,
Bradley,	Habbyshaw,	McLane,	Skale,
Bretherick,	Haberlen,	McMillen,	Snyder,
Brown,	Haines,	McSurdy,	Sollenberger,
Brunner, C. H.,	Hall,	Melchiorre,	Sorg,
Brunner, P. A.,	Hamilton,	Mihm,	Stambaugh,
Burns,	Hare,	Modell,	Stank,
Burris,	Harkins,	Monks,	Stine,
Cadwalader,	Harmuth,	Mooney,	Stockham,
Chervenak,	Harris,	Moran,	Tarr,
Chudoff,	Heatherington,	Moul,	Tate,
Cochran,	Helm,	Muir,	Taylor,
Cohen, M. M.,	Hering,	Munley,	Thompson, E. F.,
Cohen, R. E.,	Herman,	Nagel,	Thompson, R. L.,
Cook,	Hersch,	Nunemacher,	Trout,
Cooper,	Hewitt,	O'Brien,	Turner,
Cordier,	Hirsch,	O'Connor,	Van Allsburg,
Corrigan,	Holland,	O'Dare,	Verona,
Croop,	Huntley,	O'Mullen,	Vincent,
Cullen,	Imbrie,	O'Neill,	Vogt,
Dalrymple,	James,	Owens,	Voldow,
Dennison,	Jefferson,	Petrosky,	Voorhees,
DiGenova,	Jones, G. E.,	Pettit,	Wagner,
Dix,	Jones, P. N.,	Polaski,	Watkins,
Dolon,	Keenan,	Polen,	Weingartner,
D'Ortona,	Kenehan,	Powers,	Weiss,
Duffy,	Kline,	Prosen,	Welsh, E. B.,
Early,	Knoble,	Rank,	Welsh M. J.,
Eckels,	Kolankiewicz,	Rausch,	Wilkinson,
Elder,	Komorofski,	Readinger,	Williams,
Elliott,	Krise,	Reagan,	Winner,
Ely,	Lee, E. A.,	Reese, D. P.,	Wood, L. H.,
Falkenstein,	Lee, T. H.,	Reese, R. E.,	Wood, N.,
Finestone,	Leisey,	Regan,	Woodring,
Finnerty,	Leonard,	Reynolds,	Woodside,
Fisher,	Lesko,	Rhea,	Wright,
Fiss,	Levy,	Riley,	Yeakel,
Fleming,	Leydic,	Rooney,	Yester,
Fletcher,	Lichtenwalter,	Rose, S.,	Young,
Flynn,	Longo,	Rose, W. E.,	Kilroy,
Foor,	Lovett,	Rosenfeld,	Speaker.
	Lyons,		

NAYS—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return it to the Senate with information that the House has passed it without amendment.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1984, (Senate Bill No. 598), entitled:

An Act to add section two thousand two and one-tenth to the act approved the eighteenth day of May one thousand nine hundred eleven (P. L. 309) entitled "An act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith" providing for cooperation of State Teachers Colleges at the request of the State Council of Defense with other agencies in furthering national defense programs and activities

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows, viz:

YEAS—204

Achterman,	French,	Lyons,	Rosenfeld,
Allmond,	Gallagher,	Malloy,	Royer,
Auker,	Gates,	Marks,	Rush,
Baker,	Gerard,	Maxwell,	Sarge,
Balthaser,	Gillan,	McClanaghan,	Sarraf,
Bentley,	Gillette,	McClester,	Scanlon,
Bentzel,	Goodwin,	McDermott,	Schwab,
Boies,	Greenwood,	McDowell,	Serrill,
Boney,	Gross,	McFall,	Shaffer,
Boorse,	Gryskewicz,	McIntosh,	Shaw,
Bower,	Gyger,	McKinney,	Shepard,
Bradley,	Habbyshaw,	McLanahan	Simons,
Bretherick,	Haberlen,	McLane,	Skale,
Brown,	Haines,	McMillen,	Snyder,
Brunner, C. H.,	Hall,	McSurdy,	Sollenberger,
Brunner, P. A.,	Hamilton,	Melchiorre,	Sorg,
Burns,	Hare,	Mihm,	Stambaugh,
Burris,	Harkins,	Modell,	Stank,
Cadwalader,	Harmuth,	Monks,	Stine,
Chervenak,	Harris,	Mooney	Stockham,
Chudoff,	Heatherington,	Moran,	Tarr,
Cochran,	Helm,	Moul,	Tate,
Cohen, M. M.,	Hering,	Muir,	Taylor,
Cohen, R. E.,	Herman,	Munley,	Thompson, E. F.,
Cook,	Hersch,	Nagel,	Thompson, R. L.,
Cooper,	Hewitt,	Nunemacher,	Trout,
Cordier,	Hirsch,	O'Brien,	Turner,
Corrigan,	Holland,	O'Connor,	Van Allsburg
Croop,	Huntley,	O'Dare,	Verona,
Cullen,	Imbrie,	O'Mullen,	Vincent,
Dalrymple,	James,	O'Neill,	Vogt,
Dennison,	Jefferson,	Owens,	Voldow,
DiGenova,	Jones, G. E.,	Petrosky,	Voorhees,
Dix,	Jones, P. N.,	Pettit,	Wagner,
Dolon,	Keenan,	Polaski,	Watkins,
D'Ortona,	Kenehan,	Polen,	Weingartner,
Duffy,	Kline,	Powers,	Weiss,
Early,	Knoble,	Prosen,	Welsh, E. B.,
Eckels,	Kolankiewicz,	Rank,	Welsh, M. J.,
Elder,	Komorofski,	Rausch,	Wilkinson,
Elliott,	Krise,	Readinger,	Williams,
Ely,	Lee, E. A.,	Reese, D. P.,	Winner,
Falkenstein,	Lee, T. H.,	Reagan,	Wood, L. H.,
Finestone,	Leisey,	Reese, R. E.,	Wood, N.,
Finnerty,	Leonard,	Regan,	Woodring,
Fisher,	Lesko,	Reynolds,	Woodside,
Fiss,	Levy,	Rhea,	Wright,
Fleming,	Leydic,	Riley,	Yeakel,

Fletcher,	Lichtenwalter,	Rooney,	Yester,
Flynn,	Longo,	Rose, S.,	Young,
Foor,	Lovett,	Rose, W. E.,	Kilroy, Speaker.

NAYS—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return it to the Senate with information that the House has passed it without amendment.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1384, (Senate Bill No. 480), entitled:

An Act requiring the Department of Health to furnish free of charge all State and State-aided hospitals certain vaccines or serum used in the Pasteur treatment and requiring such hospitals to furnish and innoculate all persons bitten by dogs in this Commonwealth with such vaccine or serum free of charge

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows, viz:

YEAS—204

Achterman,	Gallagher,	Malloy,	Royer,
Allmond,	Gates,	Marks,	Rush,
Auker,	Gerard,	Maxwell,	Sarge,
Baker,	Gillan,	McClanaghan,	Sarraf,
Balthaser,	Gillette,	McClester,	Scanlon,
Bentley,	Goodwin,	McDermott,	Schwab,
Bentzel,	Greenwood,	McDowell,	Serrill,
Boies,	Gross,	McFall,	Shaffer,
Boney,	Gryskewicz,	McIntosh,	Shaw,
Boorse,	Gyger,	McKinney,	Shepard,
Bower,	Habbyshaw,	McLanahan,	Simons,
Bradley,	Haberlen,	McLane,	Skale,
Bretherick,	Haines,	McMillen,	Snyder,
Brown,	Hall,	McSurdy,	Sollenberger,
Brunner, C. H.,	Hamilton,	Melchiorre,	Sorg,
Brunner, P. A.,	Hare,	Mihm,	Stambaugh,
Burns,	Harkins,	Modell,	Stank,
Burris,	Harmuth,	Monks,	Stine,
Cadwalader,	Harris,	Mooney,	Stockham,
Chervenak,	Heatherington,	Moran,	Tarr,
Chudoff,	Helm,	Moul,	Tate,
Cochran,	Hering,	Muir,	Taylor,
Cohen, M. M.,	Herman,	Munley,	Thompson, E.,
Cohen, R. E.,	Hersch,	Nagel,	Thompson, R.,
Cook,	Hewitt,	Nunemacher,	Trout,
Cooper,	Hirsch,	O'Brien,	Turner,
Cordier,	Holland,	O'Connor,	Van Allsburg,
Corrigan,	Huntley,	O'Dare,	Verona,
Croop,	Imbrie,	O'Mullen,	Vincent,
Cullen,	James,	O'Neill,	Vogt,
Dalrymple,	Jefferson,	Owens,	Voldow,
Dennison,	Jones, G. E.,	Petrosky,	Voorhees,
DiGenova,	Jones, P. N.,	Pettit,	Wagner,
Dix,	Keenan,	Polaski,	Watkins,
Dolon,	Kenehan,	Polen,	Weingartner,
D'Ortona,	Kline,	Powers,	Weiss,
Duffy,	Knoble,	Prosen,	Welsh, E. B.,
Early,	Kolankiewicz,	Rank,	Welsh, M. J.,
Eckels,	Komorofski,	Rausch,	Wilkinson,
Elder,	Krise,	Readinger,	Williams,
Elliott,	Lee, E. A.,	Reagan,	Winner,
Ely,	Lee, T. H.,	Reese, D. P.,	Wood, L. H.,
Falkenstein,	Leisey,	Reese, R. E.,	Wood, N.,
Finestone,	Leonard,	Regan,	Woodring,
Finnerty,	Lesko,	Reynolds,	Woodside,
Fisher,	Levy,	Rhea,	Wright,
Fiss,	Leydic,	Riley,	Yeakel,
Fleming,	Lichtenwalter,	Rooney,	Yester,

Fletcher,	Longo,	Rose, S.,	Young,
Flynn,	Lovett,	Rose, W. E.,	Kilroy,
Foor,	Lyons,	Rosenfeld,	Speaker.
French,			

NAYS—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return it to the Senate with information that the House has passed it without amendment.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 937, (Senate Bill No. 298), as follows:

An Act Making an appropriation out of the Motor License Fund to the Department of Highways for allocation to and expenditure in cities boroughs towns and townships of the first class of the Commonwealth for maintenance construction reconstruction resurfacing or improvement of municipal roads highways and bridges during the calendar years one thousand nine hundred forty-two and one thousand nine hundred forty-three permitting the use of the funds for maintenance and repair of municipal roads highways and bridges under certain conditions and providing for the method of payment to such political subdivisions

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The sum of eight million dollars ($8,000,000) is hereby appropriated to the Department of Highways for the two calendar years beginning January first one thousand nine hundred forty-two out of the Motor License Fund for allocation to and expenditure in the cities boroughs towns and townships of the first class (hereinafter called municipalities) of the Commonwealth in the amounts upon the terms in the manner and for the purposes hereinafter set forth in this act

Section 2 Sixty-five per centum of the moneys hereby appropriated shall be allocated and apportioned among the municipalities of this Commonwealth in the ratio which the mileage of municipal roads and highways in each municipality bears the total mileage of municipal roads and highways in all of the municipalities in the Commonwealth as of January first one thousand nine hundred forty-two

Thirty-five per centum of the moneys hereby appropriated shall be allocated and apportioned among the municipalities of the Commonwealth in the ratio which the population of a municipality bears to the total population of the Commonwealth as shown by the 1940 decennial census of the United States

The funds so apportioned shall be expended by the respective municipalities under the supervision and subject to the approval of the Department of Highways and in compliance with such rules and regulations as the Department of highways may prescribe in carrying out the provision of this act

The funds allocated by this act shall be used for the maintenance construction reconstruction resurfacing and improvement of municipal roads and highways and the maintenance construction and reconstruction of municipal bridges in municipalities excepting that in municipalities which do not have sufficient funds from other sources for the maintenance and repair of all the roads highways and bridges under their jurisdiction the allocations to such municipalities shall be used in whole or in part for such maintenance and repair purposes

Section 3 Before any of the funds allocated to municipalities by this act shall be expended for construction reconstruction resurfacing or improvement the corporate authorities of the respective municipalities shall by resolution specify the location and type of construction of the

road or highway proposed to be constructed reconstruced resurfaced or improved or the bridge to be constructed or reconstructed and shall submit the same to the Department of Highways together with estimates plans if any and specifications for the approval of said department

Section 4 Nothing in this act shall be construed to relieve any municipality from any obligation they may have incurred under any contract or agreement entered into prior to January first one thousand nine hundred forty-two for the construction or repair of any road highway or bridge now under its jurisdiction

Section 5 The corporate authorities of each municipality not having a department or bureau of highways or streets shall appoint a foreman who may be an officer or employe of the municipality to supervise the work to be done under the provisions of this act and in the event more than one foreman is required the Department of Highways may authorize the corporate authorities of the municipality to appoint one or more additional foremen The Secretary of Highways shall have the right to remove any foreman so appointed for incompetency or for neglect or refusal to comply with the rules and regulations of the Department of Highways prescribed for the work under this act The corporate authorities of each municipality shall also employ any laborers required for said work and fix their wages

Nothing herein contained shall be construed to prevent work under the act being done by contract let by the corporate authorities of the municipality and approved by the Department of Highways

Section 6 No payment shall be made from moneys allocated under this act to the municipalities except on warrants drawn by the Auditor General upon the State Treasurer as provided by the act of Assembly to the treasurer of the municipality on vouchers approved by the Secretary of Highways and such payment if approved by the Secretary of Highways shall be made in four equal installments payable the first day of March the first day of June the first day of September and the first day of December of each year

There shall be submitted to the Department of Highways by the proper authorities of each municipality a report on the last days of February May August and November of each year showing the cost of the work done under the provisions of this act in such detail as may be required by the Department of Highways

In case any records or reports required by law are not made in the manner or at the time required no further funds shall be approved for payment by the Secretary of Highways to such municipality until such reports have been made and approved

Nothing in this act shall be construed to permit the funds appropriated by the act to be paid for other than labor rental of equipment payrolls material purchases including repair parts for equipment small tools road drags and snow fence on road highway and bridge work performed by the municipalities under the provisions of this act

Nothing herein contained shall be construed to prevent the use of any of the funds allocated under this act for Federal projects sponsored by municipalities and approved by the Department of Highways or for county-aid work relating to the improvement of roads highways and bridges

Section 7 The term "municipal roads and highways" as used in this act shall be construed to mean all roads and highways for the maintenance of which municipalities are by law responsible and shall not include any roads and highways taken over by the Commonwealth as part of the state highway system

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows, viz:

YEAS—204

Achterman,	French,	Lyons,	Rosenfeld,
Allmond,	Gallagher,	Malloy,	Royer,
Auker,	Gates,	Marks,	Rush,
Baker,	Gerard,	Maxwell,	Sarge,
Balthaser,	Gillan,	McClanaghan,	Sarraf,
Bentley,	Gillette,	McClester,	Scanlon,
Bentzel,	Goodwin,	McDermott,	Schwab,
Boles,	Greenwood,	McDowell,	Serrill,
Boney,	Gross,	McFall,	Shaffer,
Boorse,	Gryskewicz,	McIntosh,	Shaw,
Bower,	Gyger,	McKinney,	Shepard,
Bradley,	Habbyshaw,	McLanahan,	Simons,
Bretherick,	Haberlen,	McLane,	Skale,
Brown,	Haines,	McMillen,	Snyder,
Brunner, C. H.,	Hall,	McSurdy,	Sollenberger,
Brunner, P. A.,	Hamilton,	Melchiorre,	Sorg,
Burns,	Hare,	Mihm,	Stambaugh,
Burris,	Harkins,	Modell,	Stank,
Cadwalader,	Harmuth,	Monks,	Stine,
Chervenak,	Harris,	Mooney,	Stockham,
Chudoff,	Heatherington,	Moran,	Tarr,
Cochran,	Helm,	Moul,	Tate,
Cohen, M. M.,	Hering,	Muir,	Taylor,
Cohen, R. E.,	Herman,	Munley,	Thompson, E. F.,
Cook,	Hersch,	Nagel,	Thompson, R. L.,
Cooper,	Hewitt,	Nunemacher,	Trout,
Cordier,	Hirsch,	O'Brien,	Turner,
Corrigan,	Holland,	O'Connor,	Van Allsburg,
Croop,	Huntley,	O'Dare,	Verona,
Cullen,	Imbrie,	O'Mullen,	Vincent,
Dalrymple,	James,	O'Neill,	Vogt,
Dennison,	Jefferson,	Owens,	Voldow,
DiGenova,	Jones, G. E.,	Petrosky,	Voorhees,
Dix,	Jones, P. N.,	Pettit,	Watkins,
Dolon,	Keenan,	Polaski,	Weingartner,
D'Ortona,	Kenehan,	Polen,	Weiss,
Duffy,	Kline,	Powers,	Welsh, E. B.,
Early,	Knoble,	Prosen,	Welsh, M. J.,
Eckels,	Kolankiewicz,	Rank,	Wilkinson,
Elder,	Komorofski,	Rausch,	Williams,
Elliott,	Krise,	Readinger,	Wagner,
Ely,	Lee, E. A.,	Reagan,	Winner,
Falkenstein,	Lee, T. H.,	Reese, D. P.,	Wood, L. H.,
Finestone,	Leisey,	Reese, R. E.,	Wood, N.,
Finnerty,	Leonard,	Regan,	Woodring,
Fisher,	Lesko,	Reynolds,	Woodside,
Fiss,	Levy,	Rhea,	Wright,
Fleming,	Leydic,	Riley,	Yeakel,
Fletcher,	Lichtenwalter,	Rooney,	Yester,
Flynn,	Longo,	Rose, S.,	Young,
Foor,	Lovett,	Rose, W. E.,	Kilroy, Speaker

NAYS—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return it to the Senate with information that the House has passed it with amendments in which the concurrence of the Senate is requested.

BILL PASSED OVER

There being no objection House Bill No. 1957, (Senate Bill No. 783), Printer's No. 596, was passed over at the request of the SPEAKER.

BILL ON THIRD READING

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1954, entitled:

An Act to add section two hundred twenty-nine and one-tenth to the act approved the second day of May one thousand nine hundred and twenty-five (P. L. 448) entitled "An act relating to fish and amending revising consolidating and changing the law relating to fish in the inland waters and the boundary lakes and boundary rivers of the Commonwealth" limiting the right of cer-

tain lessees or owners of or holders of certain rights in property for fishing purposes to exclude the general public from fishing from such property

On the question,

Will the House agree to the bill on third reading?

BILL DROPPED FROM CALENDAR

Mr. ACHTERMAN. Mr. Speaker, I move that House Bill No. 1954, Printer's No. 1161, be dropped from the calendar.

The motion was agreed to.

BILLS ON THIRD READING

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1872, (Senate Bill No. 1091), entitled:

An Act to amend the act approved the thirtieth day of March one thousand nine hundred thirty-seven (P. L. 115) entitled "An act to provide for the permanent personal registration of electors in cities of the first class as a condition of their right to vote at elections and primaries and their enrollment as members of political parties as a further condition of their right to vote at primaries prescribing certain procedure for the conduct of elections and primaries and the challenge and proof of qualifications of electors and prescribing the powers and duties of citizens parties bodies of electors registration commissions commissioners registrars inspectors of registration and other appointees of registration commission election officers municipal officers departments and bureaus police officers courts judges prothonotaries sheriffs county commissioners peace officers county treasurers county controllers registrars of vital statistics real estate brokers rental agents certain public service companies persons firms and corporations operating vehicles for moving furniture and household goods and boards of school directors and imposing penalties" as amended by requiring and providing for the registration of persons in military service to entitle them to vote at any election

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows, viz:

YEAS—204

Achterman,	French,	Malloy,	Royer,
Allmond,	Gallagher,	Marks,	Rush,
Auker,	Gates,	Maxwell,	Sarge,
Baker,	Gerard,	McClanaghan,	Sarraf,
Balthaser,	Gillan,	McClester	Scanlon,
Bentley,	Gillette,	McDermott,	Schwab,
Bentzel,	Goodwin,	McDowell,	Serrill,
Boles,	Greenwood,	McFall	Shaffer,
Boney,	Gross	McIntosh,	Shaw,
Boorse,	Gryskewicz,	McKinney,	Shepard,
Bower,	Gyger,	McLanahan,	Simons,
Bradley,	Habbyshaw,	McLane,	Skale,
Bretherick,	Haberlen,	McMillen,	Snyder,
Brown,	Haines,	McSurdy,	Sollenberger,
Brunner, C. H.,	Hall,	Melchiorre,	Sorg,
Brunner, P. A.,	Hamilton	Mihm,	Stambaugh,
Burns,	Hare,	Modell,	Stank
Burris,	Harkins,	Monks,	Stine,
Cadwalader,	Harmuth,	Mooney,	Stockham,
Chervenak,	Harris	Moran,	Tarr,
Chudoff,	Heatherington,	Moul,	Tate,
Cochran,	Helm,	Muir,	Taylor,
Cohen, M. M.,	Hering,	Munley,	Thompson, E. F.,
Cohen, R. E.,	Herman,	Nagel,	Thompson, R. L.,
Cook,	Hersch,	Nunemacher,	Trout,
Cooper,	Hewitt,	O'Brien,	Turner,
Cordier,	Hirsch,	O'Connor,	Van Allsburg,
Corrigan,	Holland,	O'Dare,	Verona,
Croop,	Huntley,	O'Mullen,	Vincent,
Cullen,	Imbrie,	O'Neill,	Vogt,
Dalrymple,	James,	Owens,	Voldow,
Dennison,	Jefferson,	Petrosky,	Voorhees,
DiGenova,	Jones, G. E.,	Pettit,	Wagner,
Dix,	Jones, P. N.,	Polaski,	Watkins,
Dolon,	Keenan,	Polen,	Weingartner,
D'Ortona,	Kenehan,	Powers,	Weiss,
Duffy	Kline,	Prosen,	Welsh, E. B.,
Early,	Knoble,	Rank,	Welsh, M. J.,
Eckels,	Kolankiewicz,	Rausch,	Wilkinson,
Elder,	Komorofski,	Readinger,	Williams,
Elliott,	Krise,	Reagan,	Winner,
Ely,	Lee, E. A.,	Reese, D. P.,	Wood, L. H.,
Falkenstein,	Lee, T. H.,	Reese, R. E.,	Wood, N.,
Finestone,	Leisey,	Regan,	Woodring,
Finnerty,	Leonard,	Reynolds,	Woodside,
Fisher,	Lesko,	Rhea,	Wright,
Fiss,	Levy,	Riley,	Yeakel,
Fleming,	Leydic,	Rooney,	Yester,
Fletcher,	Lichtenwalter,	Rose, S.,	Young,
Flynn,	Longo,	Rose, W. E.,	Kilroy,
Foor,	Lovett,	Rosenfeld,	Speaker.
	Lyons,		

NAYS—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return it to the Senate with information that the House has passed it without amendment.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1977, (Senate Bill No. 1313), as follows:

A Supplement to the act approved the twenty-seventh day of June one thousand nine hundred thirty-nine (Appropriation Acts page sixty) entitled "An act to provide for the ordinary expenses of the Executive Legislative and Judicial Departments of the Commonwealth interest on the public debt and the support of the public schools for two years beginning June first one thousand nine hundred and thirty-nine and for the payment of bills incurred and remaining unpaid at the close of the fiscal year ending May thirty-first one thousand nine hundred and thirty-nine" providing for deficiencies in certain appropriations made by the act for the fiscal biennium ending May thirty-first one thousand nine hundred forty-one

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The following sums or as much thereof as may be necessary for deficiencies in certain appropriations made to the Legislative Department by the act to which this act is a supplement are hereby specifically appropriated out of the General Fund to the Legislative Department as follows

LEGISLATIVE DEPARTMENT

To the Senate

For the payment of the mileage of fifty Senators session of one thousand nine hundred and forty-one the sum of twenty-five hundred dollars ($2,500)

For the payment of the salaries of the officers and employes of the Senate session of one thousand nine hundred and forty-one also for the payment of the session and recess salaries of all officers and employes whose positions are now or may be hereafter created and for the payment of which provision is not otherwise made also for the payment of any increase which may now or hereafter be authorized in the recess and session

salaries of the officers and employes of the Senate whose present salaries are provided for in the act to which this is a supplement the sum of twenty-one thousand dollars ($21,000) or so much thereof as may be necessary for the duration of the session of one thousand nine hundred and forty-one and the period of time necessary to complete the work of such session

To the chief clerk of the Senate for the payment of the postage on the Legislative Journal bills and calendars session of one thousand nine hundred and forty-one the sum of five hundred dollars ($500)

For the payment of the incidental expenses of the Senate for six months commencing December first one thousand nine hundred and forty and for the entire period of the session of one thousand nine hundred and forty-one should the same extend beyond May thirty-first such sum as may be necessary to be expended by the chief clerk of the Senate who shall render to the Auditor General accounts from time to time with proper specifically itemized vouchers to be settled in the same manner as other accounts but the whole amount expended by said chief clerk under this act shall not exceed the sum of one thousand dollars ($1,000) out of which amount such necessary extra labor in the Senate shall be paid as shall be certified by the President pro tempore and the chief clerk

To the House

For the payment of the mileage of two hundred eight members session of one thousand nine hundred and forty-one the sum of ten thousand dollars ($10,000)

For the payment of the salaries of the officers and employes of the House session of one thousand nine hundred and forty-one also for the payment of the session and recess salaries of all officers and employes whose positions are now or may be hereafter created and for the payment of which provision is not otherwise made also for the payment of any increase which may now or hereafter be authorized in the recess and session salaries of the officers and employes of the House whose present salaries are provided for in the act to which this is a supplement the sum of thirty thousand dollars ($30,000) or so much thereof as may be necessary for the duration of the session of one thousand nine hundred and forty-one and the period of time necessary to complete the work of such session

To the chief clerk of the House for the payment of the postage on the Legislative Journal bills and calendars session of one thousand nine hundred and forty-one the sum of one thousand ($1,000) dollars

For the payment of the incidental expenses of the House for six months commencing December first one thousand nine hundred and forty and for the entire period of the session of one thousand nine hundred and forty-one should the same extend beyond May thirty-first such sum as may be necessary to be expended by the chief clerk of the House who shall render to the Auditor General accounts from time to time with proper specifically itemized vouchers to be settled in the same manner as other accounts but the whole amount expended by said chief clerk under this act shall not exceed the sum of three thousand five hundred dollars ($3,500) out of which amount such necessary extra labor in the House shall be paid as shall be certified by the Speaker of the House and the chief clerk

Secion 2 This act shall become effective immediately upon its final enactment

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows, viz:

YEAS—204

Achterman,	French,	Malloy,	Royer,
Allmond,	Gallagher,	Marks,	Rush,
Auker,	Gatee,	Maxwell,	Sarge,
Baker,	Gerard,	McClanaghan,	Sarraf,
Balthaser,	Gillan,	McClester,	Scanlon,
Bentley,	Gillette,	McDermott,	Schwab,
Bentzel,	Goodwin,	McDowell,	Serrill,
Boles,	Greenwood,	McFall,	Shaffer,
Boney,	Gross,	McIntosh,	Shaw,
Boorse,	Gryskewicz,	McKinney,	Shepard,
Bower,	Gyger,	McLanahan,	Simons,
Bradley,	Habbyshaw,	McLane,	Skale,
Bretherick,	Haberlen,	McMillen,	Snyder,
Brown,	Haines,	McSurdy,	Sollenberger,
Brunner, C. H.,	Hall,	Melchiorre,	Sorg,
Brunner, P. A.,	Hamilton,	Mihm,	Stambaugh,
Burns,	Hare,	Modell,	Stank,
Burris,	Harkins,	Monks,	Stine,
Cadwalader,	Harmuth,	Mooney,	Stockham,
Chervenak,	Harris,	Moran,	Tarr,
Chudoff,	Heatherington,	Moul,	Tate,
Cochran,	Helm,	Muir,	Taylor,
Cohen, M. M.,	Hering,	Munley,	Thompson, E. P.,
Cohen, R. E.,	Herman,	Nagel,	Thompson, R. L.,
Cook,	Hersch,	Nunemacher,	Trout,
Cooper,	Hewitt,	O'Brien,	Turner,
Cordier,	Hirsch,	O'Connor,	Van Allsburg,
Corrigan,	Holland,	O'Dare,	Verona,
Croop,	Huntley,	O'Mullen,	Vincent,
Cullen,	Imbrie,	O'Neill,	Vogt,
Dalrymple,	James,	Owens,	Voldow,
Dennison,	Jefferson,	Petrosky,	Voorhees,
DiGenova,	Jones, G. E.,	Pettit,	Wagner,
Dix,	Jones, P. N.,	Polaski,	Watkins,
Dolon,	Keenan,	Polen,	Weingartner,
D'Ortona,	Kenehan,	Powers,	Weiss,
Duffy,	Kline,	Proen,	Welsh, E. B.,
Early,	Knoble,	Rank,	Welsh, M. J.,
Eckels,	Kolankiewicz,	Rausch,	Wilkinson,
Elder,	Komorofski,	Readinger,	Williams,
Elliott,	Krise,	Reagan,	Winner,
Ely,	Lee, E. A.,	Reese D. P.,	Wood, L. H.,
Falkenstein,	Lee, T. H.,	Reese, R. E.,	Wood, N.,
Finestone,	Leisey,	Regan,	Woodring,
Finnerty,	Leonard,	Reynolds,	Woodside,
Fisher,	Lesko,	Rhea,	Wright,
Fiss,	Levy,	Riley,	Yeakel,
Fleming,	Leydic,	Rooney,	Yester,
Fletcher,	Lichtenwalter,	Rose, S.,	Young,
Flynn,	Longo,	Rose, W. E.,	Kilroy
Foor,	Lovett,	Rosenfeld,	Speaker.
	Lyons,		

NAYS—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return it to the Senate with information that the House has passed it with amendments in which the concurrence of the Senate is requested.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1108, (Senate Bill No. 205), as follows:

An Act making an appropriation to the Trustees of the Pennsylvania State College for the use of the School of Mineral Industries for research and investigation of problems affecting mineral industries

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The sum of seventy-five thousand dollars ($75,000) or so much thereof as may be necessary is hereby specifically appropriated to the Trustees of the Pennsylvania State College for the tw fiscal years beginning June first one thousand nine hundred and forty-one for the use of the School of Mineral Industries for the following purposes

Section 1 The sum of one hundred and twenty-five thousand dollars ($125,000) or so much thereof as may be necessary is hereby specifically appropriated to the Trustees of the Pensylvania State College for the two fiscal years beginning June first one thousand nine hundred and forty-one for the use of the School of Mineral Industries for the following purposes

For the support of research and investigation of long range basic problems affecting the mineral industries the sum of twenty-five thousand dollars ($25,000)

For the purpose of matching money contributed by industry to the School of Mineral Industries for research and investigation of long range basic problems affecting the mineral industries the sum of fifty thousand dollars ($50,000) Provided that no more shall be expended from this item than may be required to match an equal sum contributed by one or more industries for such research and investigation

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows, viz:

YEAS—204

Achterman,	French,	Malloy,	Royer,
Allmond,	Gallagher,	Marks,	Rush,
Auker,	Gates,	Maxwell,	Sarge,
Baker,	Gerard,	McClanaghan,	Sarraf,
Balthaser,	Gillan,	McClester	Scanlon,
Bentley,	Gillette,	McDermott,	Schwab,
Bentzel,	Goodwin,	McDowell,	Serrill,
Boles,	Greenwood,	McFall,	Shaffer,
Boney,	Gross,	McIntosh,	Shaw,
Boorse,	Gryskewicz,	McKinney,	Shepard,
Bower,	Gyger,	McLanahan,	Simons,
Bradley,	Habbyshaw,	McLane,	Skale,
Bretherick,	Haberlen,	McMillen,	Snyder,
Brown,	Haines,	McSurdy,	Sollenberger,
Brunner, C. H.,	Hall,	Melchiorre,	Sorg,
Brunner, P. A.,	Hamilton,	Mihm,	Stambaugh,
Burns,	Hare,	Modell,	Stank,
Burris,	Harkins,	Monks,	Stine,
Cadwalader,	Harmuth,	Mooney,	Stockham,
Chervenak,	Harris	Moran,	Tarr,
Chudoff,	Heatherington,	Moul,	Tate,
Cochran,	Helm	Muir,	Taylor,
Cohen, M. M.,	Hering,	Munley,	Thompson, E. F.,
Cohen, R. E.,	Herman,	Nagel,	Thompson, R. L.,
Cook,	Hersch,	Nunemacher	Trout,
Cooper,	Hewitt,	O'Brien	Turner,
Cordier,	Hirsch,	O'Connor,	Van Allsburg,
Corrigan,	Holland,	O'Dare,	Verona,
Croop,	Huntley,	O'Mullen,	Vincent,
Cullen,	Imbrie,	O'Neill,	Vogt,
Dalrymple,	James,	Owens,	Voldow,
Dennison,	Jefferson,	Petrosky,	Voorhees,
DiGenova,	Jones, G. E.,	Pettit,	Wagner
Dix,	Jones, P. N.,	Polaski,	Watkins,
Dolon,	Keenan,	Polen,	Weingartner,
D'Ortona,	Kenehan,	Powers,	Weiss
Duffy,	Kline	Prosen,	Welsh, E. B.,
Early,	Knoble,	Rank	Welsh, M. J.,
Eckels,	Kolankiewicz,	Rausch,	Wilkinson,
Elder,	Komorofski,	Readinger,	Williams,
Elliott,	Krise,	Reagan,	Winner
Ely,	Lee, E. A.,	Reese, D. P.,	Wood, L. H.
Falkenstein,	Lee, T. H.,	Reese, R. E.,	Wood, N.
Finestone,	Leisey,	Regan,	Woodring,
Finnerty,	Leonard,	Reynolds,	Woodside,
Fisher,	Lesko,	Rhea,	Wright,
Fiss,	Levy,	Riley,	Yeakel,
Fleming,	Leydic,	Rooney,	Yester,
Fletcher,	Lichtenwalter,	Rose, S.,	Young,
Flynn,	Longo,	Rose, W. E.,	Kilroy,
Foor,	Lovett,	Rosenfeld,	Speaker.
	Lyons,		

NAYS—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return it to the Senate with information that the House has passed it with amendments in which the concurrence of the Senate is requested.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1608, (Senate Bill No. 545), as follows:

An Act relating to the summoning and service of jurors (except grand jurors) in the civil and criminal courts of the several counties of the Commonwealth except counties of the first and second class

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The court of common pleas of each county of the Commonwealth (except counties of the first and second class) may in its discretion issue writs of venire for the empanelling and summoning of persons for service as jurors (except grand jurors) in any of the courts civil or criminal in the county

Section 2 If the court of common pleas shall exercise such discretion it shall be the duty of the sheriff and the jury commissioners of the county to annex and return one and the same panel of names to the venires issuing as aforesaid and any of the jurors summoned may thereafter be required to serve as petit or general jurors or both as the need for such services shall arise and as the court of common pleas of said county shall direct

Section 3 All acts and parts of acts inconsistent with this act are hereby repealed

Section 4 The provisions of this act shall become effective immediately upon final enactment

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows, viz:

YEAS—204

Achterman,	French,	Malloy,	Royer,
Allmond,	Gallagher,	Marks,	Rush,
Auker,	Gates,	Maxwell,	Sarge,
Baker,	Gerard,	McClanaghan,	Sarraf,
Balthaser,	Gillan,	McClester	Scanlon,
Bentley,	Gillette,	McDermott,	Schwab,
Bentzel,	Goodwin,	McDowell,	Serrill,
Boles,	Greenwood,	McFall	Shaffer,
Boney,	Gross	McIntosh,	Shaw,
Boorse,	Gryskewicz,	McKinney,	Shepard,
Bower,	Gyger,	McLanahan,	Simons,
Bradley	Habbyshaw,	McLane,	Skale,
Bretherick,	Haberlen,	McMillen,	Snyder,
Brown,	Haines,	McSurdy,	Sollenberger,
Brunner, C. H.,	Hall,	Melchiorre,	Sorg,
Brunner, P. A.,	Hamilton,	Mihm,	Stambaugh,
Burns,	Hare	Modell,	Stank,
Burris,	Harkins,	Monks,	Stine,
Cadwalader,	Harmuth,	Mooney,	Stockham,
Chervenak,	Harris	Moran,	Tarr
Chudoff,	Heatherington,	Moul,	Tate,
Cochran	Helm	Muir,	Taylor,
Cohen, M. M.,	Hering,	Munley,	Thompson, E. F.,
Cohen, R. E.,	Herman,	Nagel,	Thompson, R. L.,
Cook,	Hersch,	Nunemacher,	Trout,
Cooper,	Hewitt,	O'Brien	Turner,
Cordier,	Hirsch,	O'Connor,	Van Allsburg,
Corrigan,	Holland,	O'Dare	Verona,
Croop,	Huntley,	O'Mullen,	Vincent,
Cullen,	Imbrie,	O'Neill,	Vogt,
Dalrymple,	James,	Owens,	Voldow,
Dennison,	Jefferson,	Petrosky,	Voorhees,
DiGenova,	Jones, G. E.,	Pettit,	Wagner,
	Jones, P. N.,	Polaski,	Watkins,

Dix,	Keenan,	Polen,	Weingartner,
Dolon,	Kenehan,	Powers,	Weiss,
D'Ortona,	Kline,	Prosen,	Welsh, E. B.,
Duffy,	Knoble,	Rank,	Welsh, M. J.,
Early,	Kolankiewicz,	Rausch,	Wilkinson,
Eckels,	Komorofski,	Readinger,	Williams,
Elder,	Krise,	Reagan,	Winner,
Elliott,	Lee, E. A.,	Reese, D. P.,	Wood, L. H.,
Ely,	Lee, T. H.,	Reese, R. E.,	Wood, N.,
Falkenstein,	Leisey,	Regan,	Woodring,
Finestone,	Leonard,	Reynolds,	Woodside,
Finnerty,	Lesko,	Rhea,	Wright,
Fisher,	Levy,	Riley,	Yeakel,
Fiss,	Leydic,	Rooney,	Yester,
Fleming,	Lichtenwalter,	Rose, S.,	Young,
Fletcher,	Longo,	Rose, W. E.,	Kilroy,
Flynn,	Lovett,	Rosenfeld,	Speaker.
Foor,	Lyons,		

NAYS—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return it to the Senate with information that the House has passed it with amendments in which the concurrence of the Senate is requested.

BILLS PASSED OVER

There being no objection House Bill No. 1942, (Senate Bill No. 1096), Printer's No. 607, and House Bill No. 1943, (Senate Bill No. 1097), Printer's No. 606, were passed over at the request of the SPEAKER.

BILL ON THIRD READING

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1981, (Senate Bill No. 399), as follows:

An Act making an appropriation to the Treasury Department for the use of the Board of Finance and Revenue in granting refunds of "store and theatre" tax

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The sum of three hundred and fifty thousand dollars ($350,000) or so much thereof as may be necessary is hereby specifically appropriated out of the State School Fund to the Treasury Department for the two fiscal years beginning June first one thousand nine hundred and forty-one for the use of the Board of Finance and Revenue in making payment of approved claims for refunds of store and theatre tax paid under the provisions of the act approved the fifth day of June one thousand nine hundred and thirty-seven (P. L. 1656) entitled "An act imposing an annual license tax for the privilege of operating maintaining or controlling within this Commonwealth a store or stores theatre or theatres as herein defined prescribing the method and manner of collecting such tax and its disposition including an appropriation for the purpose of administering this act and providing penalties" and subsequently declared by the Supreme Court of the Commonwealth of Pennsylvania to be unconstitutional

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows, viz:

YEAS—204

Achterman,	French,	Malloy,	Royer,
Allmond,	Gallagher,	Marks,	Rush,
Auker,	Gates,	Maxwell,	Sarge,
Baker,	Gerard,	McClanaghan,	Sarraf,
Balthaser,	Gillan,	McClester,	Scanlon,
Bentley,	Gillette,	McDermott,	Schwab,
Bentzel,	Goodwin,	McDowell,	Serrill,
Boles,	Greenwood,	McFall,	Shaffer,
Boney,	Gross,	McIntosh,	Shaw,
Boorse,	Gryskewicz,	McKinney,	Shepard,
Bower,	Gyger,	McLanahan,	Simons,
Bradley,	Habbyshaw,	McLane,	Skale,
Bretherick,	Haberlen,	McMillen,	Snyder,
Brown,	Haines,	McSurdy,	Sollenberger,
Brunner, C. H.,	Hall,	Melchiorre,	Sorg,
Brunner, P. A.,	Hamilton,	Mihm,	Stambaugh,
Burns,	Hare,	Modell,	Stank,
Burris,	Harkins,	Monks,	Stine,
Cadwalader,	Harmuth,	Mooney,	Stockham,
Chervenak,	Harris,	Moran,	Tarr,
Chudoff,	Heatherington,	Moul,	Tate,
Cochran,	Helm,	Muir,	Taylor,
Cohen, M. M.,	Hering,	Munley,	Thompson, E. F.,
Cohen, R. E.,	Herman,	Nagel,	Thompson, R. L.,
Cook,	Hersch,	Nunemacher,	Trout,
Cooper,	Hewitt,	O'Brien,	Turner,
Cordier,	Hirsch,	O'Connor,	Van Allsburg,
Corrigan,	Holland,	O'Dare,	Verona,
Croop,	Huntley,	O'Mullen,	Vincent,
Cullen,	Imbrie,	O'Neill,	Vogt,
Dalrymple,	James,	Owens,	Voldow,
Dennison,	Jefferson,	Petrosky,	Voorhees,
DiGenova,	Jones, G. E.,	Pettit,	Wagner,
Dix,	Jones, P. N.,	Polaski,	Watkins,
Dolon,	Keenan,	Polen,	Weingartner,
D'Ortona,	Kenehan,	Powers,	Weiss,
Duffy,	Kline,	Prosen,	Welsh, E. B.,
Early,	Knoble,	Rank,	Welsh, M. J.,
Eckels,	Kolankiewicz,	Rausch,	Wilkinson,
Elder,	Komorofski,	Readinger,	Williams,
Elliott,	Krise,	Reagan,	Winner,
Ely,	Lee, E. A.,	Reese, D. P.,	Wood, L. H.,
Falkenstein,	Lee, T. H.,	Reese, R. E.,	Wood, N.,
Finestone,	Leisey,	Regan,	Woodring,
Finnerty,	Leonard,	Reynolds,	Woodside,
Fisher,	Lesko,	Rhea,	Wright,
Fiss,	Levy,	Riley,	Yeakel,
Fleming,	Leydic,	Rooney,	Yester,
Fletcher,	Lichtenwalter,	Rose, S.,	Young,
Flynn,	Longo,	Rose, W. E.,	Kilroy,
Foor,	Lovett,	Rosenfeld,	Speaker.
	Lyons,		

NAYS—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return it to the Senate with information that the House has passed it with amendments in which the concurrence of the Senate is requested.

BILL PASSED OVER

There being no objection House Bill No. 1860, (Senate Bill No. 575), Printer's No. 608, was passed over at the request of the SPEAKER.

BILLS ON THIRD READING

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1940, (Senate Bill No. 913), as follows:

An Act authorizing and directing the Department of Revenue to prepare airport approach plans for publicly owned airports empowering and directing such department and also counties municipalities and other political subdivisions to promulgate administer and enforce airport zoning regulations limiting the height of struc-

tures excepting those structures that are under the jurisdiction of the Pennsylvania Public Utility Commission and objects of natural growth and otherwise regulating the use of property in the vicinity of such airports providing for the granting of zoning permits and variances and for appeals from zoning regulations authorizing the acquisition by purchase grant or condemnation of air rights and other interests in land and providing penalties and remedies for violations of this act or of any ordinance or regulation made under the authority conferred thereby

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Definitions as used in the act unless otherwise requires

(1) "Airport" means any locality either of water or land which is adapted for the landing and taking off of aircraft and which provides facilities for shelter supply and repair of aircraft or a place used regularly for receiving or discharging passengers or cargo by air

(2) "Airport hazard" means any structure or tree which obstructs the aerial approaches of a publicly owned airport or is otherwise hazardous to its use for landing or taking-off except those structures that are under the jurisdiction of the Pennsylvania Public Utility Commission

(3) An airport is "publicly owned" if the portion thereof used for the landing and taking-off of aircraft is owned by a governmental body political subdivision public agency or other public corporoation

(4) "Department" means Department of Revenue

(5) "Person" means any individual firm copartnership corporation company association joint-stock association or body politic and includes any trustee receiver assignee or other similar representative thereof

(6) "Structure" means any object constructed or installed by man including but without limitation buildings towers and smokestacks except those structures that are under the jurisdiction of the Pennsylvania Public Utility Commission

(7) "Tree" means any object of natural growth

(8) Airport approach shall for the purpose of this act mean property located adjacent to or in the vicinity of any publicly owned airport but shall not be construed to include any portion of the said publicly owned airport

(9) Airport zoning regulations mean regulations adopted for the zoning of property adjacent to or in the vicinity of any publicly owned airport

Section 2 Airport Hazards Not in Public Interest It is hereby found and declared that an airport hazard endangers the lives and property of users of the airport and of occupants of land in its vicinity and also if of the obstruction type in effect reduces the size of the area available for the landing taking-off and maneuvering of aircraft thus tending to destroy or impair the utility of the airport and the public investment therein and is therefore not in the interest of the public health public safety or general welfare

Section 3 Preparation of Airport Approach Plans The department is hereby empowered and directed to formulate and adopt and from time to time as may be necessary revise an airport approach plan for each publicly owned airport in the State Each such plan shall indicate the circumstances in which structures and trees are or would be airport hazards the area within which measures for the protection of the airport's aerial approaches should be taken and what the height limits and other objectives of such measures should be In adopting or revising any such plan the department shall consider among other things the character of the flying operations expected to be conducted at the airport the nature of the terrain the height of existing structures and trees above the level of the airport and the possibility of lowering or removing existing obstructions and the department may obtain and consider the views of the agency of the Federal Government charged with the fostering of civil aeronautics as to the aerial approaches necessary to safe flying operations at the airport

Section 4 Adoption of Airport Zoning Regulations (1) The department for the purpose of protecting airport approaches shall adopt administer and enforce airport zoning regulations applicable to such area which regulations shall divide the area into zones and within such zones specify the land uses permitted regulate and restrict the height to which structures and trees may be erected or allowed to grow and impose such other restrictions and requirements as may be necessary to effectuate the department's approach plan for the airport

(2) In the event that a political subdivision has adopted or hereafter adopts a general zoning ordinance regulating among other things the height of buildings any airport zoning regulations adopted for the same area or portion thereof under this act may be incorporated in and made a part of such general zoning regulations and be administered and enforced in connection therewith but such general zoning regulations shall not limit the effectiveness or scope of the regulations adopted under this act

(3) Any zoning or other regulations applicable to any area within which according to an airport approach plan adopted by the department measures should be taken for the protection of airport approaches including not only any airport zoning regulations adopted under this act but any zoning or other regulations dealing with the same or similar matters that have been or may be adopted under authority other than that conferred by this act shall be consistent with and conform to the department's approach plan for such area and shall be amended from time to time as may be necessary to conform to any revision of the plan that may be made by the department

(4) All airport zoning regulations adopted under this act shall be reasonable and none shall require the removal lowering or other change or alteration of any structure or tree not conforming to the regulations when adopted or amended or otherwise interfere with the continuance of any non-conforming use except as provided in section five (1)

Section 5 Permits and Variances (1) Permits To facilitate the enforcement of zoning regulations adopted pursuant to this act a system shall be established for granting permits to establish or construct new structures and other uses and to replace existing structures and other uses or make substantial changes therein or substantial repairs thereof In any event before any nonconforming structure or tree may be replaced substantially altered or repaired rebuilt allowed to grow higher or replanted a permit must be secured from the department authorizing such replacement change or repair No such permit shall be granted that would allow the structure or tree in question to be made higher or become a greater hazard to air navigation than it was when the applicable regulation was adopted and whenever the department determines that a non-conforming structure or tree has been abandoned or more than eighty per centum torn down destroyed deteriorated or decayed (a) no permit shall be granted that would allow said structure or tree to exceed the applicable height limit or otherwise deviate from the zoning regulations and (b) whether application is made for a permit under this paragraph or not the said department may by appropriate action compel the owner of the non-conforming structure or tree at his own expense to lower remove reconstruct or equip such object as may be necessary to conform to the regulations or if the owner of the non-conforming structure or tree shall neglect or refuse to comply with such order for ten days after notice thereof the said department may proceed to have the object so lowered removed reconstructed or equipped and assess the cost and the expense thereof upon the object or the land whereon it is or was located Unless such an assessment is paid within ninety days from the service of notice thereof on the agent or owner of such object or land the sum shall bear interest at the rate of ten per centum per annum until paid and shall be collected in the same manner as are general taxes Except as indicated all applications for permits for replacement change or repair of non-conforming uses shall be granted

(2) Variances Any person desiring to erect any struc-

ture or increase the height of any structure or permit the growth of any tree or otherwise use his property in violation of airport zoning regulations adopted under this act may apply to the department for a variance from the zoning regulations in question Such variances shall be allowed where a literal application or enforcement of the regulations would result in practical difficulty or unnecessary hardship and the relief granted would not be contrary to the public interest but would do substantial justice and be in accordance with the spirit of the regulations

(3) Obstruction Marking and Lighting In granting any permit or variance under this section the department may if it deems such action advisable to effectuate the purposes of this act and reasonable in the circumstances so condition such permit or variance as to require the owner of the structure or tree in question to permit the political subdivision at his own expense to install operate and maintain suitable obstruction markers and obstruction lights thereon

Section 6 Procedure (1) Adoption of Zoning Regulations No airport zoning regulations shall be adopted amended or changed under this act except by action of the department after a public hearing in relation thereto at which parties in interest and citizens shall have an opportunity to be heard The public hearing shall be conducted by the county commissioners of the county in which the said zoning regulations will have effect The said county commissioners shall after such public hearing transmit notes of testimony plus its recommendations to the department At least fifteen days' notice of the hearing shall be published in a legal periodical or a periodical of general circulation in the counties

(2) Administration of Zoning Regulations Administrative Agency The department after adopting zoning regulations for airports shall delegate the duty of administering and enforcing such regulations to the county commissioners of the county in which the airport is located The county commissioners however shall not hear any appeals from their own orders but such appeals shall be heard by the department

(3) Administration of Airport Zoning Regulations The department may not delegate the following matters to the county commissioners but must itself take charge of such matters

(a) To hear and decide appeals from any order requirement decision or determination made by the administrative agency in the enforcement of this act or of any ordinance adopted pursuant thereto

(b) To hear and decide special exceptions to the terms of this statute upon which such department may be required to pass under this statute

Where the department has delegated initial authority to the county commissioners appeals may be taken by any person aggrieved or by any officer department board or bureau of the political subdivision affected by any decision of the county commissioners An appeal must be taken within a reasonable time as provided for by the rules and regulations promulgated by the department Upon taking an appeal the appeal must be filed with the county commissioners and a notice of the appeal specifying the grounds thereof must be filed with the department The county commissioners shall forthwith transmit to the department all papers constituting the record upon which the action appealed from was taken

An appeal shall stay all proceedings in furtherance of the action appealed from unless the county commissioners from which the appeal is taken certifies to the department after the notice of appeal has been filed with it that by reason of the facts stated in the certificate a stay would in its opinion cause imminent peril to life or property In such case proceedings shall not be stayed otherwise than by a restraining order which may be granted by the department or by a court of record on application on notice to the agency from which the appeal is taken and on due cause shown

The department shall fix a reasonable time for the hearing of the appeal give public notice and due notice to the parties in interest and decide the same within a reasonable time Upon the hearing any party may appear in person or by agent or by attorney

The department may in conformity with the provisions of this act reverse or affirm wholly or partly or modify the order requirement decision or determination appealed from and may make such order requirement decision or determination as ought to be made and to that end shall have all the powers of the administrative agency from which the appeal is taken

Section 7 Judicial Review (1) Any person aggrieved by any decision of the department or any taxpayer or any officer department board or bureau of the political subdivision may present to the common pleas court of the county in which the airport is located a verified petition setting forth that the decision is illegal in whole or in part and specifying the grounds of the illegality Such petition shall be presented to the court within thirty days after the decision is filed in the department

(2) Upon presentation of such petition the court may allow a writ of certiorari directed to the department to review such decision of the department The allowance of the writ shall not stay proceedings upon the decision appealed from but the court may on application on notice to the department and on due cause shown grant a restraining order

(3) The department shall not be required to return the original papers acted upon by it but it shall be sufficient to return certified or sworn copies thereof or of such portions thereof as may be called for by the writ The return shall concisely set forth such other facts as may be pertinent and material to show the grounds of the decision appealed from and shall be verified

(4) The court shall have exclusive jurisdiction to affirm modify or set aside the decision brought up for review in whole or in part and if need be to order further proceedings by the department The findings of fact by the department if supported by substantial evidence shall be accepted by the court as conclusive and no objection to a decision of the department shall be considered by the court unless such objection shall have been urged before the department or if it was not so urged unless there were reasonable grounds for failure to do so

(5) Costs shall not be allowed against the department unless it appears to be the court that it acted with gross negligence in bad faith or with malice in making the decision appealed from

Section 8 Enforcement and Remedies Each violation of this act or of any regulations order or ruling promulgated or made pursuant to this act shall constitute a misdemeanor and shall be punishable by a fine of not more than two hundred dollars ($200) or imprisonment for not more than two (2) years or by both such fine and imprisonment and each day a violation continues to exist shall constitute a separate offense In addition either the political subdivision within which the property is located or the department may institute in any court of competent jurisdiction an action to prevent restrain correct or abate any violation of this act or of airport zoning regulations adopted under this act or of any order or ruling made in connection with their administration or enforcement and the court shall adjudge to the plaintiff such relief by way of injunction (which may be mandatory) or otherwise as may be proper under all the facts and circumstances of the case in order fully to effectuate the purposes of this act and of the regulations adopted and orders and rulings made pursuant thereto

Section 9 Acquisition of Air Rights In any case in which (1) it is desired to remove lower or otherwise terminate a non-conforming use or (2) the approach protection necessary according to the department's airport approach plan cannot because of constitutional limitations be provided by airport zoning regulations under this act or (3) it appears advisable that the necessary approach protection be provided by acquisition of property rights rather than by airport zoning regulations the political subdivision within which the property or nonconforming use is located the political subdivison owning

the airport or served by it or the department may acquire by purchase grant or condemnation in the manner provided by the law under which political subdivisions are authorized to acquire real property for public purposes such an air right easement or other estate or interest in the property or non-conforming use in question as may be necessary to effectuate the purposes of this act

Section 10 Severability If any provision of this act or the application thereof to any person or circumstances is held invalid such invalidity shall not affect other provisions or applications of the act which can be given effect without the invalid provision or application and to this end the provisions of this act are declared to be severable

Section 11 Short Title This act shall be known and may be cited as the "Airport Zoning Act"

Section 12 Repeal All acts and parts of acts inconsistent with this act are hereby repealed

Section 13 Time of Taking Effect This act shall become effective

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows, viz:

YEAS—204

Achterman,	French,	Lyons,	Rosenfeld,
Allmond,	Gallagher,	Malloy,	Royer,
Auker,	Gates,	Marks,	Rush,
Baker,	Gerard,	Maxwell,	Sarge,
Balthaser,	Gillan,	McClanaghan,	Sarraf,
Bentley,	Gillette,	McClester,	Scanlon,
Bentzel,	Goodwin,	McDermott,	Schwab,
Boles,	Greenwood,	McDowell,	Serrill,
Boney,	Gross,	McFall,	Shaffer,
Boorse,	Gryskewicz,	McIntosh,	Shaw,
Bower,	Gyger,	McKinney,	Shepard,
Bradley,	Habbyshaw,	McLanahan,	Simons,
Bretherick,	Haberlen,	McLane,	Skale,
Brown,	Haines,	McMillen,	Snyder,
Brunner, C. H.,	Hall,	McSurdy,	Sollenberger,
Brunner, P. A.,	Hamilton,	Melchiorre,	Sorg,
Burns,	Hare,	Mihm,	Stambaugh,
Burris,	Harkins,	Modell,	Stank,
Cadwalader,	Harmuth,	Monks,	Stine,
Chervenak,	Harris,	Mooney,	Stockham
Chudoff,	Heatherington,	Moran,	Tarr,
Cochran,	Helm,	Moul,	Tate,
Cohen, M. M.,	Hering,	Muir,	Taylor,
Cohen, R. E.,	Herman,	Munley,	Thompson, E. F.,
Cook,	Hersch,	Nagel,	Thompson, R. L.,
Cooper,	Hewitt,	Nunemacher,	Trout,
Cordier,	Hirsch,	O'Brien,	Turner,
Corrigan,	Holland,	O'Connor,	Van Allsburg,
Croop,	Huntley,	O'Dare,	Verona,
Cullen,	Imbrie,	O'Mullen,	Vincent,
Dalrymple,	James,	O'Neill,	Vogt,
Dennison,	Jefferson,	Owens,	Voldow,
DiGenova,	Jones, G. E.,	Petrosky,	Voorhees,
Dix,	Jones, P. N.,	Pettit,	Wagner,
Dolon,	Keenan,	Polaski,	Watkins,
D'Ortona,	Kenehan,	Polen,	Weingartner,
Duffy,	Kline,	Powers,	Weiss,
Early,	Knoble,	Prosen,	Welsh, E. B.,
Eckels,	Kolankiewicz,	Rank,	Welsh, M. J.,
Elder,	Komorofski,	Rausch,	Wilkinson,
Elliott,	Krise,	Readinger,	Williams,
Ely,	Lee, E. A.,	Reagan,	Winner,
Falkenstein,	Lee, T. H.,	Reese, D. P.,	Wood, L. H.,
Finestone,	Leisey,	Reese, R. E.,	Wood, N.,
Finnerty,	Leonard,	Regan,	Woodring,
Fisher,	Lesko,	Reynolds,	Woodside,
Fiss,	Levy,	Rhea,	Wright,
Fleming,	Leydic,	Riley,	Yeakel,
Fletcher,	Lichtenwalter,	Rooney,	Yester,
Flynn,	Longo,	Rose, S.,	Young,
Foor,	Lovett,	Rose, W. E.,	Kilroy, Speaker.

NAYS—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return it to the Senate with information that the House has passed it with amendments in which the concurrence of the Senate is requested.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1975, (Senate Bill No. 1215), as follows:

A Supplement to the act approved the sixteenth day of June one thousand nine hundred forty-one (Appropriation Act number 12A) entitled "An act to provide for the ordinary expenses of the Executive Legislative and Judicial Departments of the Commonwealth interest on the public debt and the support of the public schools for two years beginning June first one thousand nine hundred and forty-one and for the payment of bills incurred and remaining unpaid at the close of the fiscal year ending May thirty-first one thousand nine hundred and forty-one"

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section1 In addition to the appropriations made by The General Appropriation Act of one thousand nine hundred forty-one (Appropriation Act Number 12A) the following sums or as much thereof as may be necessary are hereby specifically appropriated from the General Fund to the several hereinafter named agencies of the Executive and Legislative Departments of the Commonwealth for the purposes hereinafter set forth for the two years beginning June first one thousand nine hundred and forty-one and for the payment of the bills incurred by said agencies and remaining unpaid at the close of the fiscal year ending May thirty-first one thousand nine hundred and forty-one

I Executive Department

To the Department of the Auditor General

For the payment of salaries wages and other compensation of a deputy auditor general and other employes for the payment of general expenses for the payment of rentals of patented leased office devices for the purchase of automobiles furniture furnishings and equipment and for the purchase of supplies printing binding patent indices records law books and other books necessary for the proper conduct of the work of the department the sum of two hundred forty-six thousand five hundred dollars ($246,500)

For the payment of salaries wages or other compensation of members and employes for the payment of general expenses for the payment of rentals of patented leased office devices for the purchase of furniture and equipment for the purchase of supplies printing and books and for all other expenses necessary for the conduct of the work of the Board of Arbitration of Claims the sum of fifteen thousand dollars ($15,000)

To the Treasury Department

For the payment of salaries wages or other compensation of a deputy state treasurer and other employes for the payment of general expenses for the purchase of insurance covering the loss of any or all cash and securities of which the Treasury Department or State Treasurer is custodian and covering forgeries of all kinds on checks drafts warrants and requisitions for the payment of rentals of patented leased office devices and for the purchase of automobiles furniture furnishings and equipment for the purchase of supplies printing binding patent indices records law books and other books necessary for the proper conduct of the work of the department the sum of one hundred eighty-five thousand five hundred dollars ($185,500)

To the Department of Agriculture

For the payment of salaries wages or other compensation of employes for the payment of general expenses necessary for the proper conduct of the work of the State Farm Products Show Commission for the payment of premium awards for exhibits at the State Farm Product Show and for the maintenance of the State Farm Show Building and the grounds surrounding it the sum of twenty-five thousand dollars ($25,000)

To the Department of Commerce

For the payment of salaries wages or other compensation of a deputy secretary and other employes for the payment of general expenses advertising supplies printing and equipment necessary for the proper conduct of the work of the department including the work of the department with respect to collecting press information and distributing it to the several administrative departments boards and commissions and to legislative offices and legislative agencies the sum of fifty thousand dollars ($50,000) and in addition thereto any amount appropriated to the department out of the Motor License Fund which shall be credited to the appropriation made by this paragraph and shall be available for the purposes herein enumerated

To the Department of Health

For the payment of salaries wages or other compensation of a deputy secretary and other employes for the payment of general expenses supplies printing and equipment necessary for the proper conduct of the work of the department the Sanitary Water Board the Advisory Health Board and other boards the sum of one hundred forty thousand dollars ($140,000) and in addition to said amount all contributions received by the department from private sources for the express use of the department in public health work shall be paid into the General Fund and credited to this appropriation

To the Insurance Department

For the payment of salaries wages or other compensation of a deputy secretary and other employes for the payment of general expenses supplies printing and equipment necessary for the proper conduct of the work of the department and for the payment of costs in court proceedings to forfeit charters of extinct companies the sum of twenty thousand dollars ($20,000) and in addition to said amount all income and all moneys collected by the Insurance Department from foreign insurance companies for examinations made by the Insurance Department and paid into the General Fund of the State Treasury are hereby appropriated out of the General Fund to the Insurance Department and shall be credited to the appropriation made by this paragraph

To the Department of Justice

For the payment of salaries wages and other compensation of the supervisor of paroles chief field agents field agents and other employes for the payment of general expenses supplies printing and equipment necessary for the proper conduct of the work of the Board of Pardons in supervising prisoners released on parole from the State penitentiaries and the Pennsylvania Industrial School and for other parole work of the board the sum of three hundred sixty thousand dollars ($360,000)

For the payment of all expenses whatsoever necessary for the prosecution by the Department of Justice either alone or in cooperation with other law enforcement agencies of this or any other state or of the United States of America of persons associations or corporation engaged in treasonable seditious and subversive activities directed against the government of this Commonwealth or of the United States of America or both including any activities designed and directed toward the impairment hindrance delay sabotage of or interference with the duly established National Defense Program including the manufacture production and furnishing of materials equipment and supplies for this purpose the sum of one hundred thousand dollars ($100,000)

To the Department of Labor and Industry

For the payment of salaries wages or other compensation of the members of the Workmen's Compensation Board Workmen's Compensation Referees Pennsylvania Labor Relations Board the members of the Industrial Board a deputy secretary and other employes for the payment of general expenses supplies printing and equipment necessary for the proper conduct of the work of the department the Workmen's Compensation Board the Workmen's Compensation Referees Pennsylvania Labor Relations Board and the Industrial Board and for compensation and expenses of wage boards the sum of one hundred seventy-five thousand dollars ($175,000)

To the Department of Public Assistance

For the payment of assistance administrative expenses attorneys' fees for allocation from time to time to the several assistance programs (old age assistance aid to dependent children pensions for the blind general assistance and other programs provided by the Public Assistance Law) and the administrative expenses of the several county boards of assistance and for such administrative expenses incurred by the department which are chargeable to such boards as may be necessary for the proper conduct of the department with respect to the Public Assistance Law the sum of fifteen million dollars ($15,000,000) Provided however That no part of this appropriation shall be available (1) until after July first one thousand nine hundred forty-two and (2) unless the Governor from time to time by his proclamation shall indicate that the revenues of the General Fund will be sufficient for the payment of all or part of this appropriation whereupon this appropriation shall become available for expenditure to the extent indicated in any such proclamation

Out of the moneys hereinbefore appropriated to the Department of Public Assistance quarterly allocations shall be made to the Department of the Auditor General and the Treasury Department respectively in such amounts as may be deemed necessary to pay the administrative expenses of such departments in auditing and disbursing appropriations for or relating to public assistance including any Federal sums supplementing such appropriations In the case of the Department of the Auditor General said allocations shall be made by the Governor President Pro Tempore of the Senate Speaker of the House of Representatives and the Auditor General or a majority thereof and in the case of allocations made to the Treasury Department such allocations shall be made by the Governor President Pro Tempore of the Senate Speaker of the House of Representatives and the State Treasurer or a majority thereof

To the Department of Public Instruction

For the payment of salaries wages or other compensation of a deputy members and other employes for the payment of general expenses supplies printing and equipment necessary for the proper conduct of the work of the Department of Public Instruction with respect to professional education and licensure and the professional examining boards and advisory committees within the department the sum of one hundred thousand dollars ($100,000) Provided That no part of this appropriation shall be expended for any purpose other than the work of the department with respect to the certification of teachers professional education and licensure and the professional examining boards and advisory committees within the department

For the payment of salaries wages or other compensation of a secretary and other employes for the payment of general expenses supplies printing and equipment necessary for the proper conduct of the work of the Pennsylvania Historical Commission and for the purchase of archaeological collections and maintenance of historical monuments sites buildings and markers as provided by law and as authorized and approved by the Superintendent of Public Instruction the sum of fifty thousand dollars ($50,000)

For the payment of the expenses of assistant county

superintendents of public schools and supervisors of special education as required by law the sum of twenty-seven thousand four hundred six dollars ($27,406)

For reimbursing fourth class school districts upon the increase in the salaries of teachers of elementary schools of such districts in accordance with law the sum of two hundred ninety-eight thousand nine hundred thirty dollars ($298,930)

For the payment of salaries wages and all other expenses of the department in conducting examinations of auditory acuity of pupils in the public schools the sum of twenty thousand dollars ($20,000)

For reimbursing school districts for their costs in providing part-time instruction in the homes of children prevented by physical incapacity from attending school the sum of five thousand dollars ($5,000)

To the Pennsylvania Public Utility Commission

For the payment of salaries wages or other compensation of a secretary and other employes and for the payment of general expenses supplies printing and equipment necessary for the proper conduct of the work of the commission the sum of one hundred thousand dollars ($100,000)

To the Department of Revenue

For the payment of salaries wages or other compensation of a deputy secretary and other employes for the payment of general expenses rentals equipment and other expenses incidental to the collection of inheritance and estate taxes and mercantile license taxes supplies printing and equipment necessary for the proper conduct of the work of the department for the payment of cost of filing liens for the purchase of tax stamps and for the payment of costs of advertising required by any act of assembly in connection with the escheat of moneys and property to the Commonwealth or in connection with the payment of unclaimed moneys into the State Treasury without escheat the sum of two hundred fifty thousand dollars ($250,000) Provided however That to the extent to which appropriations have been made to the department out of special funds for any of the foregoing purposes this appropriation shall not be used for such purposes

For the payment of the salaries wages or other compensation of such special deputy attorneys general special attorneys appointed by the Attorney General experts scientists examiners statitsicians clerks stenographers and other assistants and employes and for costs witness fees postage express charges telegraph and telephone charges and all other expenses whatsoever as may be necessary for the proper conduct of investigations and litigation in the Estate of Henrietta E Garrett Deceased the sum of fifty thousand dollars ($50,000)

To the Department of State

For the payment of salaries wages or other compensation of a deputy secretary and other employes for the payment of general expenses supplies printing and equipment necessary for the proper conduct of the work of the department and for proof-reading the Pamphlet Laws the sum of eighteen thousand dollars ($18,000)

For the payment of salaries wages or other compensation of commissioners and other employes and for the payment of printing and other expenses of the department including the reimbursement of counties for expenses incurred in taking the vote of citizens of the Commonwealth who are in the active Military Service of the United States the sum of two hundred thousand dollars ($200,000)

To the Department of Welfare

For the payment of salaries wages or other compensation of the superintendents or wardens and other employes for the payment of general expenses supplies and printing for repairs alterations and improvements to plant and equipment for improvements to land for the purchase of equipment furniture furnishings and live stock for expenses of the boards of trustees and incidental expenses for the payment of gratuities clothing and parole expenses and for all other expenses of maintenance and operation necessary for the proper conduct of the work of the Pennsylvania Industrial School at Huntingdon the Pennsylvania Training School at Morganza the State Industrial Home for Women at Muncy the Eastern State Penitentiary at Philadelphia and Graterford the Western State Penitentiary at Pittsburgh the State Penitentiary at Rockview and any other institution established for the custody of prisoners as may be authorized and approved by the Secretary of Welfare the sum of one hundred thousand dollars ($100,000)

For the payment of salaries wages or other compensation of the Superintendents and other employes for the payment of general expenses supplies and printing for repairs alterations and improvements to plant and equipment for improvements to land for the purchase of equipment furniture furnishings and live stock for expenses of the boards of trustees and incidental expenses and for all other expenses of maintenance and operation necessary for the proper conduct of the work of the Allentown State Hospital at Allentown the Danville State Hospital at Danville the Farview State Hospital at Farview the Harrisburg State Hospital at Harrisburg the Norristown State Hospital at Norristown the Torrance State Hospital at Torrance the Warren State Hospital at Warren the Philadelphia State Hospital at Philadelphia the Wernersville State Hospital at Wernersville and any institution of any city county or institution district taken over by the Commonwealth by law for operation and management as a State mental hospital as may be authorized and approved by the Secretary of Welfare the sum of five million eight hundred fifty thousand dollars ($5,850,000) Provided That this appropriation shall also be available for the purpose of reimbursing any city county or institution district for proper charges sustained in the operation after June first one thousand nine hundred forty-one of any institution taken over by the Commonwealth by law for operation and management as a State mental hospital

For the payment of salaries wages or other compensation of the superintendents and other employes for the payment of general expenses supplies and printing for repairs alterations and improvements to plant and equipment for improvements to lands for the purchase of equipment furniture furnishings and live stock for expenses of the boards of trustees and incidental expenses for all other expenses of maintenance and operation necessary for the proper conduct of the work of the Laurelton State Village at Laurelton the Pennhurst State School at Pennhurst the Polk State School at Polk the Selinsgrove State Colony for Epileptics at Selinsgrove and any other institution established for the care and treatment of mental defectives and epileptics as authorized and approval by the Secretary of Welfare the sum of one hundred thousand dollars ($100,000)

For the payment of salaries wages or other compensation of the superintendents and other employes for the payment of general expenses supplies and printing for repairs for the purchase of equipment furniture and furnishings for expenses of the boards of trustees and incidental expenses and for all other expenses of maintenance and operation necessary for the proper conduct of the work of the Ashland State Hospital at Ashland the Blossburg State Hospital at Blossburg the Coaldale State Hospital at Coaldale the Connellsville State Hospital at Connellsville the Hazleton State Hospital at Hazleton the Locust Mountain State Hospital at Shenandoah the Nanticoke State Hospital at Nanticoke the Philipsburg State Hospital at Philipsburg the Scranton State Hospital at Scranton and the Shamokin State Hospital at Shamokin as may be authorized and approved by the Secretary of Welfare the sum of two hundred thousand dollars ($200,000)

II Legislative Department

To the Joint State Government Commission

For the payment of wages and other compensation of

the employes and for the payment of general expenses necessary for the proper conduct of the work of the Joint State Government Commission the sum of fifty thousand dollars ($50,000) to be paid on warrants of the Auditor General in favor of the chairman of said commission on the presentation of his requisition for the same The chairman shall file an accounting of said expenses with the Auditor General

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows, viz:

YEAS—204

Achterman,	French,	Lyons,	Rosenfeld,
Allmond,	Gallagher,	Malloy,	Royer,
Auker,	Gates,	Marks,	Rush,
Baker,	Gerard,	Maxwell,	Sarge,
Balthaser,	Gillan,	McClanaghan,	Sarraf,
Bentley,	Gillette,	McClester,	Scanlon,
Bentzel,	Goodwin,	McDermott,	Schwab,
Boles,	Greenwood,	McDowell,	Serrill,
Boney,	Gross,	McFall,	Shaw,
Boorse,	Gryskewicz,	McIntosh,	Shepard,
Bower,	Gyger,	McKinney,	Simons,
Bradley,	Habbyshaw,	McLanahan,	Skale,
Bretherick,	Haberlen,	McLane,	Snyder,
Brown,	Haines,	McMillen,	Sollenberger,
Brunner, C. H.,	Hall,	McSurdy,	Sorg,
Brunner, P. A.,	Hamilton,	Melchiorre,	Stambaugh,
Burns,	Hare,	Mihm,	Stank,
Burris,	Harkins,	Modell,	Stine,
Cadwalader,	Harmuth,	Monks,	Stockham,
Chervenak,	Harris,	Mooney,	Tarr,
Chudoff,	Heatherington,	Moran,	Tate,
Cochran,	Helm,	Moul,	Taylor,
Cohen, M. M.,	Hering,	Muir,	Thompson, E. F.,
Cohen, R. E.,	Herman,	Munley,	Thompson, R. L.,
Cook,	Hersch,	Nagel,	Trout,
Cooper,	Hewitt,	Nunemacher,	Turner,
Cordier,	Hirsch,	O'Brien,	Van Allsburg,
Corrigan,	Holland,	O'Connor,	Verona,
Croop,	Huntley,	O'Dare,	Vincent,
Cullen,	Imbrie,	O'Mullen,	Vogt,
Dalrymple,	James,	O'Neill,	Voldow,
Dennison,	Jefferson,	Owens,	Voorhees,
DiGenova,	Jones, G. E.,	Petrosky,	Wagner,
Dix,	Jones, P. N.,	Pettit,	Watkins,
Dolon,	Keenan,	Polaski,	Weingartner,
D Ortona,	Kenehan,	Polen,	Weiss,
Duffy,	Kline,	Powers,	Welsh, E. B.,
Early,	Knoble,	Prosen,	Welsh, M. J.,
Eckels,	Kolankiewicz,	Rank,	Wilkinson,
Elder,	Komorofski,	Rausch,	Williams,
Elliott,	Krise,	Readinger,	Winner,
Ely,	Lee, E. A.,	Reagan,	Wood, L. H.,
Falkenstein,	Lee, T. H.,	Reese, D. P.,	Wood, N.,
Finestone,	Leisey,	Reese, R. E.,	Woodring,
Finnerty,	Leonard,	Regan,	Woodside,
Fisher,	Lesko,	Reynolds,	Wright,
Fiss,	Levy,	Rhea,	Yeakel,
Fleming,	Leydic,	Riley,	Yester,
Fletcher,	Lichtenwalter,	Rooney,	Young,
Flynn,	Longo,	Rose, S.,	Kilroy,
Foor,	Lovett,	Rose, W. E.,	Speaker.

NAYS—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return it to the Senate with information that the House has passed it with amendments in which the concurrence of the Senate is requested.

BILL PASSED OVER

There being no objection House Bill No. 1745, Senate Bill No. 839, Printer's No. 609, was passed over at the request of the SPEAKER.

BILL ON THIRD READING

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1856, (Senate Bill No. 1047), as follows:

An Act to further amend the act approved the seventh day of May one thousand nine hundred twenty-three (P. L. 151) entitled "An act defining and regulating the business of dry cleaning and dyeing providing for the maintenance construction and inspection of dry cleaning and dyeing buildings and establishments providing for enforcing the act and penalties for violation thereof" providing for the administration and enforcement of said act by the Department of Labor and Industry exempting from certain provisions of said act certain plants and systems exclusively using a petroleum solvent having a flash point of one hundred and forty degrees Fahrenheit and empowering the Department of Labor and Industry and empowering said department to make alter amend and repeal rules and regulations

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 That the act approved the seventh day of May one thousand nine hundred twenty-three (P. L. 151) entitled "An act defining and regulating the business of dry cleaning and dyeing providing for the maintenance construction and inspection of dry cleaning and dyeing buildings and establishments providing for enforcing the act and penalties for violation thereof" as amended by the act approved the seventh day of April one thousand nine hundred twenty-seven (P. L. 139) is hereby further amended to read as follows

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same that no person co-partnership association or corporation shall erect construct maintain or operate any dry cleaning or dyeing establishment or business except in accordance with the provisions of this act

For the purpose of this act "dry cleaning and dyeing" shall be construed to mean the business of cleaning sponging or dyeing cloth feathers any kind of fabrics or textiles by the use of any inflammable [volatile] liquid or product having a flash point of less than one hundred and forty degrees Fahrenheit closed cup tester

Section 2 No person copartnership association or corporation shall erect maintain construct or operate any dry cleaning or dyeing establishment or business without first obtaining approval from the [Bureau of Fire Protection] Department of [State Police] Labor and Industry Application for such purpose shall be made upon form prescribed by said department and shall be accompanied by drawings covering floor plan roof plan and exterior elevations of the building including thereon the position of all machinery and equipment steam fire extinguishing lines exhaust fans motor storage tanks and such other requirements of the act as it relates to the construction maintenance equipment and operation of the dry cleaning and dyeing establishment or business to be erected constructed maintained or operated Plot plan shall also be furnished showing the location of the dry cleaning building and relative distances to surrounding properties

No dry cleaning dyeing tumbler or drying room shall be located within ten feet of any other building unless separated therefrom by an unpierced fire wall but in no case shall more than two sides of a dry cleaning or dyeing room have blank walls and such rooms shall be provided with at least two exits remote from each other having access to the outside of building All rooms used or to be used for the purpose of dry cleaning or dyeing

as above defined shall be noncombustible material and construction shall not exceed one story in height shall be without basement cellar or open space below the ground floor No dry cleaning building shall be used for any purpose or occupancy other than dry cleaning dyeing and reclaiming gasoline and such other rooms or departments necessary for power and for the receiving and finishing of materials

Section 3 All walls of such dry cleaning dyeing tumbler and drying rooms shall be of brick laid in cement-mortar or of reinforced concrete not less than twelve inches in thickness or of stone laid in cement-mortar not less than sixteen inches in thickness or of other noncombustible material constructed of a thickness of not less than twelve inches Provided that the construction specified heretofore in this section shall not apply to such other rooms or departments as permitted in which no inflammable liquid or compound will be present handled or used but such rooms shall be constructed with exterior walls of noncumbustible material not less than eight inches in thickness and shall not exceed one story in height The roof of such building shall be of fire-resistive construction with no concealed roof space No combustible material shall be permitted in the construction of drying room racks

All windows doors or other openings in dry cleaning buildings shall be protected by wire glass in metal frames or fireproof shutters doors or covers Intercommunicating openings from dry cleaning dyeing tumbler and drying rooms shall be provided with standard self-closing fire doors

Venting apertures near floor level shall be provided in dry cleaning dyeing tumbler and drying rooms kept clear of obstruction covered by suitable galvanized wire web and in such numbers and position so as to provide free circulation of air

In dry cleaning dyeing tumbler and drying rooms sparkless exhaust fan of sufficient size to properly vent room and flue of noncombustible material shall be built into the wall or securely fastened thereto so as to change volume of air every five minutes

All discharge outlets of vent apertures shall be provided with suitable wire screen or equivalent and located without hazard to surrounding property

There shall be no direct sewer connections with dry cleaning dyeing tumbler and drying rooms and floor of such rooms shall be of concrete construction not lower than surface of earth surrounding wall

Section 4 No steam boiler furnace or steam generator or heating device exposed fire or other spark emitting device shall be permitted in any dry cleaning dyeing tumbler drying or distilling room or in line of vapor travel therefrom

Heating of such buildings shall be by steam or hot water system or equivalent in safety

All electric wiring and equipment including motors shall conform to [National Electrical Code] the regulations of Department of Labor and Industry [All artificial lighting shall be by incandescent electric lights of approved type]

Transfer of all liquids shall be through continuous piping pipe connections or threaded joints shall be made up litharged and glycerined and all outlets or drain lines shall be drained by gravity to settling or storage tanks No dry cleaning liquid shall be settled in any open or unprotected vessels or tanks Provided that nothing in this section shall prohibit scrubbing and brushing in dry cleaning rooms but not more than three gallons of volatile fluid shall be used in any one container and shall be so used in metallic pan or container and such volatile liquid or substance shall be returned to settling or storage tanks as soon as operation is completed

Storage tanks or volatile inflammable liquids shall conform to the [Standards of the Bureau of Fire Protection Department of State Police] regulations of the Department of Labor and Industry and no such tanks shall be installed without approval from said [bureau] department

Section 5 Fire extinguishers of approved type shall be provided for each two hundred square feet of floor space or when separate rooms are maintained one extinguisher for each room

As a means of fire extinguishment in any dry cleaning dyeing tumbler and drying rooms the same shall be equipped with steam pipes separate and other than pipes used for heating or power located near the ceiling In these pipes there shall be not less than two openings all of which shall point toward the ceiling The steam supply for such pipes shall be continually available for service while the plant is in operation and shall be sufficient to completely fill the room space in less than one minute An outside screw and yoke valve shall be placed in the steam service line or lines outside of these rooms and shall be accessible for operation in case of fire Such fire protection system shall be extended and connected to washers and tumblers so that the fire extinguishing agent may be admitted to the interior of such machines An approved system using a fire deterrent chemical or gas may be installed in lieu of a steam extinguishing system

Section 6 Nothing contained in the preceding sections of this act shall be construed to apply to any dry cleaning or dry dyeing plants or systems exclusively using a petroleum solvent having a flash point of 140 degrees Fahrenheit or above (closed cup tester) which are completely equipped in the process of manufacture and employ only closed containers provided that such plants and systems shall conform in all other respects to the regulations of the Department of Labor and Industry for safeguarding employes in dry cleaning and dry dyeing plants

The Department of Labor and Industry shall have the power and its duty shall be to make alter amend and repeal rules and regulations for carrying into effect all the provisions of this act and applying such provisions to specfiic conditions

Section 7 Nothing in this act shall be construed so as to restrict or limit the location of any building actually being used for dry cleaning purposes prior to passage of this act except where the fire hazard is in the opinion of the [Bureau of Fire Protection] Department of Labor and Industry of such character as would menace or endanger surrounding property

Nor shall the provisions of this act be held to apply to any building business or establishment now in use so as to cause the same to be rebuilt but should any dry cleaning building or part thereof be reconstructed rebuilt or repaired the same shall as to new work be so reconstructed rebuilt or repaired in conformity with the provisions of this act

Nothing in this section shall be so construed as to relieve any person copartnership association or corporation from responsibility criminal or otherwise because of noncompliance with or violation of any of the provisions of the act to which this act is an amendment

Section 8 Any building inspector fire chief [or fireman] of any community inspector of the [Commonwealth of Pennsylvania or Department of State Police] Department of Labor and Industry or State Fire Marshal shall be permitted to enter any building or buildings at any reasonable hour for purpose of inspection

Section 9 Any person copartnership association or corporation or any member or officer of any copartnership association or corporation who shall violate any of the provisions of this act shall upon conviction be sentenced for the first offense to pay a fine of not less than ten dollars nor more than fifty dollars and for any subsequent offense to pay a fine of not less than one hundred dollars nor more than five hundred dollars and in default of the payment of such fine and costs the person or the member or officer of any such copartnership association or corporation responsible for such violation shall be imprisoned for a period of not less than ten days nor more than sixty days

Prosecutions for violations of this act shall be in the form of summary proceedings instituted before a magistrate alderman or justice of the peace Upon conviction after a hearing the sentences provided in this act shall be imposed and shall be final unless an appeal be taken in the manner prescribed by law

[One-half of the amount of fines recovered under this act shall be paid to the treasurer of the city borough town or township in which the offense shall have been committed and one-half of the amount of fines shall be paid into the State Treasury]

All fines collected under this act shall be forwarded to the Department of Labor and Industry who shall transmit the same to the State Treasury through the Department of Revenue

Section 10 This act shall not be construed to repeal an act of General Assembly approved the eighteenth day of April one thousand eight hundred and sixty-four (P. L. 465) entitled "An act to provide for the appointment of a Fire Marshal for Allegheny County" nor to repeal an act of General Assembly approved the eighth day of June one thousand nine hundred and eleven (P. L. 705) entitled "An act creating the office of Fire Marshal to be attached to the Department of Public Safety in cities of the first class prescribing his duties and powers and providing penalties for violation of the provisions of the act and providing for the method of appointment compensation and for the maintenance of his office

All act and parts of acts inconsistent with this act are hereby repealed

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows, viz:

YEAS—204

Achterman,	French,	Lyons,	Rosenfeld,
Allmond,	Gallagher,	Malloy,	Royer,
Auker,	Gates,	Marks,	Rush,
Baker,	Gerard,	Maxwell,	Sarge,
Balthaser,	Gillan,	McClanaghan,	Sarraf,
Bentley,	Gillette,	McClester,	Scanlon,
Bentzel,	Goodwin,	McDermott,	Schwab,
Boles,	Greenwood,	McDowell,	Serrill,
Boney,	Gross,	McFall,	Shaffer,
Boorse,	Gryskewicz,	McIntosh,	Shaw,
Bower,	Gyger,	McKinney,	Shepard,
Bradley,	Habbyshaw,	McLanahan,	Simons,
Bretherick,	Haberlen,	McLane,	Skale,
Brown,	Haines,	McMillen,	Snyder,
Brunner, C. H.,	Hall,	McSurdy,	Sollenberger,
Brunner, P. A.,	Hamilton,	Melchiorre,	Sorg,
Burns,	Hare,	Mihm,	Stambaugh,
Burris,	Harkins,	Modell,	Stank,
Cadwalader,	Harmuth,	Monks,	Stine,
Chervenak,	Harris,	Mooney,	Stockham,
Chudoff,	Heatherington,	Moran,	Tarr,
Cochran,	Helm,	Moul,	Tate,
Cohen, M. M.,	Hering,	Muir,	Taylor,
Cohen, R. E.,	Herman,	Munley,	Thompson, E. F.,
Cook,	Hersch,	Nagel,	Thompson, R. L.,
Cooper,	Hewitt,	Nunemacher,	Trout,
Cordier,	Hirsch,	O'Brien,	Turner,
Corrigan,	Holland,	O'Connor,	Van Allsburg,
Croop,	Huntley,	O'Dare,	Verona,
Cullen,	Imbrie,	O'Mullen,	Vincent,
Dalrymple,	James,	O'Neill,	Vogt,
Dennison,	Jefferson,	Owens,	Voldow,
DiGenova,	Jones, G. E.,	Petrosky,	Voorhees,
Dix,	Jones, P. N.,	Pettit,	Wagner,
Dolon,	Keenan,	Polaski,	Watkins,
D'Ortona,	Kenehan,	Polen,	Weingartner,
Duffy,	Kline,	Powers,	Weiss,
Early,	Knoble,	Prosen,	Welsh, E. B.,
Eckels,	Kolankiewicz,	Rank,	Welsh, M. J.,
Elder,	Komorofski,	Rausch,	Wilkinson,
Elliott,	Krise,	Readinger,	Williams,
Ely,	Lee, E. A.,	Reagan,	Winner,
Falkenstein,	Lee, T. H.,	Reese, D. P.,	Wood, L. H
Finestone,	Leisey,	Reese, R. E.,	Wood, N.,
Finnerty,	Leonard,	Regan,	Woodring,
Fisher,	Lesko,	Reynolds,	Woodside,
Fiss	Levy,	Rhea,	Wright,
Fleming,	Leydic,	Riley,	Yeakel,
Fletcher,	Lichtenwalter,	Rooney,	Yester,
Flynn,	Longo,	Rose, S.,	Young,
Foor,	Lovett,	Rose, W. E.,	Kilroy, Speaker

NAYS—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return it to the Senate with information that the House has passed it with amendments in which the concurrence of the Senate is requested.

PERMISSION GRANTED COMMITTEE TO MEET DURING SESSION

Mr. GERARD asked and obtained permission for the Committee on Ways and Means to meet during the session of the House.

HOUSE BILL No. 107 TAKEN FROM TABLE

Mr. ACHTERMAN. Mr. Speaker, I move that House Bill No. 107, together with the communication from the Governor which was laid on the table July 7, 1941, be taken from the table.

The motion was agreed to.

The communication was read by the Clerk as follows:

COMMUNICATION FROM THE GOVERNOR

The Secretary to the Governor being introduced, presented a communication in writing from His Excellency the Governor, which was read as follows:

APPROVAL OF RESOLUTION RECALLING HOUSE BILL No. 107

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, July 2, 1941

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed a resolution of the House of Representatives and Senate recalling from the Governor House Bill No. 107, Printer's No. 742, for the purpose of further consideration.

Accordingly, the original bill is herewith returned.

ARTHUR H. JAMES

RESOLUTION

RETURNING HOUSE BILL No. 107 TO THE GOVERNOR

Mr. ACHTERMAN, offered the following resolution which was twice read, considered and adopted:

In the House of Representatives, July 12, 1941

Resolved, (if the Senate concur), That House Bill No. 107, Printer's No. 742, entitled "An Act to amend section eleven of the act approved the twenty-seventh day of April, one thousand nine hundred and twenty-seven, (P. L. 395), entitled 'An act empowering the Department of Highways to acquire certain toll bridges within the Commonwealth; providing the procedure therefor; providing for the reimbursement of the Commonwealth from tolls and charges, and making an appropriation,' as amended; by providing that such toll bridges heretofore or hereafter acquired by the Department of Highways shall be free bridges from the effective date of this act, or from the date they are so acquired," which was recalled from the Governor on July 1st for amendment, be returned to the Governor without amendment.

Ordered, That the Clerk present the same to the Senate for concurrence.

HOUSE BILL No. 267 TAKEN FROM TABLE

Mr. LOVETT. Mr. Speaker, I move that House Bill No. 267, together with the communication from the Governor which was laid on the table July 7, 1941, be taken from the table.

The motion was agreed to.

The communication was read by the Clerk as follows:

COMMUNICATION FROM THE GOVERNOR

The Secretary to the Governor being introduced, presented a communication in writing from His Excellency the Governor, which was read as follows:

APPROVAL OF RESOLUTION RECALLING HOUSE BILL No. 267

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, July 2, 1941

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed a resolution of the House of Representatives and the Senate recalling from the Governor House Bill No. 267, Printer's No. 713, for the purpose of further consideration.

Accordingly, the original bill is herewith returned.

ARTHUR H. JAMES

RESOLUTION

RETURNING HOUSE BILL No. 267 TO THE GOVERNOR

Mr. ACHTERMAN offered the following resolution which was twice read, considered and adopted:

In the House of Representatives, July 12, 1941.

Resolved, (if the Senate concur), That House Bill No. 267, Printer's No. 713, entitled "An act making an appropriation to aid certain school districts," which was recalled from the Governor on July 1st for amendment.

be returned to the Governor without amendment.

Ordered, That the Clerk present the same to the Senate for concurrence.

REPORT FROM COMMITTEE

Mr. GATES from the Committee on Ways and Means re-reported as committed House Bill No. 1506, (Senate Bill No. 379), entitled:

An Act to further amend section one of the act, approved the seventeenth day of June, one thousand nine hundred and thirteen (P. L. 507), entitled "An act to provide revenue for State and county purposes, and, in cities coextensive with counties, for city and county purposes; imposing taxes upon certain classes of personal property; providing for the assessment and collection of the same; providing for the duties and compensation of prothonotaries and recorders in connection therewith; and modifying existing legislation which provided for raising revenue for State purposes," by excluding proceeds of life insurance policies from the provisions thereof.

BILL ON THIRD READING

The SPEAKER. Will the House give its unanimous consent for the immediate consideration of House Bill No. 1506, (Senate Bill No. 379), Printer's No. 194. Is there objection? The Chair hears none and consent is granted.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1506, (Senate Bill No. 379), entitled:

An Act to further amend section one of the act, approved the seventeenth day of June, one thousand nine hundred and thirteen (P. L. 507), entitled "An act to provide revenue for state and county purposes, and, in cities coextensive with counties, for city and county purposes; imposing taxes upon certain classes of personal property; providing for the assessment and collection of the same, providing for the duties and compensation of prothonotaries and recorders in connection therewith; and modifying existing legislation which provided for raising revenue for State purposes," by excluding proceeds of life insurance policies from the provisions thereof.

On the question,

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

QUESTION OF INFORMATION

Mr. LOVETT. Mr. Speaker I rise to a question of information.

The SPEAKER. The gentleman from Westmoreland will state his question of information.

Mr. LOVETT. Mr. Speaker, I would like to know what bill we are voting on.

The SPEAKER. Senate Bill No. 379.

Mr. LOVETT. Mr. Speaker, is it on the calendar?

The SPEAKER. It is not. The Chair requested unanimous consent of the House for the immediate consideration of the bill.

Mr. LOVETT. Is this the bill that deals with the four mills personal property tax in counties?

The SPEAKER. That is correct.

Mr. LOVETT. Mr. Speaker, we are now back to the point where I told you we would get the other day when we voted on House Bill 1639. The gentleman on the other side, the floor leader was so much worried about not paying any attention to the interests of the working people, or that those that were trying to represent the working people were being misled. Now, we have a bill this morning which slips right out onto the calendar, another one of those personal privileges. We do not see anybody on the other side getting up telling us we don't know what we are talking about now. This particular bill, the one that they shout about taking care of the widows, and orphans. The widows and orphans are not receiving protection in this bill.

Mr. Speaker, will the Chair please state the number of this bill for the information of the House?

BILL PASSED OVER

The SPEAKER. It is Senate Bill 379, Printers' No. 194. If there is no objection this bill will be passed over. The Chair hears none and the bill will be passed over for the present.

For the information of the Members the bill will be taken up later in the day. It is understood that the question will then recur, shall the bill pass finally? Unanimous consent having been granted by the Members to consider the bill.

Mr. HARKINS. Might I request, Mr. Speaker, that at the time the bill is taken up the title be read because there are a large number of Members who are not in their seats, and many of them are opposed to the bill.

The SPEAKER. That is the reason the Chair is passing it over at this time.

HOUSE BILL No. 280 TAKEN FROM TABLE

Mr. LOVETT. Mr. Speaker, I move that House Bill No. 280, together with the communication from the Governor which was laid on the table July 7, 1941, be taken from the table.

The motion was agreed to.

The communication was read by the Clerk as follows:

COMMUNICATION FROM THE GOVERNOR

The Secretary to the Governor being introduced, presented a communication in writing from His Excellency the Governor, which was read as follows:

APPROVAL OF RESOLUTION RECALLING HOUSE BILL No. 280

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, July 2, 1941.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed a resolution of the House of Representatives and the Senate recalling from the Governor House Bill No. 280, Printer's No. 583, for the purpose of further consideration.

Accordingly, the original bill is herewith returned.

ARTHUR H. JAMES

RESOLUTION

RETURNINGN HOUSE BILL No. 280 TO THE GOVERNOR

Mr. ACHTERMAN, offered the following resolution which was twice read, considered and adopted:

In the House of Representatives, July 12, 1941

Resolved, (if the Senate concur), That House Bill No. 280, Printer's No. 583, entitled "An Act making an appropriation to the Trustees of the College of Lincoln University, Chester County," which was recalled from the Governor on July 1st for amendment,

be returned to the Governor without amendment.

Ordered, That the Clerk present the same to the Senate for concurrence.

HOUSE BILL No. 281 TAKEN FROM TABLE

Mr. LOVETT. Mr. Speaker, I move that House Bill No. 281, together with the communication from the Governor which was laid on the table July 7, 1941, be taken from the table.

The motion was agreed to.

The communication was read by the Clerk as follows:

COMMUNICATION FROM THE GOVERNOR

The Secretary to the Governor being introduced, presented a communication in writing from His Excellency the Governor, which was read as follows:

APPROVAL OF RESOLUTION RECALLING HOUSE BILL No. 281

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, July 2, 1941

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed a resolution of the House of Representatives and Senate recalling from the Governor House Bill No. 281, Printer's No. 586, for the purpose of further consideration.

Accordingly, the original bill is herewith returned.

ARTHUR H. JAMES

RESOLUTION

RETURNING HOUSE BILL No. 281 TO THE GOVERNOR

Mr. ACHTERMAN, offered the following resolution which was twice read, considered and adopted:

In the House of Representatives, July 12, 1941

Resolved, (if the Senate concur), That House Bill No. 281, Printer's No. 586, entitled "An Act making an appropriation to the Department of Labor and Industry, for the rehabilitation of the deaf and hard of hearing and for the purpose of matching additional federal funds," which was recalled from the Governor on July 1st for amendment,

be returned to the Governor without amendment.

Ordered, That the Clerk present the same to the Senate for concurrence.

HOUSE BILL No. 291 TAKEN FROM TABLE

Mr. LOVETT. Mr. Speaker, I move that House Bill No. 291, together with the communication from the Governor which was laid on the table July 9, 1941, be taken from the table.

The motion was agreed to.

The communication was read by the Clerk as follows:

COMMUNICATION FROM THE GOVERNOR

The Secretary to the Governor being introduced, presented a communication in writing from His Excellency the Governor, which was read as follows:

APPROVAL OF RESOLUTION RECALLING HOUSE BILL No. 291

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, July 9, 1941

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed a resolution of the House of Representatives and Senate recalling from the Governor House Bill No. 291, Printer's No. 1047, for the purpose of further consideration.

Accordingly, the original bill is herewith returned.

ARTHUR H. JAMES

RESOLUTION

RETURNING HOUSE BILL No. 291 TO THE GOVERNOR

Mr. ACHTERMAN, offered the following resolution which was twice read, considered and adopted:

In the House of Representatives, July 12, 1941

Resolved, (if the Senate concur), That House Bill No. 291, Printer's No. 1047, entitled "An Act making appropriations for aid to free public non-sectarian county libraries, and for the purchase and transportation of books," was recalled from the Governor on July 8th for amendment,

be returned to the Governor without amendment.

Ordered, That the Clerk present the same to the Senate for concurrence.

HOUSE BILL No. 305 TAKEN FROM TABLE

Mr. LOVETT. Mr. Speaker, I move that House Bill No. 305, together with the communication from the Governor which was laid on the table July 7, 1941, be taken from the table.

The motion was agreed to.

The communication was read by the Clerk as follows:

COMMUNICATION FROM THE GOVERNOR

The Secretary to the Governor, being introduced, presented a communication in writing from His Excellency the Governor, which was read as follows:

APPROVAL OF RESOLUTION RECALLING HOUSE BILL No. 305

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, July 2, 1941

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed a resolution of the House of Representatives and Senate recalling from the Governor House Bill No. 305, Printer's No. 737, for the purpose of further consideration.

Accordingly, the original bill is herewith returned.

ARTHUR H. JAMES

RESOLUTION

RETURNING HOUSE BILL No. 305 TO THE GOVERNOR

Mr. ACHTERMAN offered the following resolution which was twice read, considered and adopted:

In the House of Representatives, July 12, 1941

Resolved, (if the Senate concur), That House Bill No. 305, Printer's No. 737, entitled "An Act making an appropriation to the Elwyn Training School, at Elwyn, in the County of Delaware, Commonwealth of Pennsylvania; and prescribing certain conditions upon which the appropriation will be available to the school," which was recalled from the Governor on July 1st for amendment,

be returned to the Governor without amendment.

Ordered, That the Clerk present the same to the Senate for concurrence.

HOUSE BILL No. 351 TAKEN FROM TABLE

Mr. LOVETT. Mr. Speaker, I move that House Bill No. 351 together with the communication from the Governor which was laid on the table July 7, 1941, be taken from the table.

The motion was agreed to.

The communication was read by the Clerk as follows:

COMMUNICATION FROM THE GOVERNOR

The Secretary to the Governor being introduced, presented a communication in writing from His Excellency the Governor, which was read as follows:

APPROVAL OF RESOLUTION RECALLING HOUSE BILL No. 351

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, July 2, 1941

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed a resolution of the House of Representatives and Senate recalling from the Governor House Bill No. 351, Printer's No. 600, for the purpose of further consideration.

Accordingly, the original bill is herewith returned.

ARTHUR H. JAMES

RESOLUTION

RETURNING HOUSE BILL No. 351 TO THE GOVERNOR

Mr. ACHTERMAN, offered the following resolution which was twice read, considered and adopted:

In the House of Representatives, July 12, 1941

Resolved, (if the Senate concur), That House Bill No. 351, Printer's No. 600, entitled "An Act making an appropriation to the Johnson Industrial School of Scranton, Pennsylvania," which was recalled from the Governor on July 1st for amendment,

be returned to the Governor without amendment.

Ordered, That the Clerk present the same to the Senate for concurrence.

HOUSE BILL No. 389 TAKEN FROM TABLE

Mr. LOVETT. Mr. Speaker, I move that House Bill No. 389, together with the communication from the Governor which was laid on the table July 9, 1941, be taken from the table.

The motion was agreed to.

The communication was read by the Clerk as follows:

COMMUNICATION FROM THE GOVERNOR

The Secretary to the Governor being introduced, presented a communication in writing from His Excellency the Governor, which was read as follows:

APPROVAL OF RESOLUTION RECALLING HOUSE BILL No. 389

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, July 9, 1941

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed a resolution of the House of Representatives and Senate recalling from the Governor House Bill No. 389, Printer's No. 339, for the purpose of further consideration.

Accordingly, the original bill is herewith returned.

ARTHUR H. JAMES

RESOLUTION

RETURNING HOUSE BILL No. 389 TO THE GOVERNOR

Mr. ACHTERMAN, offered the following resolution which was twice read, considered and adopted:

In the House of Representatives, July 12, 1941

Resolved, (if the Senate concur), That House Bill No. 389, Printer's No. 339, entitled "An Act authorizing the Department of Property and Supplies with the approval of the Governor and the Board of Trustees of the Farview State Hospital, to acquire a certain tract of land for the use of said hospital; and making an appropriation therefor," which was recalled from the Governor on July 8th for amendment,

be returned to the Governor without amendment.

Ordered, That the Clerk present the same to the Senate for concurrence.

HOUSE BILL No. 404 TAKEN FROM TABLE

Mr. LOVETT. Mr. Speaker, I move that House Bill No. 404 together with the communication from the Governor which was laid on the table July 7, 1941, be taken from the table.

The motion was agreed to.

The communication was read by the Clerk as follows:

COMMUNICATION FROM THE GOVERNOR

The Secretary to the Governor being introduced, presented a communication in writing from His Excellency the Governor, which was read as follows:

APPROVAL OF RESOLUTION RECALLING HOUSE BILL No. 404

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, July 2, 1941.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed a resolution of the House of Representatives and the Senate recalling from the Governor House Bill No. 404, Printer's No. 1059, for the purpose of further consideration.

Accordingly, the original bill is herewith returned.

ARTHUR H. JAMES

RESOLUTION

RETURNING HOUSE BILL No. 404 TO THE GOVERNOR

Mr. ACHTERMAN offered the following resolution which was twice read, considered and adopted:

In the House of Representatives, July 12, 1941.

Resolved, (if the Senate concur), That House Bill No. 404 Printer's No. 1059, entitled "An Act relating to marriage; and amending, revising, consolidating and changing the law relating thereto," which was recalled from the Governor on July 1st for amendment,

be returned to the Governor without amendment.

Ordered, That the Clerk present the same to the Senate for concurrence.

HOUSE BILL No. 502 TAKEN FROM TABLE

Mr. LOVETT. Mr. Speaker, I move that House Bill No. 502, together with the communication from the Governor which was laid on the table July 7, 1941, be taken from the table.

The motion was agreed to.

The communication was read by the Clerk as follows:

COMMUNICATION FROM THE GOVERNOR

The Secretary to the Governor being introduced, presented a communication in writing from His Excellency the Governor, which was read as follows:

APPROVAL OF RESOLUTION RECALLING HOUSE BILL No. 502

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, July 2, 1941.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed a resolution of the House of Representatives and the Senate recalling from the Governor House Bill No. 502, Printer's No. 783, for the purpose of further consideration.

Accordingly, the original bill is herewith returned.

ARTHUR H. JAMES

RESOLUTION

RETURNING HOUSE BILL No. 502 TO THE GOVERNOR

Mr. ACHTERMAN offered the following resolution which was twice read, considered and adopted:

In the House of Representatives, July 12, 1941.

Resolved, (if the Senate concur), That House Bill No. 502, Printer's No. 783, entitled "An act authorizing the Department of Property and Supplies with advice and approval of the Pennsylvania Historical Commission to acquire on behalf of the Commonwealth of Pennsylvania, certain land which is the site of an old fortress known as Old Garrison in the City of Franklin, Venango County, or so much thereof as may be necessary as a historical memorial; providing for the control, management, supervision and improvement thereof; authorizing the Pennsylvania Historical Commission in cooperation with other agencies to make and enforce rules and regulations for the preservation and visitation thereof; authorizing the Pennsylvania Historical Commission to cooperate with the Daughters of the American Revolution and interested patriotic societies in providing funds for a restoration of Old Garrison; and making an appropriation.

which was recalled from the Governor on July 1st for amendment,

be returned to the Governor without amendment.

Ordered, That the Clerk present the same to the Senate for concurrence.

HOUSE BILL No. 581 TAKEN FROM TABLE

Mr. LOVETT. Mr. Speaker, I move that House Bill No. 581, together with the communication from the Governor which was laid on the table July 9, 1941, be taken from the table.

The motion was agreed to.

The communication was read by the Clerk as follows:

COMMUNICATION FROM THE GOVERNOR

The Secretary to the Governor being introduced, presented a communication in writing from His Excellency the Governor, which was read as follows:

APPROVAL OF RESOLUTION RECALLING HOUSE BILL No. 581

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, July 9, 1941.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed a resolution of the House of Representatives and the Senate recalling from the Governor House Bill No. 581, Printer No. 976, for the purpose of further consideration.

Accordingly, the original bill is herewith returned.

ARTHUR H. JAMES

RESOLUTION

RETURNING HOUSE BILL No. 581 TO THE GOVERNOR

Mr. ACHTERMAN offered the following resolution which was twice read, considered and adopted:

In the House of Representatives, July 12, 1941.

Resolved, (if the Senate concur), That House Bill No. 581, Printer's No. 976, entitled "An Act making an appropriation to the Department of Agriculture for laboratory research in the prevention of the transmission and in the cure of mastitis in cattle," which was recalled from the Governor on July 8th for amendment,

be returned to the Governor without amendment.

Ordered, That the Clerk present the same to the Senate for concurrence.

HOUSE BILL No. 611 TAKEN FROM TABLE

Mr. LOVETT. Mr. Speaker, I move that House Bill No. 611, together with the communication from the Governor which was laid on the table July 7, 1941, be taken from the table.

The motion was agreed to.

The communication was read by the Clerk as follows:

COMMUNICATION FROM THE GOVERNOR

The Secretary to the Governor being introduced, presented a communication in writing from His Excellency the Governor, which was read as follows:

APPROVAL OF RESOLUTION RECALLING HOUSE BILL No. 611

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, July 2, 1941.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed a resolution of the House of Representatives and the Senate recalling from the Governor House Bill No. 611, Printer's No. 773, for the purpose of further consideration.

Accordingly, the original bill is herewith returned.

ARTHUR H. JAMES

RESOLUTION

RETURNING HOUSE BILL No. 611 TO THE GOVERNOR

Mr. ACHTERMAN offered the following resolution which was twice read, considered and adopted:

In the House of Representatives, July 12, 1941.

Resolved, (if the Senate concur), That House Bill No. 611, Printer's No. 773, entitled "An Act providing for the acquisition by the Department of Forests and Waters, in the name of the Commonwealth, of certain lands in Luzerne, Sullivan, and Wyoming Counties, for use of as a State Park; making an appropriation for said acquisition; providing for the management of said property by said department and defining the uses to which the property shall be put," which was recalled from the Governor on July 1st for amendment,

be returned to the Governor without amendment.

Ordered, That the Clerk present the same to the Senate for concurrence.

HOUSE BILL No. 614 TAKEN FROM TABLE

Mr. LOVETT. Mr. Speaker, I move that House Bill No. 614 together with the communication from the Governor which was laid on the table July 7, 1941, be taken from the table.

The motion was agreed to.

The communication was read by the Clerk as follows:

COMMUNICATION FROM THE GOVERNOR

The Secretary to the Governor being introduced, presented a communication in writing from His Excellency the Governor, which was read as follows:

APPROVAL OF RESOLUTION RECALLING HOUSE BILL No. 614

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, July 2, 1941.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed a resolution of the House of Representatives and the Senate recalling from the Governor House Bill No. 614, Printer's No. 616, for the purpose of further consideration.

Accordingly, the original bill is herewith returned.

ARTHUR H. JAMES

RESOLUTION

RETURNING HOUSE BILL No. 614 TO THE GOVERNOR

Mr. ACHTERMAN offered the following resolution which was twice read, considered and adopted:

In the House of Representatives, July 12, 1941.

Resolved, (if the Senate concur), That House Bill No. 614, Printer's No. 616, entitled "An Act making an appropriation to the Downingtown Industrial and Agricultural School, Downingtown, Pennsylvania," which was recalled from the Governor on July 1st for amendment,

be returned to the Governor without amendment.

Ordered, That the Clerk present the same to the Senate for concurrence.

HOUSE BILL No. 650 TAKEN FROM TABLE

Mr. LOVETT. Mr. Speaker, I move that House Bill No. 650, together with the communication from the Governor which was laid on the table July 7, 1941, be taken from the table.

The motion was agreed to.

The communication was read by the Clerk as follows:

COMMUNICATION FROM THE GOVERNOR

The Secretary to the Governor being introduced, pre-

sented a communication in writing from His Excellency the Governor, which was read as follows:

APPROVAL OF RESOLUTION RECALLING HOUSE BILL No. 650

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, July 2, 1941,

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed a resolution of the House of Representatives and the Senate recalling from the Governor House Bill No. 650, Printer's No. 164, for the purpose of further consideration.

Accordingly, the original bill is herewith returned.

ARTHUR H. JAMES

RESOLUTION

RETURNING HOUSE BILL No. 650 TO THE GOVERNOR

Mr. ACHTERMAN, offered the following resolution which was twice read, considered and adopted:

In the House of Representatives, July 12, 1941

Resolved, (if the Senate concur), That House Bill No. 650, Printer's No. 164, entitled "An Act to amend section seven of the act approved the twenty-second day of June, one thousand nine hundred and thirty-one, (P. L. 720), entitled 'An act providing for the taking over by the Commonwealth under certain terms, conditions and limitations, of certain streets in cities of the second class, second class A, and third class as State highways, and for the improvement, construction, reconstruction, resurfacing and maintenance by the Commonwealth of certain defined widths of said streets; imposing duties on such cities and on public utility companies using such streets; providing that no assessment shall be made upon the Commonwealth in the elimination of any grade crossing thereon, * * *,' as last amended by providing for the changing of width, lines, location or grades of streets in cities of the second class, second class A, and third class, by the Department of Highways, without the consent of the city in which said street is located relieving the city from liability for damages in such cases, and imposing liability for damages upon the Commonwealth of Pennsylvania," which was recalled from the Governor on July 1st, for amendment,

be returned to the Governor without amendment.

Ordered, That the Clerk present the same to the Senate for concurrence.

HOUSE BILL No. 1003 TAKEN FROM TABLE

Mr. LOVETT. Mr. Speaker, I move that House Bill No. 1003, together with the communication from the Governor which was laid on the table July 7, 1941, be taken from the table.

The motion was agreed to.

The communication was read by the Clerk as follows:

COMMUNICATION FROM THE GOVERNOR

The Secretary to the Governor being introduced, presented a communication in writing from His Excellency the Governor, which was read as follows:

APPROVAL OF RESOLUTION RECALLING HOUSE BILL No. 1003

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, July 2, 1941

To the Honorable the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed a resolution of the House of Representatives and Senate recalling from the Governor House Bill No. 1003, Printer's No. 591, for the purpose of further consideration.

Accordingly, the original bill is herewith returned.

ARTHUR H. JAMES

RESOLUTION

RETURNING HOUSE BILL No. 1003 TO THE GOVERNOR

Mr. ACHTERMAN, offered the following resolution which was twice read, considered and adopted:

In the House of Representatives, July 12, 1941

Resolved, (if the Senate concur), That House Bill No. 1003, Printer's No. 591, entitled "An Act making an appropriation to the Moore Institute of Art, Science and Industry formerly Philadelphia Schol of Design for Women at Philadelphia, Pennsylvania," which was recalled from the Governor on July 1st, for amendment,

be returned to the Governor without amendment.

Ordered, That the Clerk present the same to the Senate for concurrence.

HOUSE BILL No. 1065 TAKEN FROM TABLE

Mr. LOVETT. Mr. Speaker, I move that House Bill No. 1065, together with the communication from the Governor which was laid on the table July 7, 1941, be taken from the table.

The motion was agreed to.

The communication was read by the Clerk as follows:

COMMUNICATION FROM THE GOVERNOR

The Secretary to the Governor being introduced, presented a communication in writing from His Excellency the Governor, which was read as follows:

APPROVAL OF RESOLUTION RECALLING HOUSE BILL No. 1065

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, July 2, 1941

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed a resolution of the House of Representatives and Senate recalling from the Governor House Bill No. 1065, Printer's No. 599, for the purpose of further consideration.

Accordingly, the original bill is herewith returned.

ARTHUR H. JAMES

RESOLUTION

RETURNING HOUSE BILL No. 1065 TO THE GOVERNOR.

Mr. ACHTERMAN, offered the following resolution which was twice read, considered and adopted:

In the House of Representatives, July 12, 1941

Resolved, (if the Senate concur), That House Bill No. 1065, Printer's No. 599, entitled "An Act making an appropriation to the National Farm School, at Doylestown, Pennsylvania," which was recalled from the Governor on July 1st for amendment,

be returned to the Governor without amendment.

Ordered, That the Clerk present the same to the Senate for concurrence.

HOUSE BILL No. 1066 TAKEN FROM TABLE

Mr. LOVETT. Mr. Speaker, I move that House Bill No. 1066, together with the communication from the Governor which was laid on the table July 9, 1941, be taken from the table.

The motion was agreed to.

The communication was read by the Clerk as follows:

COMMUNICATION FROM THE GOVERNOR

The Secretary to the Governor being introduced, presented a communication in writing from His Excellency the Governor, which was read as follows:

APPROVAL OF RESOLUTION RECALLING HOUSE BILL No. 1066

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, July 9, 1941.

To the Honorable the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed a resolution of the House of Representatives and Senate recalling from the Governor House Bill No. 1066, Printer's No. 978, for the purpose of further consideration.

Accordingly, the original bill is herewith returned.

ARTHUR H. JAMES

RESOLUTION

RETURNING HOUSE BILL No. 1066 TO THE GOVERNOR

Mr. ACHTERMAN, offered the following resolution which was twice read, considered and adopted:

In the House of Representatives, July 12, 1941

Resolved, (if the Senate concur), That House Bill No. 1066, Printer's No. 978, entitled "An Act making an appropriation to the Trustees of the Hahnemann Medical College and Hospital, of Philadelphia, Pennsylvania," which was recalled from the Governor on July 8th for amendment,

be returned to the Governor without amendment.

Ordered, That the Clerk present the same to the Senate for concurrence.

HOUSE BILL No. 1068 TAKEN FROM TABLE

Mr. LOVETT. Mr. Speaker, I move that House Bill No. 1068, together with the communication from the Governor which was laid on the table July 7, 1941, be taken from the table.

The motion was agreed to.

The communication was read by the Clerk as follows:

COMMUNICATION FROM THE GOVERNOR

The Secretary to the Governor being introduced, presented a communication in writing from His Excellency the Governor, which was read as follows:

APPROVAL OF RESOLUTION RECALLING HOUSE BILL No. 1068

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, July 2, 1941

To the Honorable the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed a resolution of the House of Representatives and Senate recalling from the Governor House Bill No. 1068, Printer's No. 592, for the purpose of further consideration.

Accordingly, the original bill is herewith returned.

ARTHUR H. JAMES

RESOLUTION

RETURNING HOUSE BILL No. 1068 TO THE GOVERNOR

Mr. ACHTERMAN, offered the following resolution which was twice read, considered and adopted:

In the House of Representatives, July 12, 1941

Resolved, (if the Senate concur), That House Bill No. 1068, Printer's No. 592, entitled "An Act making an appropriation to the Trustees of the University of Pennsylvania," which was recalled from the Govenor on July 1st for amendment,

be returned to the Governor without amendment.

Ordered, That the Clerk present the same to the Senate for concurrence.

HOUSE BILL No. 1083 TAKEN FROM TABLE

Mr. LOVETT. Mr. Speaker, I move that House Bill No. 1083, together with the communication from the Governor which was laid on the table July 9, 1941, be taken from the table.

The motion was agreed to.

The communication was read by the Clerk as follows:

COMMUNICATION FROM THE GOVERNOR

The Secretary to the Governor being introduced, presented a communication in writing from His Excellency the Governor, which was read as follows:

APPROVAL OF RESOLUTION RECALLING HOUSE BILL No. 1083

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, July 9, 1941

To the Honorable the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed a resolution of the House of Representatives and Senate recalling from the Governor House Bill No. 1083, Printer's No. 614, for the purpose of further consideration.

Accordingly, the original bill is herewith returned.

ARTHUR H. JAMES

RESOLUTION

RETURNING HOUSE BILL No. 1083 TO THE GOVERNOR

Mr. ACHTERMAN, offered the following resolution which was twice read, considered and adopted:

In the House of Representatives, July 12, 1941

Resolved, (if the Senate concur), That House Bill No. 1083, Printer's No. 614, entitled "An Act making an appropriation to the Trustees of Temple University at Philadelphia, Pennsylvania," which was recalled from the Governor on July 8th for amendment,

be returned to the Governor without amendment.

Ordered, That the Clerk present the same to the Senate for concurrence.

HOUSE BILL No. 1106 TAKEN FROM TABLE

Mr. LOVETT. Mr. Speaker, I move that House Bill No. 1106, together with the communication from the Governor which was laid on the table July 9, 1941, be taken from the table.

The motion was agreed to.

The communication was read by the Clerk as follows:

COMMUNICATION FROM THE GOVERNOR

The Secretary to the Governor being introduced, presented a communication in writing from His Excellency the Governor, which was read as follows:

APPROVAL OF RESOLUTION RECALLING HOUSE BILL No. 1106

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, July 9, 1941

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed a resolution of the House of Representatives and Senate recalling from the Governor House Bill No. 1106, Printer's No. 1046, for the purpose of further consideration.

Accordingly, the original bill is herewith returned.

ARTHUR H. JAMES

RESOLUTION

RETURNING HOUSE BILL No. 1106 TO THE GOVERNOR

Mr. ACHTERMAN, offered the following resolution which was twice read, considered and adopted:

In the House of Representatives, July 12, 1941

Resolved, (if the Senate concur), That House Bill No. 1106, Printer's No. 1046, entitled "An Act making an appropriation to the Women's Medical College of Pennsylvania, located at East Falls, Philadelphia, Pennsylvania," which was recalled from the Govenor on July 8th for amendment,

be returned to the Governor without amendment.

Ordered, That the Clerk present the same to the Senate for concurrence.

HOUSE BILL No. 1203 TAKEN FROM TABLE

Mr. LOVETT. Mr. Speaker, I move that House Bill No. 1203, together with the communication from the Governor which was laid on the table July 9, 1941, be taken from the table.

The motion was agreed to.

The communication was read by the Clerk as follows:

COMMUNICATION FROM THE GOVERNOR

The Secretary to the Governor being introduced, presented a communication in writing from His Excellency the Governor, which was read as follows:

APPROVAL OF RESOLUTION RECALLING HOUSE BILL No. 1203

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, July 9, 1941

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed a resolution of the House of Representatives and Senate recalling from the Governor House Bill No. 1203, Printer's No. 612, for the purpose of further consideration.

Accordingly, the original bill is herewith returned.

ARTHUR H. JAMES

RESOLUTION

RETURNING HOUSE BILL No. 1203 TO THE GOVERNOR

Mr. ACHTERMAN, offered the following resolution which was twice read, considered and adopted:

In the House of Representatives, July 12, 1941

Resolved, (if the Senate concur), That House Bill No. 1203, Printer's No. 612, entitled "An Act making an appropriation to the Jefferson Medical College, of Philadelphia, Pennsylvania, for medical education," which was recalled from the Governor on July 8th for amendment,

be returned to the Governor without amendment.

Ordered, That the Clerk present the same to the Senate for concurrence.

HOUSE BILL No. 1321 TAKEN FROM TABLE

Mr. LOVETT. Mr. Speaker, I move that House Bill No. 1321, together with the communication from the Governor which was laid on the table July 7, 1941, be taken from the table.

The motion was agreed to.

The communication was read by the Clerk as follows:

COMMUNICATION FROM THE GOVERNOR

The Secretary to the Governor being introduced, presented a communication in writing from His Excellency the Governor, which was read as follows:

APPROVAL OF RESOLUTION RECALLING HOUSE BILL No. 1321

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, July 2, 1941

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed a resolution of the House of Representatives and Senate recalling from the Governor House Bill No. 1321, Printer's No. 602, for the purpose of further consideration.

Accordingly, the original bill is herewith returned.

ARTHUR H. JAMES

RESOLUTION

RETURNING HOUSE BILL No. 1321 TO THE GOVERNOR

Mr. ACHTERMAN, offered the following resolution which was twice read, considered and adopted:

In the House of Representatives, July 12, 1941

Resolved, (if the Senate concur), That House Bill No. 1321, Printer's No. 602, entitled "An Act making an appropriation to the Department of Property and Supplies for payment of balances due certain contractors for additions and alterations at the Harrisburg State Hospital," which was recalled from the Governor on July 1st for amendment,

be returned to the Governor without amendment.

Ordered, That the Clerk present the same to the Senate for concurrence.

HOUSE BILL No. 1334 TAKEN FROM TABLE

Mr. LOVETT. Mr. Speaker, I move that House Bill No. 1334, together with the communication from the Governor which was laid on the table July 7, 1941, be taken from the table.

The motion was agreed to.

The communication was read by the Clerk as follows:

COMMUNICATION FROM THE GOVERNOR

The Secretary to the Governor being introduced, presented a communication in writing from His Excellency the Governor, which was read as follows:

APPROVAL OF RESOLUTION RECALLING HOUSE BILL No. 1334

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, July 2, 1941

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed a resolution of the House of Representatives and Senate recalling from the Governor House Bill No. 1334, Printer's No. 588, for the purpose of further consideration.

Accordingly, the original bill is herewith returned.

ARTHUR H. JAMES

RESOLUTION

RETURNING HOUSE BILL No. 1334 TO THE GOVERNOR

Mr. ACHTERMAN, offered the following resolution which was twice read, considered and adopted:

In the House of Representatives, July 12, 1941

Resolved, (if the Senate concur), That House Bill No. 1334, Printer's No. 588, entitled "An Act making an appropriation to the Department of Property and Supplies for the payment of claims arising in connection with the erection and construction of the Eastern State Penitentiary at Graterford," which was recalled from the Governor on July 1st for amendment,

be returned to the Governor without amendment.

Ordered, That the Clerk present the same to the Senate for concurrence.

HOUSE BILL No. 1590 TAKEN FROM TABLE

Mr. LOVETT. Mr. Speaker, I move that House Bill No. 1590, together with the communication from the Governor which was laid on the table July 7, 1941, be taken from the table.

The motion was agreed to.

The communication was read by the Clerk as follows:

COMMUNICATION FROM THE GOVERNOR

The Secretary to the Governor being introduced, presented a communication in writing from His Excellency the Governor, which was read as follows:

APPROVAL OF RESOLUTION RECALLING HOUSE BILL No. 1590

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, July 2, 1941

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed a resolution of the House of Representatives and Senate recalling from the Governor House Bill No. 1590, Printer's No. 572, for the purpose of further consideration.

Accordingly, the original bill is herewith returned.

ARTHUR H. JAMES

RESOLUTION

RETURNING HOUSE BILL No. 1590 TO THE GOVERNOR

Mr. ACHTERMAN, offered the following resolution which was twice read, considered and adopted:

In the House of Representatives, July 12, 1941

Resolved, (if the Senate concur), That House Bill No. 1590, Printer's No. 572, entitled "An Act making an appropriation to the Board of Trustees of the Philadelphia Museum, Philadelphia," which was recalled from the Governor on July 1st, for amendment,

be returned to the Governor without amendment.

Ordered, That the Clerk present the same to the Senate for concurrence.

HOUSE BILL No. 1591 TAKEN FROM TABLE

Mr. LOVETT. Mr. Speaker, I move that House Bill No. 1591, together with the communication from the Governor which was laid on the table July 7, 1941, be taken from the table.

The motion was agreed to.

The communication was read by the Clerk as follows:

COMMUNICATION FROM THE GOVERNOR

The Secretary to the Governor being introduced, presented a communication in writing from His Excellency the Governor, which was read as follows:

APPROVAL OF RESOLUTION RECALLING HOUSE BILL No. 1591

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, July 2, 1941.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed a resolution of the House of Representatives and the Senate recalling from the Governor House Bill No. 1591, Printer's No. 634, for the purpose of further consideration.

Accordingly, the original bill is herewith returned.

ARTHUR H. JAMES.

RESOLUTION

RETURNING HOUSE BILL No. 1591 TO THE GOVERNOR

Mr. ACHTERMAN offered the following resolution which was twice read, considered and adopted:

In the House of Representatives, July 12, 1941.

Resolved, (if the Senate concur), That House Bill No. 1591, Printer's No. 634, entitled "An Act making an appropriation to the Pennsylvania Museum and School of Industrial Art, Philadelphia," which was recalled from the Governor on July 1st for amendment,

be returned to the Governor without amendment.

Ordered, That the Clerk present the same to the Senate for concurrence.

HOUSE BILL No. 1659 TAKEN FROM TABLE

Mr. LOVETT. Mr. Speaker, I move that House Bill No. 1659, together with the communication from the Governor which was laid on the table July 7, 1941, be taken from the table.

The motion was agreed to.

The communication was read by the Clerk as follows:

COMMUNICATION FROM THE GOVERNOR

The Secretary to the Governor being introduced, presented a communication in writing from His Excellency the Governor, which was read as follows:

APPROVAL OF RESOLUTION RECALLING HOUSE BILL No. 1659

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, July 2, 1941.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed a resolution of the House of Representatives and the Senate recalling from the Governor House Bill No. 1659, Printer's No. 775, for the purpose of further consideration.

Accordingly, the original bill is herewith returned.

ARTHUR H. JAMES.

RESOLUTION

RETURNING HOUSE BILL No. 1659 TO THE GOVERNOR

Mr. ACHTERMAN offered the following resolution which was twice read, considered and adopted:

In the House of Representatives, July 12, 1941.

Resolved, (if the Senate concur), That House Bill No. 1659, Printer's No. 775, entitled "An A making an appropriation to the Department of Revenue for the payment of accounts settled against the Commonwealth and that department in favor of certain persons, associations and corporations," which was recalled from the Governor on July 1st for amendment,

be returned to the Governor without amendment.

Ordered, That the Clerk present the same to the Senate for concurrence.

HOUSE BILL No. 1722 TAKEN FROM TABLE

Mr. LOVETT. Mr. Speaker, I move that House Bill No. 1722, together with the communication from the Governor which was laid on the table July 7, 1941, be taken from the table.

The motion was agreed to.

The communication was read by the Clerk as follows:

COMMUNICATION FROM THE GOVERNOR

The Secretary to the Governor being introduced, presented a communication in writing from His Excellency the Governor, which was read as follows:

APPROVAL OF RESOLUTION RECALLING HOUSE BILL No. 1722

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, July 2, 1941.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed a resolution of the House of Representatives and the Senate recalling from the Governor House Bill No. 1722, Printer's No. 836, for the purpose of further consideration.

Accordingly, the original bill is herewith returned.

ARTHUR H. JAMES.

RESOLUTION

RETURNING HOUSE BILL No. 1722 TO THE GOVERNOR

Mr. ACHTERMAN offered the following resolution which was twice read, considered and adopted:

In the House of Representatives, July 12, 1941.

Resolved, (if the Senate concur), That House Bill No. 1722, Printer's No. 836, entitled "An Act authorizing the Department of Property and Supplies, with the approval of the Governor and the Board of Trustees of Warren State Hospital, to acquire a certain tract of land for the use of said hospital, and making an appropriation therefor," which was recalled from the Governor on July 1st for amendment,

be returned to the Governor without amendment.

Ordered, That the Clerk present the same to the Senate for concurrence.

QUESTION OF INFORMATION

Mr. LEVY. Mr. Speaker, I arise to a question of information.

The SPEAKER. The gentleman from Philadelphia will state his question of information.

Mr. LEVY. Mr. Speaker, a bill that is reported out of committee on one legislative day, is that bill permitted to be placed on the calendar by unanimous consent on the same day?

The SPEAKER. To what bill is the gentleman referring?

Mr. LEVY. I am talking about Senate Bill No. 379.

The SPEAKER. For the information of the gentleman from Philadelphia, Senate Bill No. 379 was re-reported from the Committee on Ways and Means. It has been read twice before and comes before the House for third reading and final passage. The House gave unanimous consent for the immediate consideration of the bill.

thereby dispensing with the printing of the title of the bill on the calendar.

The Chair would further inform the gentleman that the bill may be considered today on third reading and final passage under the provisions of the constitution. Has the Chair answered clearly the inquiry of the gentleman?

Mr. LEVY. Yes, Mr. Speaker.

QUESTION OF PARLIAMENTARY INQUIRY

Mr. HARKINS. Mr. Speaker, I rise to a question of parliamentary inquiry.

The SPEAKER. The gentleman from Allegheny will state his question of parliamentary inquiry.

Mr. HARKINS. Mr. Speaker, I rise to inquire of the Chair whether or not the ruling of the Chair in answer to the gentleman from Philadelphia, Mr. Levy, violates Section 2 of Article III of the Constitution which reads:

> "No bill shall be considered unless referred to a committee, returned therefrom"—

The SPEAKER. Article II, Section 3 of the Constitution reads:

> "Senators shall be elected for a term of four years and Representatives for a term of two years."

Mr. HARKINS. Perhaps, Mr. Speaker, we have our wires crossed. I am reading from the Pennsylvania Manual on page 34, Section 2 of Article III, under the general title of "Legislation".

The SPEAKER. That is different, Section 2 of Article III.

Mr. HARKINS. That is what I did say, Mr. Speaker.

The SPEAKER. You said Article II of Section 3.

Mr. HARKINS. I beg the Speaker's pardon. Mr. Speaker I have consulted the stenographer and he said that I did say Section 2 of Article III.

The SPEAKER. Section 2 of Article III is:

> "No bill shall be considered unless referred to a committee, returned therefrom and printed for the use of the members".

For the information of the gentleman from Allegheny, Senate Bill 379 was referred to the Committee on Ways and Means, returned therefrom and was printed for the use of the members.

Article III, Section 4 reads:

> "Every bill shall be read at length on three different days in each House; all amendments made thereto shall be printed for the use of the members before the final vote is taken on the bill, and no bill shall become a law, unless on its final passage the vote be taken by yeas and nays, the names of the persons voting for and against the same be entered on the journal and a majority of the members elected to each House be recorded thereon as voting in its favor".

This bill was printed and the members have before them all the information necessary to vote on the bill when they are ready to consider it.

Mr. HARKINS. Mr. Speaker, I have not been furnished with a printed copy of the bill and inasmuch as a meeting has just been held a few minutes ago I did not know whether the bill was printed, and I wanted to inquire whether the printing had to be done subsequent to a committee meeting or whether or not a bill which was not amended in a committee could be considered if it was in print from a prior date.

The SPEAKER. For the information of the gentleman from Allegheny Mr. Harkins, Senate Bill 379 has been in the files of the members for months.

Mr. HARKINS. Mr. Speaker, the point I wanted the Speaker to rule on was whether or not the prior printing would be sufficient, if the printing was made prior to date it was reported from committee. I understand the Chair to rule that that is sufficient. Is my understanding correct?

The SPEAKER. The only time it is necessary to reprint a bill under the Constitution is when it is amended.

Mr. HARKINS. I so understand the Chair to rule at the present time. Is my understanding correct?

The SPEAKER. The gentleman's understanding is correct.

SENATE BILL No. 236 MADE SPECIAL ORDER

Mr. LOVETT. Mr. Speaker, I move that House Bill No. 1481, (Senate Bill No. 236), Printer's No. 496, entitled·

An Act to amend section six hundred fifty-four of article six of the act, approved the seventeenth day of May, one thousand nine hundred and twenty-one (P. L. 682), entitled "An act relating to insurance, amending, revising, and consolidating the law; providing for the incorporation of insurance companies, and the regulation, supervision, and protection of home and foreign insurance companies, Lloyds associations, reciprocal and inter-insurance exchanges, and fire insurance rating bureaus, and the regulation and supervision of insurance carried by such companies, associations, and exchanges, including insurance carried by the State Workmen's Insurance Fund; providing penalties; and repealing existing laws," providing for appeals from any classification, rule, rate, or schedule of the Insurance Commissioner affecting insurance of employes and employers under the Workmen's Compensation Act of one thousand nine hundred and fifteen and the supplements and amendments thereto and exempting the State Workmen's Insurance Fund from the control of the Rating Bureau and the Insurance Commissioner.

on page 17 of today's calendar, bills on third reading postponed be made a special order of business on third reading and final passage at 2 p. m. today.

The motion was agreed to.

SENATE MESSAGES

SENATE RECEDES FROM AMENDMENTS TO HOUSE BILL No. 1130

The Clerk of the Senate being introduced informed that the Senate has receded from its amendments nonconcurred in by the House and concurs in House Bill numbered and entitled:

HOUSE BILL No. 1130.

An Act making an appropriation to the Department of Commerce, towards expenses of the National Encampment of Veterans of Foreign Wars in Philadelphia

HOUSE BILLS CONCURRED IN BY SENATE

The Clerk of the Senate being introduced, returned

bills from the House of Representatives numbered and entitled as follows:

HOUSE BILL No. 653.

An Act to add clause eighteen A to section three of article nineteen of the act approved the seventh day of March one thousand nine hundred one (P. L. 20), entitled "An act for the government of cities of the second class" authorizing cities of the second class to impose and collect charges for the care and treatment at municipal hospitals of persons who are financially able to pay the expenses of such care and treatment

HOUSE BILL No. 724.

An Act to further amend section 363 of the act approved May second, one thousand nine hundred twenty-nine (P. L. 1278), entitled "An act relating to counties of the second third fourth fifth sixth seventh and eighth classes and revising amending and consolidating the laws relating thereto" and further regulating the form and contents of county auditors' reports.

HOUSE BILL No. 750.

An Act authorizing the Department of Property and Supplies with the approval of the Governor to convey to the county commissioners of Somerset County certain real property located in said county and heretofore acquired by the Commonwealth for development as an airport.

HOUSE BILL No. 848.

An Act to further amend paragraph nineteen of section one thousand two hundred ten of the act, approved the eighteenth day of May, one thousand nine hundred eleven (P. L. 309), entitled "An act to establish a public school system in the Commonwealth of Pennsylvania, together with the provisions by which it shall be administered, and prescribing penalties for the violation thereof; providing revenue to establish and maintain the same, and the method of collecting such revenue; and repealing all laws, general, special or local, or any parts thereof, that are or may be inconsistent therewith." providing for the continuation of payments for closed schools to districts which by reason of any increase in population have been changed from a fourth class district to one of another class

HOUSE BILL No. 896.

An Act authorizing county commissioners to sell seated and unseated lands purchased at tax sales, upon which the period of redemption has expired; and validating certain sales heretofore made

HOUSE BILL No. 1035.

An Act to further amend clause ten of section one of the act approved the twenty-seventh day of June one thousand nine hundred and twenty-three (P. L. 858), entitled "An act establishing a State employes' retirement system and creating a retirement board for the administration thereof establishing certain funds from contributions by the Commonwealth and contributing State employes defining uses and purposes thereof and the manner of payments therefrom and providing for the guaranty by the Commonwealth of certain of said funds imposing powers and duties upon the heads of departments in which State employes serve excepting annuities allowances returns benefits and rights from taxation and judicial process and providing penalties" further defining "new member"

HOUSE BILL No. 1417.

An Act making an appropriation to The General State Authority, to defray the costs and expenses of the said Authority in connection with the organization, administration, and operation thereof.

With the information that the Senate has passed the same without amendment.

AMENDED SENATE BILLS CONCURRED IN BY SENATE

The Clerk of the Senate being introduced informed that the Senate has concurred in the amendments made by the House of Representatives to Senate Bills numbered and entitled as follows, viz:

SENATE BILL No. 1.

An Act providing that when inmates of an orphans' home or other children's institution or private home are maintained at the cost of any county other than a county of the second class or at the cost of a county institution district other than in a county of the second class and attend public school and are not legal residents of such school district the county shall pay their tuition charges and collect the same from the school district liable therefor

SENATE BILL No. 344.

An Act to amend further section five of the act approved the thirteenth day of June one thousand eight hundred and thirty-six (P. L. 551) entitled "An act relating to roads highways and bridges" as amended by permitting the maximum width of a public road to be two hundred feet when the right of way is acquired by the Federal Government and providing for the cost of relocating public service facilities

SENATE BILL No. 784.

An Act to amend section four hundred three of the act approved the fifteenth day of May one thousand nine hundred and thirty-three (P. L. 565) entitled "An act relating to the powers and duties of the Department of Banking and the Secretary of Banking in exercising supervision over and taking possession of and conducting or liquidating the business and property of corporations associations and persons receiving deposits or otherwise transacting a banking business corporations acting as fiduciaries and building and loan associations providing for the payment of the expenses of the Department of Banking by supervised corporations associations or persons and appropriating the Banking Department Fund authorizing the Department of Banking under certain circumstances to examine corporations or persons affiliated or having business transactions with supervised corporations associations or persons authorizing appeals to the Supreme Court and prescribing and limiting the powers and duties of certain other courts and their prothonotaries registers of wills recorders of deeds and certain State departments commissions and officers authorizing certain local public officers and State departments to collect fees for services rendered under this act providing penalties and repealing certain acts and parts of acts" further regulating the publication of advertisements and notices required under the provisions of said act

SENATE BILL FOR CONCURRENCE

The Clerk of the Senate being introduced, presented for concurrence bill numbered and entitled as follows:

SENATE BILL No. 261. (HOUSE BILL No. 1990).

An Act for the extension of Capitol Park in the City of Harrisburg and for the acquisition of real estate in connection therewith and for the demolition of the buildings and structures thereon; and making an appropriation.

Referred to the Committee on Appropriations.

HOUSE BILLS CONCURRED IN BY SENATE

The Clerk of the Senate being introduced, returned bills

from the House of Representatives numbered and entitled as follows:

HOUSE BILL No. 53.

An Act providing for the acquisition of the Admiral Peary Memorial Park and for its management and development by the Pennsylvania Historical Commission and making an appropriation

HOUSE BILL No. 70.

An Act to amend section seven hundred three of the act, approved the twenty-fourth day of June, one thousand nine hundred and thirty-one (P. L. 1206), entitled "An act concerning townships of the first class, amending, revising, consolidating and changing the law relating thereto," by providing for the compensation paid to township commissioners

HOUSE BILL No. 215.

An Act to further amend sections one and four of the act, approved the sixteenth day of May, one thousand nine hundred and nineteen (P. L. 180), entitled "An act providing a method of establishing title to land acquired at a sale for unpaid taxes or municipal claims," extending the provisions of said act to include land acquired at city treasurer's sales for unpaid taxes and providing that in certain cases notice of the proceedings by advertisement shall be deemed a good and sufficient service.

HOUSE BILL No. 355.

An Act to provide for the change of object of the corporate existence of beneficial and relief associations as herein defined and authorizing and providing a mode for the dissolution and surrender of the charter of such associations

HOUSE BILL No. 553.

An Act to amend section twenty-two of the act approved the seventh day of June one thousand nine hundred and seventeen (P. L. 403) entitled "An act relating to the form execution revocation and interpretation of wills to nuncupative wills to the appointment of testamentary guardians to spendthrift trusts to forfeiture of devise or legacy in case of murder of testator to elections to take under or against wills and to the recording and registering of such elections and of decrees relative thereto and to the fees therefor" by providing for forfeiture of the right to take property under the will of a murdered testator.

HOUSE BILL No. 554.

An Act to amend section twenty-three of the act approved the seventh day of June one thousand nine hundred and seventeen (P. L. 429) entitled "An act relating to the descent and distribution of the real and personal property of persons dying intestate and to provide for the recording and registering of the decrees of the Orphans' Court in connection therewith and the fees therefor" by providing for forfeiture of the right to inherit or to take property of a murdered intestate under the said act

HOUSE BILL No. 579.

An Act relating to acknowledgments of written instruments and to make uniform the law with relation thereto

HOUSE BILL No. 652.

An Act authorizing any county, city, borough, town, township, poor district, school district or institution district to execute a special warranty deed for any real property which it has acquired at any sale for the nonpayment of taxes or municipal claims.

HOUSE BILL No. 687.

An Act to further amend the title and section one of the act approved the third day of May one thousand nine hundred and nine (P. L. 424) entitled "An act providing that in all counties having more than five hundred thousand inhabitants advertisements and notices required by law or rules of court to be published in newspapers of general circulation unless dispensed with by special order of court shall be published in the legal newspaper issued at least weekly of the proper county designated by rules of court for the publication of court or other legal notices" as amended extending the provisions of the said act to counties of the sixth class

HOUSE BILL No. 974.

An Act to amend article twelve section one thousand two hundred six of the act approved the ninth day of April one thousand nine hundred and twenty-nine (P L 177) entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments boards commissions and officers thereof including the boards of trustees of State Normal Schools or Teachers Colleges abolishing creating reorganizing or authorizing the reorganization of certain administrative departments boards and commissions defining the powers and duties of the Governor and other executive and administrative officers and of the several administrative departments boards commissions and officers fixing the salaries of the Governor Lieutenant Governor and certain other executive and administrative officers providing for the appointment of certain administrative officers and of all deputies and other assistants and employes in certain departments boards and commissions and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments boards and commissions shall be determined" by providing for the issuance of a certificate of approval for weights and measures of county city and borough sealers.

HOUSE BILL No. 1194.

An Act to amend sections two and three of the act approved the eleventh day of May, one thousand nine hundred and eleven, (P. L. 275), entitled "An act to provide for the appointment of county and city inspectors of weights and measures; providing for their compensation and expenses; prescribing their duties; prohibiting vendors from giving false or insufficient weights; and fixing the penalties for the violation of the provisions hereof," as amended, by providing for the issuance of certificates of approval for weights and measures of county, city, and borough sealers.

HOUSE BILL No. 1326.

An Act to amend sections three and four of the act, approved the thirtieth day of March, one thousand nine hundred three (P. L. 110), entitled "A supplement to an act, entitled 'An act regulating the construction, maintenance, alteration, and inspection of buildings and party walls in cities of the second class,' approved the seventh day of June, Anno Domini one thousand eight hundred and ninety-five; regulating the construction alteration and ventilation of tenement-houses, and providing for the safety of the inhabitants thereof; and providing penalties for the violation of the same," further regulating the erection, alteration and ventilation of certain tenement houses.

HOUSE BILL No. 1327.

An Act to amend section six and to further amend section eleven of the act, approved the twenty-eighth day of May, one thousand nine hundred and fifteen (P. L. 596), entitled "An act requiring cities of the second class to establish a pension fund for employes of said cities, and regulating the administration and the payment

of such pensions," restricting the right of per diem employes to join such pension system, and giving peace time drafted employes credit for the time spent in the service of the United States.

HOUSE BILL No. 1328.

An Act to reenact and amend the title and the act approved the twenty-ninth day of April one thousand nine hundred thirty-seven (P. L. 526) entitled "An act providing for and regulating joint purchases by counties (other than counties of the first and second classes) cities of the third class boroughs towns townships school districts and poor districts" by including second class counties cities of the second class and institution districts within the provisions of the act

HOUSE BILL No. 1658.

An Act to further amend the first paragraph of section one of article fifteen of the act, approved the seventh day of March, one thousand nine hundred and one (P. L. 20), entitled "An act for the government of cities of the second class," by further regulating the manner of letting contracts relating to city affairs.

HOUSE BILL No. 1835.

An Act creating a Highway Traffic Advisory Committee to the War Department of the United States of America; providing for its appointment; prescribing its powers and duties; and authorizing the use by the committee of the employes, equipment, supplies and facilities of certain State agencies.

HOUSE BILL No. 1895.

An Act to amend section five of the act approved the fourth day of April one thousand nine hundred twenty-nine (P. L. 144) entitled "An act prescribing the powers and duties of the Department of Agriculture with regard to farm products providing for co-operation with the Department of Internal Affairs to establish standard receptacles for farm products authorizing the Department of Agriculture to establish and promulgate standards for the grade and other classification of farm products and to promulgate regulations for the enforcement thereof defining farm products to include agricultural horticultural vegetable fruit and floricultural products of the soil live stock and meats wools hides poultry eggs dairy products nuts mushrooms and honey and providing penalties" by including certificates of the United States Department of Agriculture as evidence of grade and classification

With the information that the Senate has passed the same without amendment.

AMENDED SENATE BILLS NONCONCURRED IN BY SENATE

The Clerk of the Senate being introduced, informed that the Senate has nonconcurred in the amendments made by the House of Representatives to Senate Bill numbered and entitled as follows:

SENATE BILL No. 46.

An Act to amend the title of and to add section one hundred fifty and one-tenth to the act approved the second day of May one thousand nine hundred and twenty-nine (P. L. 1278) entitled "An act relating to counties of the second third fourth fifth sixth seventh and eighth classes and revising amending and consolidating the laws relating thereto" authorizing the county treasurer in counties of the first second third fourth fifth sixth seventh and eighth classes to appoint a solicitor and providing for his salary payable out of the treasury from which the county treasurer is paid

Mr. LOVETT. Mr. Speaker, I move that the House insist on its amendments non-concurred in by the Senate.

The motion was agreed to.

Ordered, That the Clerk inform the Senate accordingly.

MR. ACHTERMAN IN THE CHAIR

HOUSE BILL No. 1121 TAKEN FROM TABLE

Mr. LOVETT. Mr. Speaker, I move that House Bill No. 1121, together with the message from the Senate which was laid on the table June 30, 1941, be taken from the table.

The motion was agreed to.

The message was read by the Clerk as follows:

SENATE MESSAGE

AMENDED HOUSE BILL RETURNED FOR CONCURRENCE

The Clerk of the Senate being introduced, returned bill from the House of Representatives numbered and entitled as follows:

HOUSE BILL No. 1121.

A Further Supplement to the act, approved the first day of April, one thousand eight hundred and sixty-three (P. L. 213), entitled "An act to accept the grant of Public Lands, by the United States, to the several states, for the endowment of Agricultural Colleges," making an appropriation for carrying the same into effect.

With the information that the Senate has passed the same with amendments, in which the concurrence of the House of Representatives is requested.

The SPEAKER. The Clerk will read the amendments.

The Clerk read the amendments as follows:

Amend Section 1, page 2, by striking out in lines 5 and 6 the words and figures "four million eight hundred thousand dollars ($4,800,000)" and inserting in lieu thereof the words and figures "five million five hundred nine thousand five hundred forty-five dollars ($5,509,545)."

On the question recurring,

Will the House concur in the amendments made by the Senate?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows, viz:

YEAS—204

Achterman,	French,	Malloy,	Royer,
Allmond,	Gallagher,	Marks,	Rush,
Auker,	Gates,	Maxwell,	Sarge,
Baker,	Gerard,	McClanaghan,	Sarraf,
Balthaser,	Gillan,	McClester,	Scanlon,
Bentley,	Gillette,	McDermott,	Schwab,
Bentzel,	Goodwin,	McDowell,	Serrill,
Boies,	Greenwood,	McFall,	Shaffer,
Boney,	Gross,	McIntosh,	Shaw,
Boorse,	Gryskewicz,	McKinney,	Shepard,
Bower,	Gyger,	McLanahan,	Simons,
Bradley,	Habbyshaw,	McLane,	Skale,
Bretherick,	Haberlen,	McMillen,	Snyder,
Brown,	Haines,	McSurdy,	Sollenberger,
Brunner, C. H.,	Hall,	Melchiorre,	Sorg,
Brunner, P. A.,	Hamilton,	Mihm,	Stambaugh,
Burns,	Hare,	Modell,	Stank,
Burris,	Harkins,	Monks,	Stine,
Cadwalader,	Harmuth,	Mooney,	Stockham,
Chervenak,	Harris,	Moran,	Tarr,
Chudoff,	Heatherington,	Moul,	Tate,
Cochran,	Helm,	Muir,	Taylor,
Cohen, M. M.,	Hering,	Munley	Thompson, E. F.,
Cohen, R. E.,	Herman,	Nagel	Thompson, R. L.,

Cook,	Hersch,	Nunemacher	Trout,
Cooper,	Hewitt,	O'Brien,	Turner,
Cordier,	Hirsch,	O'Connor,	VanAllsburg,
Corrigan,	Holland,	O'Dare,	Verona,
Croop,	Huntley,	O'Mullen,	Vincent,
Cullen,	Imbrie,	O'Neill,	Vogt,
Dalrymple,	James,	Owens,	Voldow,
Dennison,	Jefferson,	Petrosky,	Voorhees,
DiGenova,	Jones, G. E.,	Pettit,	Wagner,
Dix,	Jones, P. N.,	Polaski,	Watkins,
Dolon,	Keenan,	Polen,	Weingartner,
D'Ortona,	Kenehan,	Powers,	Weiss,
Duffy,	Kline,	Prosen,	Welsh, E. B.,
Early,	Knoble,	Rank,	Welsh, M. J.,
Eckels,	Kolankiewicz,	Rausch,	Wilkinson,
Elder,	Komorofski,	Readinger,	Williams,
Elliott,	Krise,	Reagan,	Winner,
Ely,	Lee, E. A.,	Reese, D. P.,	Wood, L. H.,
Falkenstein,	Lee, T. H.,	Reese, R. E.,	Wood, N.,
Finestone,	Leisey,	Regan,	Woodring,
Finnerty,	Leonard,	Reynolds,	Woodside,
Fisher,	Lesko,	Rhea,	Wright,
Fiss,	Levy,	Riley,	Yeakel,
Fleming,	Leydic,	Rooney,	Yester,
Fletcher,	Lichtenwalter,	Rose, S.,	Young,
Flynn,	Longo,	Rose, W. E.,	Kilroy,
Foor,	Lovett,	Rosenfeld,	Speaker.
	Lyons,		

NAYS—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative, and the amendments were concurred in.

Ordered, That the Clerk inform the Senate accordingly.

THE SPEAKER (Elmer Kilroy) IN THE CHAIR

The SPEAKER. The Chair thanks the gentleman from Monroe, Mr. Achterman, for presiding.

BILLS SIGNED BY SPEAKER

Bills numbered and entitled as follows having been prepared for presentation to the Governor, and the same being correct, the titles were publicly read as follows:

SENATE BILL No. 1.

An Act providing that when inmates of an orphans' home or other children's institution or private home are maintained at the cost of any county other than a county of the second class or at the cost of a county institution district other than in a county of the second class and attend public school and are not legal residents of such school district the county shall pay their tuition charges and collect the same from the school district liable therefor.

SENATE BILL No. 344.

An Act to amend further section five of the act, approved the thirteenth day of June, one thousand eight hundred and thirty-six (P. L. 551) entitled "An act relating to roads, highways and bridges" as amended by permitting the maximum width of a public road to be two hundred feet when the right of way is acquired by the Federal Government and providing for the cost of relocating public service facilities.

SENATE BILL No. 784.

An Act to amend section four hundred three of the act approved the fifteenth day of May one thousand nine hundred and thirty-three (P. L. 565) entitled "An act relating to the powers and duties of the Department of Banking and the Secretary of Banking in exercising supervision over and taking possession of and conducting or liquidating the business and property of corporations associations and persons receiving deposits or otherwise transacting a banking business corporations acting as fiduciaries and building and loan associations providing for the payment of the expenses of the Department of Banking by supervised corporations associations or persons and appropriating the Banking Department Fund authorizing the Department of Banking under certain circumstances to examine corporations associations or persons affiliated or having business transactions with supervised corporations associations or persons authorizing appeals to the Supreme Court and prescribing and limiting the powers and duties of certain other courts and their prothonotaries registers of wills recorders of deeds and certain State departments commissions and officers authorizing certain local public officers and State departments to collect fees for services rendered under this act providing penalties and repealing certain acts and parts of acts" further regulating the publication of advertisements and notices required under the provisions of said act

SENATE BILL No. 241.

An Act to further amend section two thousand six hundred and four of an act approved the eighteenth day of May one thousand nine hundred and eleven (P. L. 309) entitled "An act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith" by providing for the audit of accounts of fourth class school districts by the borough or township controller or auditors

SENATE BILL No. 338.

An Act to further amend sections four and five of the act approved the sixth day of April one thousand nine hundred thirty-five (P. L. 90) entitled "An act to promote uniformity in the assessment and taxation of properties and persons within the territorial limits of cities of the second class A by providing that city and school taxes within such territorial limits shall be assessed levied and collected upon the basis of the assessments for taxation for county purposes and requiring the furnishing of tax duplicates by the county taxing authorities to such cities and to school districts coterminous therewith abolishing the department of assessors in cities of the second class A consolidating tax statements covering city school county and poor taxes therein and making uniform the time for levy and collection of said taxes respectively and regulating the discounts therefrom and penalties thereon" by further regulating discounts for prompt payment of taxes and penalties and interest imposed on said taxes and by changing the date of certain tax payments

SENATE BILL No. 367.

An Act authorizing the Department of Public Instruction with the approval of the Board of Trustees of the Millersville State Teachers' College to contract with the Borough of Millersville for the erection of a sewage disposal plant and the connection therewith and use thereof by the Millersville State Teachers' College and the payment of part of the cost of maintenance thereafter and making an appropriation

SENATE BILL No. 509.

An Act making an appropriation to the State Council for the Blind for use in supplying medical treatment surgical operations eyeglasses or other necessary aids or services to needy blind persons or persons with impaired vision

SENATE BILL No. 574.

An Act to amend section twenty of the act approved the thirtieth day of April one thousand nine hundred and twenty-nine (P. L. 885) entitled "An act to provide for the incorporation and regulation of cooperative agricultural associations having capital stock and defining agriculture so as to include persons engaged in agriculture

dairying livestock raising poultry raising floriculture mushroom growing beekeeping horticulture and other allied occupations and providing penalties" by limiting exemptions of and further exempting certain classes of associations formed under such act from State county and municipal taxation and from the duty of filing certain tax reports with State county or municipal agencies

SENATE BILL No. 587.

An Act to amend section three hundred six of the act approved the twenty-fourth day of June one thousand nine hundred thirty-seven (P. L. 2017) entitled "An act creating in each county (except of the first class) as a separate corporation and in each city of the first and second class as a part of the city government an institution district for the care and maintenance of certain indigent persons and children prescribing the powers and duties of county commissioners county treasurers city departments of public welfare the State Department of Welfare and the State Department of Public Assistance in respect thereto abolishing certain poor districts and terminating the terms of directors overseers guardians and managers of the poor and poor district auditors and providing for the temporary employment of certain of them providing for the transfer vesting sale and disposition of the property of poor districts and the payment of their obligations imposing certain existing obligations on institution districts and on the Commonwealth regulating the affairs of poor districts until abolished revising amending changing and consolidating the law relating to the care of the poor and repealing existing laws" authorizing the county commissioners to appoint and fix the compensation of a solicitor for county institution districts in counties of the third class

SENATE BILL No. 785.

An Act to further amend section nine of the act approved the first day of May one thousand nine hundred and thirteen (P. L. 138) entitled "An act defining vocational education providing for the establishment and regulation of vocational schools and providing for State aid in the maintenance thereof and for the payment of tuition by certain school districts and reimbursement thereof by the State" further regulating State reimbursements to school districts for vocational education and making provision for additional types of vocational education for which funds may be provided by Congress

SENATE BILL No. 883.

An Act to enlarge the powers of the Navigation Commission for the Delaware River and its navigable tributaries with respect to the maintenance operation and financing of a nautical school for the Commonwealth of Pennsylvania

SENATE BILL No. 905.

An Act to further amend clause (a) of section two of the act, approved the seventh day of June, one thousand nine hundred and seventeen (P. L. 388), entitled "An act relating to the jurisdiction, powers, and procedure of the orphans' court and the court of common pleas as to sales, mortgages, conveyances on ground-rents, leases, extinguishment of ground-rents, partition, exchange, squaring and adjusting of lines between adjoining owners, consolidation and combination of mining lands and the leasing thereof, the joining by owners of undivided interests in making and taking conveyances in order to change the route or location of any right of way or passage over adjoining or other lands, and the subdivision of premises so as to command the highest price or greatest rents, and, for such purpose, the laying out or dedication of roads, streets, and alleys, or the vacation of such as have not been accepted by the public authorities, where the court shall be of opinion that such decree will be to the interest and advantage of all those interested; and where the legal title is held by miners, lunatics, habitual drunkards, or weak-minded persons a married person whose spouse is a lunatic, or has abandoned him or her for one year or has been absent or unheard of for seven years, by corporations having no capacity to convey or by any unincorporated association, by any religious, beneficial, or charitable society or association, incorporated or unincorporated, and the title is subject to forfeiture if real estate is held in excess of the amount prescribed by its charter or by law; by a corporation, or individual or individuals, and is subject to a trust of any description whatever; by any person as to whom a presumption of death may have arisen, or any interest wherein is held by any person under legal disability to dispose thereof; where the legal title is an estate tail or is subject to the lien of debts of a decedent not of record, contingent remainders, executory devises, or remainders to a class, some or all of whom may not be in being or ascertained; where estates shall have been devised or granted for special or limited purposes, where there is a power of sale but the time may not have arrived for its exercise, any preliminary act may not have been done to bring it into exercise, the time limited for its exercise may have expired, or any one or more persons required to consent or join in its exercise may be non compos mentis, have removed out of the State, have died refused to act, unreasonably withheld consent, or be absent and unheard of; where there has been or shall be a defective appointment in any deed or will, and the necessary power is not given to the executor, devisee, or appointee to make sale and conveyance; where a trust has been created, and no power conferred on the trustee to do any of the acts which the court is hereby empowered to authorize or confirm; and to the effects of such decrees," extending the provisions of said act to cases where real estate is held by entireties, and one spouse has been declared weak-minded or mentally incompetent.

SENATE BILL No. 994.

An Act making an appropriation to the Thomas Jefferson Bicentennial Commission of Pennsylvania

SENATE BILL No. 1006.

An Act to amend Route 18033 established by amendment to the act, approved the twenty-second day of June, one thousand nine hundred and thirty-one (P. L. 594), entitled "An act establishing certain township roads as State highways; authorizing their construction, maintenance and improvement under certain conditions and restrictions; limiting the obligation of the Commonwealth in the construction of certain structures located on such highways; conferring certain powers upon the Department of Highways and local authorities, persons, associations and corporations for sharing the cost of the maintenance and construction of such highways; and making an appropriation to carry out the provisions of said act."

SENATE BILL No. 1019.

An Act authorizing the Department of Property and Supplies with the approval of the Governor and the Board of Trustees of Pennsylvania Soldiers' Orphan School to acquire a certain tract of land for the use of said school and making an appropriation therefor

SENATE BILL No. 1095.

An Act to further amend paragraph nineteen of section one thousand two hundred and ten of the act, approved the eighteenth day of May, one thousand nine hundred and eleven (P. L. 309), entitled "An act to establish a public school system in the Commonwealth of Pennsylvania, together with the provisions by which it shall be administered, and prescribing penalties for the violation thereof; providing revenue to establish and maintain the same, and the method of collecting such revenue; and repealing all laws, general special or local, or any parts thereof, that are or may be inconsistent therewith," providing for minimum salary and increments of part-time teachers of children of exceptional physical or mental condition unable to

attend regular public school, and for payments by the Commonwealth on account thereof.

SENATE BILL No. 1186.

An Act authorizing the Department of Military Affairs of the Commonwealth of Pennsylvania to arrange for the design and permanent display in the County of Philadelphia of a plaque or monument in memory of the Honorable Theodore Rosen; and making an appropriation

SENATE BILL No. 1256.

An Act authorizing the Department of Property and Supplies with the approval of the Governor to sell and convey certain plots of land.

Whereupon,

The SPEAKER, in the presence of the House, signed the same.

AMENDED HOUSE BILLS RETURNED FOR CONCURRENCE

The Clerk of the Senate being introduced, returned bill from the House of Representatives numbered and entitled as follows:

HOUSE BILL No. 448.

An Act to further amend clause (e) of section seven and to amend the first paragraph of section nine of the act approved the twenty-fourth day of June one thousand nine hundred and thirty-seven (P. L. 2051) entitled "An act relating to public assistance providing for and regulating assistance to certain classes of persons designated and defined as dependent children aged persons blind persons and other persons requiring relief providing for the administration of this act by the Department of Public Assistance and county boards of assistance hereby created for this purpose authorizing the Department of Public Assistance to cooperate with and to accept and disburse moneys received from the United States Government for assistance to such persons providing for the liquidation of the State Emergency Relief Board Boards of Trustees of the Mothers' Assistance Fund and Boards of Trustees of Pension Fund for the Blind and repealing laws relating to mothers' assistance pensions for the blind old age assistance and the State Emergency Relief Board" by redefining eligibility for assistance providing for appeals from certain decisions of the Department of Public Assistance to common pleas courts and imposing powers and duties on common pleas court

With the information that the Senate has passed the same with amendments, in which the concurrence of the House of Representatives is requested.

The SPEAKER. The Clerk will read the amendments.

The Clerk read the amendments as follows:

Amend Section 1, page 4, line 5, by inserting after the word "States" and before the word "Such" the following:

"or as a person who advocates Communism Fascism or Naziism or any "un-American or Subversive Dostrines" or who advocates or supports a political party or organization of individuals advocating or supporting Communism Fascism or Naziism or any "un-American or Subversive Doctrines" or is a member of any organization of individuals advocating or supporting Communism Fascism or Naziism or any "un-American or Subversive Doctrines" ";

also same page, at the end of line 19, by inserting after the word "assistance" the following:

"The phrase "un-American or Subversive Doctrines" shall be construed to mean doctrines which teach or advocate the overthrow of the Government of the United States of America or of the Commonwealth of Pennsylvania by revolution or the destruction or change of the democratic form of American Government and the substitution therefor of an undemocratic form of government by means or methods other than those provided for in the Constitution of the United States or the Constitution of the Commonwealth of Pennsylvania".

Amend Section 2, page 4, line 25, by striking out after the word "advocate" the word "and" and inserting in lieu thereof the word "or"; also same page, at the end of line 28, by inserting after the word "States" the following:

"or who advocate Communism Fascism or Naziism or any "un-American or Subversive Doctrines" or who advocate or support a political party or organization of individuals advocating or supporting Communism Fascism or Naziism or any "un-American or Subervise Doctrines" or are members of any organization of individuals advocating or supporting Communism Fascism or Naziism or any "un-American or Subervise Doctrines" ".

On the question,

Will the House concur in the amendments made by the Senate?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows, viz:

YEAS—82

Auker,	Gillan,	Leydic,	Snyder,
Boorse,	Gillette,	Lichtenwalter,	Sollenberger,
Bower,	Greenwood,	Lyons,	Sorg,
Bretherick,	Gross,	McClester,	Stambaugh,
Brunner, C. H.,	Gyger,	McDowell,	Stockham,
Cadwalader,	Habbyshaw,	McKinney,	Taylor,
Cook,	Haines,	McMillen,	Thompson, R. L.,
Cooper,	Hall,	McSurdy,	Trout,
Cordier,	Hare,	Muir,	Turner,
Dalrymple,	Helm,	O'Dare,	Van Allsburg,
Dennison,	Hewitt,	Rank,	Voorhees,
Dix,	Huntley,	Reagan,	Wagner,
Eckels,	Imbrie,	Reese, D. P.,	Watkins,
Elder,	James,	Rhea,	Weingartner,
Ely,	Jones, G. E.,	Riley,	Wilkinson,
Fisher,	Kline,	Rose, W. E.,	Winner,
Fiss,	Knoble,	Royer,	Wood, L. H.,
Fleming,	Krise,	Sarge,	Wood, N.,
Fletcher,	Lee, E. A.,	Serrill,	Woodside,
Foor,	Lee, T. H.,	Skale,	Yeakel,
Gates,	Leisey,		

NAYS—122

Achterman,	French,	McDermott,	Reynolds,
Allmond,	Gallagher,	McFall,	Rooney,
Baker,	Gerard,	McIntosh,	Rose, S.,
Bentley,	Goodwin,	McLanahan,	Rosenfeld,
Bentzel,	Gryskewicz,	McLane,	Rush,
Boies,	Haberlen,	Melchiorre,	Sarraf,
Boney,	Hamilton,	Mihm,	Scanlon,
Bradley,	Harkins,	Modell,	Schwab,
Brown,	Harmuth,	Monks,	Shaffer,
Brunner, P. A.,	Harris,	Mooney,	Shaw,
Burns,	Heatherington,	Moran,	Shepard,
Burris,	Hering,	Moul,	Simons,
Chervenak,	Herman,	Munley,	Stank,
Chudoff,	Hersch,	Nagel,	Stine,
Cochran,	Hirsch,	Nunemacher,	Tarr,
Cohen, M. M.,	Holland,	O'Brien,	Tate,
Cohen, R. E.,	Jefferson,	O'Connor,	Thompson, E. F.,
Corrigan,	Jones, P. N.,	O'Mullen,	Verona,
Croop,	Keenan,	O'Neill,	Vincent,
Cullen,	Kenehan,	Owens,	Vogt,
DiGenova,	Kolankiewicz,	Petrosky,	Voldow,
Dolon,	Komorofski,	Pettit,	Weiss,
D'Ortona,	Leonard,	Polaski,	Welsh, E. B.,
Duffy,	Lesko,	Polen,	Welsh, M. J.,
Early,	Levy,	Powers,	Williams,
Elliott,	Longo,	Prosen,	Woodring,
Falkenstein,	Lovett,	Rausch,	Wright,
Finestone,	Malloy,	Readinger,	Yester,
Finnerty,	Marks,	Reese, R. E.,	Young,
Flynn,	Maxwell,	Regan,	Kilroy,
	McClanaghan,		Speaker.

Less than the majority required by the Constitution having voted in the affirmative, the question was determined in the negative, and the amendments were not concurred in.

Ordered, That the Clerk inform the Senate accordingly.

The Clerk of the Senate being introduced, returned bill from the House of Representatives numbered and entitled as follows:

HOUSE BILL No. 522.

An Act making an appropriation to the Pennsylvania State College to advance the tobacco interest of this Commonwealth

With the information that the Senate has passed the same with amendments, in which the concurrence of the House of Representatives is requested.

The SPEAKER. The Clerk will read the amendments.

The Clerk read the amendments as follows:

Amend Section 1, page 1, line 1, by striking out the word "twenty-five" and inserting in lieu thereof the word "five"; also same page, at the beginning of line 2, by striking out the figures "($25,000)" and inserting in lieu thereof the figures "($5,000)".

On the question,

Will the House concur in the amendments made by the Senate?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows, viz:

YEAS—198

Achterman,	Foor,	Lyons,	Rosenfeld,
Allmond,	French,	Malloy,	Royer,
Auker,	Gallagher,	Marks,	Rush,
Baker,	Gates,	McClanaghan	Sarge,
Balthaser,	Gerard,	McClester,	Sarraf,
Bentley,	Gillan,	McDermott	Scanlon,
Bentzel,	Gillette,	McDowell	Schwab,
Boles,	Goodwin,	McFall	Serrill,
Boney,	Greenwood,	McIntosh	Shaffer,
Boorse,	Gross,	McKinney,	Shaw,
Bower,	Gryskewicz,	McLanahan	Shepard,
Bradley,	Gyger,	McLane,	Simons,
Bretherick,	Habbyshaw,	McMillen,	Skale,
Brown,	Haines,	McSurdy,	Snyder,
Brunner, C. H.,	Hall,	Melchiorre,	Sollenberger,
Brunner, P. A.,	Hamilton,	Mihm,	Sorg,
Burns,	Hare,	Modell,	Stambaugh,
Burris,	Harkins,	Monks,	Stank,
Cadwalader,	Harmuth,	Mooney,	Stine,
Chervenak,	Harris,	Moran,	Stockham,
Chudoff,	Heatherington,	Moul,	Tarr,
Cochran,	Helm,	Muir,	Tate,
Cohen, M. M.,	Hering,	Munley,	Taylor,
Cohen, R. E.,	Herman,	Nagel	Thompson, E. F.
Cook,	Hersch,	Nunemacher	Thompson, R. L.,
Cooper,	Hewitt,	O'Brien,	Trout,
Cordier,	Hirsch,	O'Connor,	Turner,
Corrigan,	Holland,	O'Dare,	Van Allsburg,
Croop,	Huntley,	O'Mullen,	Verona,
Cullen,	Imbrie,	O'Neill,	Vincent,
Dalrymple,	James,	Owens,	Vogt,
Dennison,	Jefferson,	Pettit,	Voldow,
DiGenova,	Jones, G. E.,	Polaski,	Voorhees,
Dix,	Jones, P. N.,	Polen,	Wagner,
Dolon,	Keenan,	Powers,	Watkins,
D'Ortona,	Kenehan,	Prosen,	Weingartner,
Duffy,	Kline,	Rank,	Welsh, E. B.,
Early,	Knoble,	Rausch,	Welsh, M. J.,
Eckels,	Kolankiewicz,	Readinger,	Wilkinson,
Elder,	Komorofski,	Reagan,	Williams,
Elliott,	Krise,	Reese, D. P.,	Winner,
Ely,	Lee, E. A.,	Reese, R. E.,	Wood, L. H.,
Falkenstein,	Lee, T. H.,	Regan,	Wood, N.,
Finestone,	Leisey,	Reynolds,	Woodring,
Finnerty,	Leonard,	Rhea,	Woodside,
Fisher,	Levy,	Riley,	Wright,
Fiss,	Leydic,	Rooney,	Yeakel,
Fleming,	Lichtenwalter,	Rose, S.,	Yester,
Fletcher,	Longo,	Rose, W. E.,	Young,
Flynn,			Kilroy, Speaker

NAYS—6

Haberlen,	Lovett	Petrosky,	Weiss,
Lesko,	Maxwell,		

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative, and the amendments were concurred in.

Ordered, That the Clerk inform the Senate accordingly.

QUESTION OF INFORMATION

Mr. PETROSKY. Mr. Speaker, I rise to a question of information.

The SPEAKER. The gentleman from Westmoreland will state his question of information.

Mr. PETROSKY. Mr. Speaker, has the House concurred in the amendments of the Senate to House Bill No. 11, Printer's No. 1180?

The SPEAKER. The House has concurred in the amendments made by the Senate.

Mr. PETROSKY. Mr. Speaker, I ask unanimous consent of the House to have the Westmoreland County delegation recording as "no" on concurrence in those amendments.

The SPEAKER. If there is no objection, the Westmoreland County members will be recorded as voting "no". The Chair hears no objection and the gentleman will be so recorded.

SENATE MESSAGES

AMENDED HOUSE BILLS RETURNED FOR CONCURRENCE

The Clerk of the Senate being introduced, returned bill from the House of Representatives numbered and entitled as follows:

HOUSE BILL No. 895.

An Act to authorize counties, cities, boroughs, incorporated towns, townships, school districts, poor districts and county institution districts, to file tax and municipal claims, not filed within the time specified by law and to file suggestions of nonpayment and averments of default, or to sue out writs of scire facias on certain tax or municipal claims, and to revive judgments where the lien of such claims or the judgments thereon have been lost; and providing for the reinstatement of the liens of such claims and judgments

With the information that the Senate has passed the same with amendments, in which the concurrence of the House of Representatives is requested.

The SPEAKER. The Clerk will read the amendments.

The Clerk read the amendments as follows:

Amend Section 1, page 2, at the beginning of line 12, by inserting after the syllable "ment" and before the word "or" the words "or has not done so in time"; also same page, line 17, by inserting after the word "proceedings" the words " or by reason of failure to file a praecipe on time"; also same page, line 22, by inserting after the word "district" the words "has not"; also on page 3, line 2, by inserting after the word "issue" the words "or reissue"; also on page 4, line 3, by striking out the word "effect" and inserting in lieu thereof the word "affect"; also same page, line 12, by inserting after the word "lost" the words "nor shall any such lien so revived impair or effect the priority of the lien of any mortgage or other

lien which was entered prior to the tax of municipal or which gained priority during the time such lien was not revived"..

On the question,

Will the House concur in the amendments made by the Senate?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows, viz:

YEAS—204

Achterman,	Gallagher,	Malloy,	Royer,
Allmond,	Gates,	Marks,	Rush,
Auker,	Gerard,	Maxwell,	Sarge,
Baker,	Gillan,	McClanaghan,	Sarraf,
Balthaser,	Gillette,	McClester,	Scanlon,
Bentley,	Goodwin,	McDermott,	Schwab,
Bentzel,	Greenwood,	McDowell,	Serrill,
Boles,	Gross,	McFall,	Shaffer,
Boney,	Gryskewicz,	McIntosh,	Shaw,
Boorse,	Gyger,	McKinney,	Shepard,
Bower,	Habbyshaw,	McLanahan,	Simons,
Bradley,	Haberlen,	McLane,	Skale,
Bretherick,	Haines,	McMillen,	Snyder,
Brown,	Hall,	McSurdy,	Sollenberger,
Brunner, C. H.,	Hamilton,	Melchiorre,	Sorg,
Brunner, P. A.,	Hare,	Mihm,	Stambaugh,
Burns,	Harkins,	Modell,	Stank,
Burris,	Harmuth,	Monks,	Stine,
Cadwalader,	Harris,	Mooney,	Stockham,
Chervenak,	Heatherington,	Moran,	Tarr,
Chudoff,	Helm	Moul,	Tate,
Cochran,	Hering,	Muir,	Taylor,
Cohen, M. M.,	Herman,	Munley,	Thompson, E. F.,
Cohen, R. E.,	Hersch,	Nagel,	Thompson, R. L.,
Cook,	Hewitt,	Nunemacher,	Trout,
Cooper,	Hirsch,	O'Brien,	Turner,
Cordier,	Holland,	O'Connor	Van Allsburg,
Corrigan,	Huntley,	O'Dare,	Verona,
Croop,	Imbrie,	O'Mullen,	Vincent,
Cullen,	James,	O'Neill,	Vogt,
Dalrymple,	Jefferson,	Owens,	Voldow,
Dennison,	Jones, G. E.,	Petrosky,	Voorhees,
DiGenova,	Jones, P. N.,	Pettit,	Wagner,
Dix,	Keenan,	Polaski,	Watkins,
Dolon,	Kenehan,	Polen,	Weingartner,
D'Ortona,	Kline,	Powers,	Weiss,
Duffy,	Knoble,	Prosen,	Welsh, E. B.,
Early,	Kolankiewicz,	Rank,	Welsh, M. J.,
Eckels,	Komorofski,	Rausch,	Wilkinson,
Elder,	Krise,	Readinger,	Williams,
Elliott,	Lee, E. A.,	Reagan,	Winner,
Ely,	Lee, T. H.,	Reese, D. P.,	Wood, L. H.,
Falkenstein,	Leisey,	Reese, R. E.,	Wood, N.,
Finestone,	Leonard,	Regan,	Woodring,
Finnerty,	Lesko,	Reynolds,	Woodside,
Fisher,	Levy,	Rhea,	Wright,
Fiss	Leydic,	Riley,	Yeakel,
Fleming,	Lichtenwalter,	Rooney,	Yester,
Fletcher,	Longo,	Rose, S.,	Young,
Flynn,	Lovett,	Rose, W. E.,	Kilroy,
Foor,	Lyons,	Rosenfeld,	Speaker.
French,			

NAYS—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative, and the amendments were concurred in.

Ordered, That the Clerk inform the Senate accordingly.

The Clerk of the Senate being introduced, returned bill from the House of Representatives numbered and entitled as follows:

HOUSE BILL No. 1213.

An Act to amend an Act approved the seventh day of June one thousand nine hundred seventeen (P. L. 600) entitled "An act providing that appointive officers and employes employed by the Commonwealth of Pennsylvania in its civil service or by any department bureau commission or office thereof or by any county municipality township or school district shall not be deemed or held to have resigned or abandoned their offices or employments by reason of enlistment enrollment or draft in the military or naval service of the United States or any branch or unit thereof in time of war or contemplated war prohibiting the removal from their offices or employments of such officers and employes during the period of their service in the Army or Navy directing that one-half of the salaries or wages of such officers or employes as have dependents wives children or parents and not exceeding two thousand dollars per annum be paid during the term of their service in the Army or Navy to such dependents authorizing the employment during said term of substitutes to perform the duties therefore performed by such officers or employes respectively and providing for the compensation of such substitutes" by more fully defining the times during which the benefits shall be payable and the amounts thereof and to whom payable

With the information that the Senate has passed the same with amendments, in which the concurrence of the House of Representatives is requested.

The SPEAKER. The Clerk will read the amendments.

The Clerk read the amendments as follows:

Amend the title, page 2, at the end of line 11, by inserting after the word "payable" the words "and removing employes of school districts from the provisions of said act."

Amend Section 1, page 3, line 13, by inserting before the word "township" the word "or"; also same line by inserting after the word "or" and before the word "school" the words "any appointive officer regularly employed by any"; also on page 4, line 14, by inserting after the word "municipality" the word "or"; also same line by inserting after the word "or" and before the word "school" the words "of any appointive officer of any"; also on page 5, line 20, by inserting before the word "wife" the word "dependent"; also same line by inserting before the word "children" the word "dependent"; also same page, line 27, by inserting before the word "wife" the word "dependent"; also same line by striking out the word "minor" and inserting in lieu thereof the word "dependent"; also same page, line 28, by inserting before the word "wife" the word "dependent"; also same page, line 29, by inserting before the word "children" the word "dependent"; also on page 6, line 1, by inserting before the word "wife" the word "dependent"; also same page, at the beginning of line 2, by striking out the word "minor" and inserting in lieu thereof the word "dependent"; also same page, line 3, by inserting before the word "children" the word dependent"; also same page line 4, by inserting before the word "wife" the word "dependent"; also same line by striking out the word "minor" and inserting in lieu thereof the word "dependent"; also same page, line 5, by inserting after the word "such" and before the word "parent" the word "dependent"; also same page, at the end of line 6, by inserting after the word "such" the word "dependent"; also same page, line 9, by inserting before the word "wife" the word "dependent"; also same page, line 10, by striking out the word "minor" and inserting in lieu thereof the word "dependent"; also same page, at the end of line 13, by inserting after the word "any" the word "dependent"; also same page line 23, by inserting after the word "municipality" the word "or"; also same line by inserting after the word "or" and before the word "school" the words "paid to any appointive officer by any"; also on page 7, line 24, by inserting after the word "officer" the word "or."

On the question,

Will the House concur in the amendments made by the Senate?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows, viz:

YEAS—204

Achterman,	Gallagher,	Malloy,	Royer,

Allmond,	Gates,	Marks,	Rush,
Auker,	Gerard,	Maxwell,	Sarge,
Baker,	Gillan,	McClanaghan,	Sarraf,
Balthaser,	Gillette,	McClester,	Scanlon,
Bentley,	Goodwin,	McDermott,	Schwab,
Bentzel,	Greenwood,	McDowell,	Serrill,
Boles,	Gross,	McFall,	Shaffer,
Boney,	Gryskewicz,	McIntosh,	Shaw,
Boorse,	Gyger,	McKinney,	Shepard,
Bower,	Habbyshaw,	McLanahan,	Simons,
Bradley,	Haberlen,	McLane,	Skale,
Bretherick,	Haines,	McMillen,	Snyder,
Brown,	Hall,	McSurdy,	Sollenberger,
Brunner, C. H.,	Hamilton,	Melchiorre,	Sorg,
Brunner, P. A.,	Hare,	Mihm,	Stambaugh,
Burns,	Harkins,	Modell,	Stank,
Burris,	Harmuth,	Monks,	Stine,
Cadwalader,	Harris,	Mooney,	Stockham,
Chervenak,	Heatherington,	Moran,	Tarr,
Chudoff,	Helm,	Moul,	Tate,
Cochran,	Hering,	Muir,	Taylor,
Cohen, M. M.,	Herman,	Munley,	Thompson, E. F.,
Cohen, R. E.,	Hersch,	Nagel,	Thompson, R. L.,
Cook,	Hewitt,	Nunemacher,	Trout,
Cooper,	Hirsch,	O'Brien,	Turner,
Cordier,	Holland,	O'Connor,	Van Allsburg,
Corrigan,	Huntley,	O'Dare,	Verona,
Croop,	Imbrie,	O'Mullen,	Vincent,
Cullen,	James,	O'Neill,	Vogt,
Dalrymple,	Jefferson,	Owens,	Voldow,
Dennison,	Jones, G. E.,	Petrosky,	Voorhees,
DiGenova,	Jones, P. N.,	Pettit,	Wagner,
Dix,	Keenan,	Polaski,	Watkins,
Dolon,	Kenehan,	Polen,	Weingartner,
D'Ortona,	Kline,	Powers,	Weiss,
Duffy,	Knoble,	Prosen,	Welsh, E. B.,
Early,	Kolankiewicz,	Rank,	Welsh, M. J.,
Eckels,	Komorofski,	Rausch,	Wilkinson,
Elder,	Krise,	Readinger,	Williams,
Elliott,	Lee, E. A.,	Reagan,	Winner,
Ely,	Lee, T. H.,	Reese, D. P.,	Wood, L. H.,
Falkenstein,	Leisey,	Reese, R. E.,	Wood, N.,
Finestone,	Leonard,	Regan,	Woodring,
Finnerty,	Lesko,	Reynolds,	Woodside,
Fisher,	Levy,	Rhea,	Wright,
Fiss,	Leydic,	Riley,	Yeakel,
Fleming,	Lichtenwalter,	Rooney,	Yester,
Fletcher,	Longo,	Rose, S.,	Young,
Flynn,	Lovett,	Rose, W. E.,	Kilroy,
Foor,	Lyons,	Rosenfeld,	Speaker.
French,			

NAYS—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative, and the amendments were concurred in.

Ordered, That the Clerk inform the Senate accordingly.

The Clerk of the Senate being introduced, returned bill from the House of Representatives numbered and entitled as follows:

HOUSE BILL No. 1390.

An Act making an appropriation to the Treasury Department out of various funds to pay replacement checks issued in lieu of outstanding checks when presented

With the information that the Senate has passed the same with amendments, in which the concurrence of the House of Representatives is requested.

The SPEAKER. The Clerk will read the amendments.

The Clerk read the amendments as follows:

Amend Section 1, page 1, by striking out all of line 9 as follows: "Out of the Federal Unemployment Relief Fund $2,000.00."

On the question,

Will the House concur in the amendments made by the Senate?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows, viz:

YEAS—204

Achterman,	French,	Malloy,	Royer,
Allmond,	Gallagher,	Marks,	Rush,
Auker,	Gates,	Maxwell,	Sarge,
Baker,	Gerard,	McClanaghan,	Sarraf,
Balthaser,	Gillan,	McClester,	Scanlon,
Bentley,	Gillette,	McDermott,	Schwab,
Bentzel,	Goodwin,	McDowell,	Serrill,
Boles,	Greenwood,	McFall,	Shaffer,
Boney,	Gross,	McIntosh,	Shaw,
Boorse,	Gryskewicz,	McKinney,	Shepard,
Bower,	Gyger,	McLanahan,	Simons,
Bradley,	Habbyshaw,	McLane,	Skale,
Bretherick,	Haberlen,	McMillen,	Snyder,
Brown,	Haines,	McSurdy,	Sollenberger,
Brunner, C. H.,	Hall,	Melchiorre,	Sorg,
Brunner, P. A.,	Hamilton,	Mihm,	Stambaugh,
Burns,	Hare,	Modell,	Stank,
Burris,	Harkins,	Monks,	Stine,
Cadwalader,	Harmuth,	Mooney,	Stockham,
Chervenak,	Harris,	Moran,	Tarr,
Chudoff,	Heatherington,	Moul,	Tate,
Cochran,	Helm,	Muir,	Taylor,
Cohen, M. M.,	Hering,	Munley,	Thompson, E. F.,
Cohen, R. E.,	Herman,	Nagel,	Thompson, R. L.,
Cook,	Hersch,	Nunemacher,	Trout,
Cooper,	Hewitt,	O'Brien,	Turner,
Cordier,	Hirsch,	O'Connor,	Van Allsburg,
Corrigan,	Holland,	O'Dare,	Verona,
Croop,	Huntley,	O'Mullen,	Vincent,
Cullen,	Imbrie,	O'Neill,	Vogt,
Dalrymple,	James,	Owens,	Voldow,
Dennison,	Jefferson,	Petrosky,	Voorhees,
DiGenova,	Jones, G. E.,	Pettit,	Wagner,
Dix,	Jones, P. N.,	Polaski,	Watkins,
Dolon,	Keenan,	Polen,	Weingartner,
D'Ortona,	Kenehan,	Powers,	Weiss,
Duffy,	Kline,	Prosen,	Welsh, E. B.,
Early,	Knoble,	Rank,	Welsh, M. J.,
Eckels,	Kolankiewicz,	Rausch,	Wilkinson,
Elder,	Komorofski,	Readinger,	Williams,
Elliott,	Krise,	Reagan,	Winner,
Ely,	Lee, E. A.,	Reese, D. P.,	Wood, L. H.,
Falkenstein,	Lee, T. H.,	Reese, R. E.,	Wood, N.,
Finestone,	Leisey,	Regan,	Woodring,
Finnerty,	Leonard,	Reynolds,	Woodside,
Fisher,	Lesko,	Rhea,	Wright,
Fiss,	Levy,	Riley,	Yeakel,
Fleming,	Leydic,	Rooney,	Yester,
Fletcher,	Lichtenwalter,	Rose, S.,	Young,
Flynn,	Longo,	Rose, W. E.,	Kilroy,
Foor,	Lovett,	Rosenfeld,	Speaker.
	Lyons,		

NAYS—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative, and the amendments were concurred in.

Ordered, That the Clerk inform the Senate accordingly.

The Clerk of the Senate being introduced, returned bill from the House of Representatives numbered and entitled as follows:

HOUSE BILL No. 1487.

An Act providing for the construction and maintenance by the Department of Forests and Waters with the advice of the Bushy Run Battlefield Commission of a Bushy Run Museum Building on land owned by the Commonwealth in Westmoreland County and making an appropriation.

With the information that the Senate has passed the same with amendments, in which the concurrence of the House of Representatives is requested.

The SPEAKER. The Clerk will read the amendments.

The Clerk read the amendments as follows:

Amend Section 2, page 2, line 10, by striking out the words and figures "forty thousand dollars ($40,000)" and inserting in lieu thereof the words and figures "ten thousand dollars ($10,000)."

On the question,

Will the House concur in the amendments made by the Senate?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows, viz:

YEAS—204

Achterman,	Gallagher,	Malloy,	Royer,
Allmond,	Gates,	Marks,	Rush,
Auker,	Gerard,	Maxwell,	Sarge,
Baker,	Gillan,	McClanaghan,	Sarraf,
Balthaser,	Gillette,	McClester,	Scanlon,
Bentley,	Goodwin,	McDermott,	Schwab,
Bentzel,	Greenwood,	McDowell,	Serrill,
Boles,	Gross,	McFall,	Shaffer,
Boney,	Gryskewicz,	McIntosh,	Shaw,
Boorse,	Gyger,	McKinney,	Shepard,
Bower,	Habbyshaw,	McLanahan,	Simons,
Bradley,	Haberlen,	McLane,	Skale,
Bretherick,	Haines,	McMillen,	Snyder,
Brown,	Hall,	McSurdy,	Sollenberger,
Brunner, C. H.,	Hamilton,	Melchiorre,	Sorg,
Brunner, P. A.,	Hare,	Mihm,	Stambaugh,
Burns,	Harkins,	Modell,	Stank,
Burris,	Harmuth,	Monks,	Stine
Cadwalader,	Harris,	Mooney,	Stockham,
Chervenak,	Heatherington,	Moran,	Tarr,
Chudoff,	Helm,	Moul,	Tate,
Cochran,	Hering,	Muir,	Taylor,
Cohen, M. M.,	Herman,	Munley,	Thompson, E. F.,
Cohen, R. E.,	Hersch,	Nagel,	Thompson, R. L.,
Cook,	Hewitt,	Nunemacher,	Trout,
Cooper,	Hirsch,	O'Brien,	Turner,
Cordier,	Holland,	O'Connor	VanAllsburg,
Corrigan,	Huntley,	O'Dare,	Verona,
Croop,	Imbrie,	O'Mullen,	Vincent,
Cullen,	James,	O'Neill,	Vogt,
Dalrymple,	Jefferson,	Owens,	Voldow,
Dennison,	Jones, G. E.,	Petrosky,	Voorhees,
DiGenova,	Jones, P. N.,	Pettit	Wagner,
Dix,	Keenan,	Polaski,	Watkins,
Dolon,	Kenehan,	Polen,	Weingartner,
D'Ortona,	Kline,	Powers,	Weiss,
Duffy,	Knoble,	Prosen,	Welsh, E. B.,
Early,	Kolankiewicz,	Rank,	Welsh, M. J.,
Eckels,	Komorofski,	Rausch,	Wilkinson,
Elder,	Krise,	Readinger,	Williams,
Elliott,	Lee, E. A.,	Reagan,	Winner,
Ely,	Lee, T. H.,	Reese, D. P.,	Wood, L. H.,
Falkenstein,	Leisey,	Reese, R. E.,	Wood, N.,
Finestone,	Leonard,	Regan,	Woodring,
Finnerty,	Lesko,	Reynolds,	Woodside,
Fisher,	Levy,	Rhea,	Wright,
Fiss,	Leydic,	Riley,	Yeakel,
Fleming,	Lichtenwalter,	Rooney,	Yester,
Fletcher,	Longo,	Rose, S.,	Young,
Flynn,	Lovett,	Rose, W. E.,	Kilroy,
Foor	Lyons,	Rosenfeld,	Speaker.
French,			

NAYS—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative, and the amendments were concurred in.

Ordered, That the Clerk inform the Senate accordingly.

The Clerk of the Senate being introduced, returned bill from the House of Representatives numbered and entitled as follows:

HOUSE BILL No. 657.

An Act to amend sections one, two, three and four of the act, approved the twenty-first day of May, one thousand nine hundred thirty-seven (P. L. 787), entitled "An act authorizing the compromise or reduction of tax claims on real property purchased by any county, city, borough, town, school district or poor district at any sale, for the non-payment of taxes and the reconveyance or private sale of such property," extending the provisions of said act to properties purchased by said political subdivisions at sales for municipal claims and to the payment of such claims from the proceeds of such compromises or sales and changing the time when such compromises may be made

With the information that the Senate has passed the same with amendments, in which the concurrence of the House of Representatives is requested.

The SPEAKER. The Clerk will read the amendments.

The Clerk read the amendments as follows:

Amend Section 3, page 3, line 12, by inserting after the word "estate" the following: "and notice shall also be given by publication in at least one newspaper of general circulation published in the county setting forth a description of the property the total amount of taxes municipal claims penalties and interest due and costs and the amount which it is proposed to accept in compromise or redemption or for the sale of said property."

On the question,

Will the House concur in the amendments made by the Senate?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows, viz:

YEAS—204

Allmond,	Gallagher,	Malloy,	Royer,
Auker,	Gates,	Marks,	Rush,
Baker,	Gerard,	Maxwell,	Sarge,
Balthaser,	Gillan,	McClanaghan,	Sarraf,
Bentzel,	Gillette,	McClester,	Scanlon,
Boles,	Goodwin,	McDermott,	Schwab,
Boney,	Greenwood,	McDowell,	Serrill,
Boorse,	Gross,	McFall,	Shaffer,
Bower,	Gryskewicz,	McGrath,	Shaw,
Bradley,	Gyger,	McKinney,	Shepard,
Brown,	Habbyshaw,	McLanahan,	Simons,
Brunner, C. H.,	Haberlen,	McLane,	Skale,
Brunner, P. A.,	Haines,	McMillen,	Snyder,
Burns,	Hall,	McSurdy,	Sollenberger,
Burris,	Hamilton,	Melchiorre,	Sorg,
Cadwalader,	Harkins,	Mihm,	Stambaugh,
Chervenak,	Harmuth,	Modell,	Stank,
Chudoff,	Harris,	Monks,	Stine,
Cochran,	Heatherington,	Mooney,	Stockham,
Cohen, M. M.,	Helm,	Moran,	Tarr,
Cohen, R. E.,	Hering,	Moul,	Tate,
Cook,	Herman,	Muir,	Taylor,
Cooper,	Hersch,	Munley,	Thompson, E. F.,
Cordier,	Hewitt,	Nagel,	Thompson, R. L.,
Corrigan,	Hirsch,	Nunemacher,	Trout,
Croop,	Holland,	O'Brien,	Turner,
Cullen,	Huntley,	O'Connor,	Van Allsburg,
Dalrymple,	Imbrie,	O'Dare,	Verona,
Dennison,	James,	O'Mullen,	Vincent,
DiGenova,	Jefferson,	O'Neill,	Vogt,
Dix,	Jones, G. E.,	Owens,	Voldow,
Dolon,	Jones, P. N.,	Petrosky,	Voorhees,
D'Ortona,	Keenan,	Polaski,	Wagner,
Duffy,	Kenehan,	Polen,	Watkins,
Early,	Kline,	Powers,	Weingartner,
Eckels,	Knoble,	Prosen,	Weiss,
Elder,	Kolankiewicz,	Rank,	Welsh, E. B.,
Elliott,	Komorofski,	Rausch,	Welsh, M. J.,
Ely,	Krise,	Readinger,	Wilkinson,
Falkenstein,	Lee, E. A.,	Reagan,	Williams,
Finestone,	Lee, T. H.,	Reese, D. P.,	Winner,
Finnerty,	Leisey,	Reese, R. E.,	Wolf,
Fisher,	Leonard,	Regan,	Wood, N.,
Fiss,	Lesko,	Reynolds,	Woodring,
Fleming,	Levy,	Rhea,	Woodside,
Fletcher,	Leydic,	Riley,	Wright,
Flynn,	Lichtenwalter,	Rooney,	Yeakel,
Foor,	Longo,	Rose, S.,	Yester,
French,	Lovett,	Rose, W. E.,	Young,
	Lyons,	Rosenfeld,	Kilroy, Speaker

NAYS—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative, and the amendments were concurred in.

Ordered, That the Clerk inform the Senate accordingly.

The Clerk of the Senate being introduced, returned bill from the House of Representatives numbered and entitled as follows:

HOUSE BILL No. 8

An Act requiring school boards in all school districts to grant leaves of absence to allschool employes who shall volunteer or be called for military naval or simiar service under the Selective Service Law of 1940 or subsequent laws of the United States of America and to all school employes in the National Guard land or naval reserve forces who shall be called for active duty preserving certain contracts salaries increments retirement rights seniority State contributions and grants to local school boards eligibility lists re-employment requiring school boards to employ substitutes in place of such employes reserving all rights and privileges of employes granted leaves of absence under the provisions herein superseding or repealing all contrary laws

With the information that the Senate has passed the same with amendments, in which the concurrence of the House of Representatives is requested.

The SPEAKER. The Clerk will read the amendments.

The Clerk read the amendments as follows:

Amend the title, page 1 line 14, by inserting after the word "military" the word "or" also same line by striking out the words "or similar"; also same page, by striking out in lines 14 to 17 inclusive and on page 2 of the title by striking out in line 1 the following: "under the Selective Service Law of 1940 or subsequent laws of the United States of America and to all school employes in the National Guard land or naval reserve forces who shall be called for active duty" and inserting in lieu thereof the words "in time of war or during a state of national emergency"; also page 2 of the title, line 4, by striking out the the word "requiring" and inserting in lieu thereof the word "authorizing."

Amend Section 1, page 2, at the beginning of line 4, by striking out after the syllable "vide" the word "or" and inserting in lieu thereof the word "for"; also same page, at the end of line 14, by striking out the words "the various"; also same page, at the end of line 16, by inserting after the word "military" the word "or"; also same page, at the beginning of line 17, by striking out the words "or similar"; also on page 3, line 1, by inserting after the word "rights" the word "and"; also same line, by striking out after the word "privileges" the words "and emoluments"; also same page, line 3, by inserting after the word "rights" the word "and"; also same line by striking out after the word "privileges" the words "and emoluments"; also same page, line 9, by inserting after the word "military" the word "or"; also same line by striking out after the word "naval" the words "or similar."

Amend Section 2, page 3, line 11, by inserting after the word "Commonwealth" the words "who shall have been regularly employed by said school district for a period of not less than one year prior thereto and"; also same page, at the beginning of line 12, by inserting after the word "for" the words "military or naval"; also at the beginning of same line, by inserting after the word "service" where said word appears the first time in said line, the words "by the United States of America in time of war or during a state of national emergency"; also same page, by striking out in lines 12 to 16 inclusive the following: "under the Federal Selective Service Act of 1940 or any act of Congress of the United States enacted subsequent hereto or who shall be called to active duty by reason of membership in the National Guard or the land or naval reserve forces"; also same page, at the end of line 16, by striking out the word "five" and inserting in lieu thereof the word "thirty"; also same page, by striking out in lines 19 to 21 inclusive the words "upon induction into such service said employe shall within five days thereof send notice in writing thereof to the secretary of the said school board"; also same page, line 24, by inserting after the word "military" the word "or"; also at the end of same line by striking out after the word "naval" the word "or"; also same page, at the beginning of line 25, by striking out the word "similar"; also same page, line 29, by inserting after the word "military" the word "or"; also at the end of same line by striking out after the word "naval" the word "or"; also on page 4, at the beginning of line 1, by striking out the word "similar."

Amend Section 3, page 4, line 15, by inserting after the word "military" the word "or"; also at the end of same line by striking out after the word "naval" the words "or similar"; also same page, line 16, by striking out the words "into which the employe was inducted" and inserting in lieu thereof the words "of an employe in time of war or during a state of national emergency;" also same page, at the end of line 19, by inserting after the word "absence" the words "or if this is impracticable in the opinion of the board then to a similar position"; also same page, line 22, by inserting after the word "employe" the words "or to the dependent wife dependent child or children or dependent parent or parents of the"; also in same line by striking out the words "or his nominee"; also same page, at the end of line 29, by inserting after the word "absence" the following: "but in no event more than half of the employe's regular salary from the school district provided that no school district shall pay to any employe or to the dependent or dependents of any employe in military or naval service a total of more than one thousand dollars ($1000) per annum

No school district shall pay to any employe or to the dependent or dependents of any employe more than the difference between the military or naval pay including commutation and allowance of said employe and the regular salary that said employe would have received if he were actually performing the duties of his regular position as an employe of the school district

No allowance shall be paid under the provisions of this Act to any employe or to the dependent or dependents of any employe if his military or naval pay including commutation and allowance exceeds the regular salary that said employe would have received if he were actually performing the duties of his regular position"; also on page 5, line 6, by striking out after the word "absence" the word "in" and inserting in lieu thereof the word "is."

Amend Section 4, page 5, at the end of line 18, by inserting after the word "absence" the words " if a qualified substitute is employed"; also same page, line 21, by striking out the words "the services" and inserting in lieu thereof the words "his regular school duties"; also same page, by striking out in lines 22 to 28 inclusive the following: "it shall be the duty of the said school board to apply said funds toward the payment of the salary of the employe on such leave of absence

Section 5 Whenever an employe is granted a leave of absence under the provisions of this act the school board shall be required to employ a substitute for each such temporary vacancy created."

Amend Section 6, page 6, at the beginning of line 1, by striking out after the word "Section" the figure "6" and inserting in lieu thereof the figure "5"; also same page, at the end of line 8, by striking out the words "been inducted into" and inserting in lieu thereof the word "entered"; also same page, line 9, by inserting after the word "military" the word "or"; also same line by striking out after the word "naval" the words "or similar."

Amend Section 7, page 6, at the beginning of line 17, by striking out after the word "Section" the figure "7" and inserting in lieu thereof the figure "6."

Amend Section 8, page 6, at the beginning of line 20, by striking out after the word "Section" the figure "8" and inserting in lieu thereof the figure "7."

Amend Section 9, page 6, at the beginning of line 25, by striking out after the word "Section" the figure "9" and inserting in lieu thereof the figure "8"; also in same line by striking out the word "female" and inserting in lieu thereof the word "all"; also same page, line 26, by inserting after the word "military" the word "or"; also at the end of same line by striking out after the word

"naval" the word "or"; also same page, at the beginning of line 27, by striking out the word "similar."

Amend Section 10, page 7, at the beginning of line 1, by striking out after the word "Section" the figures "10" and inserting in lieu thereof the figure "9."

On the question,

Will the House concur in the amendments made by the Senate?

Mr. ACHTERMAN. Mr. Speaker, I move that the House nonconcur in the amendments made by the Senate.

The motion was agreed to.

Ordered, That the Clerk inform the Senate accordingly.

The Clerk of the Senate being introduced, returned bill from the House of Representatives numbered and entitled as follows:

HOUSE BILL No. 654.

An Act authorizing counties, cities, except cities of the first class, boroughs, towns, townships, school districts, poor district and institution districts, at any sale of real property for the nonpayment of taxes or municipal claims to take title jointly in proportion to their tax claims; provide for the management of such real property and for the re-sale and conveyance of their interests to a purchaser.

With the information that the Senate has passed the same with amendments, in which the concurrence of the House of Representatives is requested.

The SPEAKER. The Clerk will read the amendments.

The Clerk read the amendments as follows:

Amend Section 2, page 2, at the end of line 20, by inserting after the word "interests" the following: "Provided however That the provisions of Section 1 and 2 of this Act shall not apply to any real property containing minerals and oil beneath or upon the surface thereof."

On the question,

Will the House concur in the amendments made by the Senate?

Mr. ACHTERMAN. Mr. Speaker, I move that the House non-concur in the amendments made by the Senate.

The motion was agreed to.

Ordered, That the Clerk inform the Senate accordingly.

RESOLUTION

YOUTH'S DAY

Mr. YESTER offered the following resolution and asked and obtained unanimous consent for its immediate consideration.

The resolution was read, considered and adopted:

In the House of Representatives, July 12, 1941.

Be it resolved (if the Senate concur) That the Governor shall, at an appropriate time, issue his proclamation designating and calling upon the schools, the Boy Scouts of America, other organizations devoted to promoting the interests and welfare of youth and the citizens of the Commonwealth in general to observe the birthday of Daniel Carter Beard, the great benefactor of boyhood, which is the twenty-first day of June.

This day shall be known as "Youth's Day", and shall be observed on the twenty-second day of June, one thousand nine hundred and forty-two, the twenty-first falling on a Sunday.

In pursuance of said proclamation of the Governor, appropriate exercises observing the anniversary of Daniel Beard's birth, reaffirming the principles so long advocated by him and furthering the interests and welfare of youth in general shall be held.

Ordered, That the Clerk present the same to the Senate for concurrence.

HOUSE RESOLUTION No. 108

Mr. CHUDOFF. Mr. Speaker, I desire to call up House Resolution No. 108, Printer's No. 1193.

The resolution was read by the Clerk as follows:

In the House of Representatives, July 9, 1941.

Whereas There have been serious disturbances in certain sections of the City of Philadelphia because of the failure on the part of the city authorities to furnish proper recreational facilities and competent police protection for the young men and women residing in such districts and

Whereas It has been repeatedly recalled to the attention of the City Council that such disturbances would occur unless the situation were immediatel remedied and

Whereas In spite of these recurring disorders principally in the vicinity of the 15th 28th 29th 32nd and 47th wards of the City of Philadelphia City Council has remained apathetic and indifferent to the needs of these communities be it therefore

Resolved That the House of Representatives requests the City Council and the Mayor of the City of Philadelphia to take immediate steps to provide proper and adequate recreational facilities and equipment in these respective wards and provide for their construction and installation in the proposed city budget and be it further

Resolved That a copy of this resolution be mailed to the Chief Clerk of City Council and to the Mayor of Philadelphia and the Director of Public Safety of the City of Philadelphia as a symbol of the House of Representatives' desire that this situation be immediately corrected

On the question,

Will the House adopt the amendment?

It was adopted.

ANNOUNCEMENT BY SPEAKER

The SPEAKER. Under the provisions of Rule 31 of this House

> "All Committee Records shall be filed with the Chief Clerk, Upon the final adjournment of the House to be kept for a period of two years."

This includes all bills and resolutions in the committees, the loose leaf record books, the minute books and any other official papers. The committee chairman will carry out the requirements of this rule.

SENATE BILL No. 236 SPECIAL ORDER

The SPEAKER. The Chair lays before the House the special order of business fixed for 2 p. m. today, House Bill No. 1481, (Senate Bill No. 236), Printer's No. 496, on page 17 of today's calendar, bill on third reading and final passage.

Agreeably to order,

The House proceeded to the consideration on third reading of House Bill No. 1481, (Senate Bill No. 236), as follows:

An Act to amend section six hundred fifty-four of article six of the act approved the seventeenth day of May one thousand nine hundred and twenty-one (P. L. 682) entitled "An act relating to insurance amending revising and consolidating the law providing for the incorporation of insurance companies and the regulation supervision and protection of home and foreign insurance

companies Lloyds associations reciprocal and inter-insurance exchanges and fire insurance rating bureaus and the regulation and supervision of insurance carried by such companies associations and exchanges including insurance carried by the State Workmen's Insurance Fund providing penalties and repealing existing laws" providing for appeals from any classification rule rate or schedule of the Insurance Commissioner affecting insurance of employes and employers under the Workmen's Compensation Act of one thousand nine hundred and fifteen and the supplements and amendments thereto and exempting the State Workmen's Insurance Fund from the control of the Rating Bureau and the Insurance Commissioner

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section six hundred fifty-four of article six of the act approved the seventeenth day of May one thousand nine hundred and twenty-one (P. L. 682) entitled "An act relating to insurance amending revising and consolidating the law providing for the incorporation of insurance companies and the regulation supervision and protection of home and foreign insurance companies Lloyds associations reciprocal and inter-insurance exchanges and fire insurance rating bureaus and the regulation and supervision of insurance carried by such companies associations and exchanges including insurance carried by the State Workmen's Insurance Fund providing penalties and repealing existing laws" is hereby amended to read as follows

Section 654 Classification of Risks Underwriting Rules Premium Rates and Schedule and Merit Rating Plans The classification of risks underwriting rules premium rates and schedule or merit rating plans for insurance of employers and employes under "The Workmen's Compensation Act of nineteen hundred and fifteen" and acts amendatory thereof shall be [established] proposed annually by one or more rating bureaus said rating bureau or bureaus to be situate within the Commonwealth of Pennsylvania subject to supervision and to examination by the Insurance Commissioner and approved by the Insurance Commissioner as adequately equipped to compile rates on an equitable and impartial basis Such schedule or merit rating plans shall be applied [proposed] only by the approved rating bureau or bureaus and in the preparation of schedules no employer shall be discriminated against or penalized because of physical impairment of any employe or because of the number of dependents of any employe

The classification of risks underwriting rules premium rates and schedule of merit or rating plans for insurance of employers and employes under "The Workmen's Compensation Act of nineteen hundred and fifteen" and acts amendatory thereof shall be filed with and shall be subject to review by the Insurance Commissioner and the Insurance Commissioner shall by order modify amend or approve the same Any person corporate or otherwise aggrieved by such order classification rule rate or schedule issued by the Insurance Commissioner may obtain a review thereof in the Common Pleas Court of Dauphin County of the Commonwealth of Pennsylvania by filing in the said court a written petition praying that the order classification rule rate or schedule issued by the Insurance Commissioner be modified amended or set aside in whole or in part The judgment and decree of said court modifying or enforcing or setting aside in whole or in part any such action of the Insurance Commissioner shall be final subject to review by the Superior and Supreme Courts of the Commonwealth of Pennsylvania upon certiorari or certificate as in such cases made or provided The commencement of proceedings under this section shall not unless specifically ordered by the court operate as a stay of the Insurance Commissioner's order

No risk classification underwriting rule premium rate or schedule or merit rating plan shall take effect without the consent of the Insurance Commissioner and he may withdraw his approval whenever in his judgment the same is inadequate or discriminates unfairly between risks of essentially the same hazard

Neither the State Workmen's Insurance Fund nor any No insurance corporation mutual association or company shall issue renew or carry any policy or contract of insurance against liability under "The Workmen's Compensation Act of one thousand nine hundred and fifteen" and acts amendatory thereof except in accordance with the classifications underwriting rules premium rates and schedules or merit rating proposed by the rating bureau aforesaid for the risk insured and as modified amended or approved by the Insurance Commissioner for such insurer

The State Workmen's Insurance Fund shall adopt such classification of risk underwriting rules premium ratings and schedule of merit rating plans for insurance of employers and employes under the Workmen's Compensation Act of 1915 and acts amendatory thereof which shall be consonant and in accordance with the experience of the State Workmen's Insurance Fund over the period of years during which such fund has been in existence

A complete copy of every policy or a true copy of the substantive provisions of any policy or contract of insurance against liability under "The Workmen's Compensation Act of one thousand nine hundred and fifteen" or acts amendatory thereof and a true copy of every endorsement upon any such policy and of every agreement pertaining thereto shall be filed with the rating bureau aforesaid within a reasonable time after the effective date of any such policy endorsement contract or agreement

Section 2 This act shall become effective immediately upon final enactment

On the question,

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

Mr. WOODSIDE. Mr. Speaker, this bill as originally passed by the Senate contained a provision which would be reasonably good legislation. It permitted an appeal to the courts from rates which are fixed by the Workmen's Compensation Rate Fixing Board. However, after the bill got into the House, the bill was amended and as a result of those amendments it was put into such shape that in the first place it is meaningless, in the second place it contains provisions which are definitely inconsistent, and in the third place it sets up a method of rate making which would be entirely unsound and would be ruinous to the Workmen's Compensation Fund which, it proposes, I suppose, to help, as well as to the Workmen's Compensation Insurance Law generally.

In order that the situation may be understood, at the present time there is a board which gets experience from all the different insurance companies, including the State Fund, and as a result of that experience they determine and make the rates. The State Workmen's Insurance Board is bound by those rates and writes insurance under those rates. The Board alone does not have control because the Board's actions must be and are reviewed by the State Insurance Commissioner. He passes upon the rates when they are made. They are the experience of the entire industry in the entire state and as a result of that they are much more equitably made than could be made by any insurance company.

As a result of these amendments being placed in this bill let me call your attention to this. It says, "The State Workmen's Insurance Fund shall adopt". Well, the Insurance Fund is a fund of money. What they probably mean by that, I would assume, would be the State Workmen's Insurance Board, but that is not what they say. They say the State Workmen's Insurance Fund. In other

words, if this bill were to be enacted into law, the law would call upon a sum of money or a fund to make a rate. That certainly is a ridiculous provision in the bill and impossible of being carried out.

In the second place, if it means the Board, as I assume it does, the bill then says that the Insurance Commissioner shall have nothing to do with the making of the rates. Then it says the Board shall make the rates, on which the Insurance Commissioner is bound to be the most important financial factor, because he is one of the three members of the Board and the member who knows most about the subject. So, in one breath, you are saying in this amendment, take the Insurance Commissioner out of the making of the rates,—you say definitely he shall have nothing to do with the making of the rates, and in the very next breath you say he along with the other two members of the Board, the other two members being those who know little about the subject, are to make the rates. It has been argued or soon will be argued, because it was stated on the floor of this House by the gentleman on the other side during the debate on House Bill 1002, that this would result in cheaper insurance. That also is a ridiculous assumption because you can not get cheaper insurance by merely changing the rate when there is no profit being made by the fund at the present time. There cannot be any profit made under the law and therefore that provision of the bill is bad and definitely unsatisfactory.

Another thing, you have here the establishment of a rate based upon the experience of the fund loan. The fund may not have very wide experience in certain definite occupations, and yet you say in this amendment that this fund shall be bound by their own experience regardless of how limited they may be. It is certainly evident by that that being bound by their own experiences, regardless of what other factors of importance may be taken into consideration, but being bound by their own experience, no matter how limited that experience may be, they can not properly make the rates. They can not, with safety to themselves, make rates.

What really ought to be done to this bill, Mr. Speaker, is that these amendments which were inserted in the House be stricken out. If they were to be stricken out, the bill would be good legislation and there would be nothing wrong with it, but if this bill were passed with the amendments that have been inserted in the House, the bill would be entirely in operative, could not be effective and could not work. If to any degree it could work, the only thing it would do would be to ruin the fund.

So. Mr. Speaker, I appeal to the gentlemen on the other side who are interested in this legislation, that they agree that the amendments which are inserted in the House be stricken out of the bill and that the bill be permitted to pass in its original form because in that way a decent piece of legislation could be made out of the bill.

Mr. HERMAN. Mr. Speaker, I desire to interrogate the gentleman from Dauphin, Mr. Woodside.

The SPEAKER. Will the gentleman from Dauphin permit himself to be interrogated?

Mr. WOODSIDE. I shall, Mr. Speaker.

Mr. HERMAN. Mr. Speaker, eliminating the amendments that the gentleman from Dauphin is objecting to, what would be the significance of the bill; what would it do without the amendments?

Mr. WOODSIDE. Without the amendments, Mr. Speaker, the bill permits an appeal from the rate making board and the Insurance Commissioner to the court.

Mr. HERMAN. Mr. Speaker, what does the bill do with the amendments?

Mr. WOODSIDE. With the amendments inserted by the House, Mr. Speaker,

Mr. HERMAN. Yes, Mr. Speaker.

Mr. WOODSIDE. Mr. Speaker, this bill provides that the State Fund shall make its rates based on its own experience, independent of the rate making board.

Mr. HERMAN. Mr. Speaker, does that prevent the State Fund, if it deems necessary, from employing experts to determine those rates?

Mr. WOODSIDE. What does the gentleman from Philadelphia mean, Mr. Speaker.

Mr. HERMAN. I mean would it prevent the State Fund from procuring experts' knowledge in fixing their own rates?

Mr. WOODSIDE. Let me read the amendment. It is as follows:

> "The State Workmen's Insurance Fund shall adopt such classification of risk, underwriting rules, premium ratings and schedule of merit rating plans for insurance of employers and employes under the Workmen's Compensation Act of 1915 and acts amendatory thereof which shall be consonant and in accordance with the experience of the State Workmen's Insurance Fund over the period of years during which such fund has been in existence."

It states it shall be in accordance with the experience of the State Workmen's Insurance Fund. I would certainly think by that that their rates would have to be based upon the experience of their fund. That is what the act says.

Mr. HERMAN. What is wrong with that, Mr. Speaker.

Mr. WOODSIDE. The thing that is wrong with that, Mr. Speaker, is this, here you have one fund which has not nearly as much experience as all of the Funds or all the workmen's insurance companies put together. The Workmen's Insurance Fund is, in fact, an insurance organization and therefore if you take their experience and use their experience along with the exprience of all other insurance companies, you will get a much better rate and a much more accurate rate than you could from any one insurance company alone.

Mr. HERMAN. Mr. Speaker, does the gentleman know the present set-up of the Insurance Rating Bureau?

Mr. WOODSIDE. The set-up, Mr. Speaker?

Mr. HERMAN. Yes, Mr. Speaker.

Mr. WOODSIDE. I do not think, Mr. Speaker, I can give it to the gentleman in its entirety. I would be glad, if he has it, to have him give it to the House.

Mr. HERMAN. That is all. Mr. Speaker, I rise in support of this bill. The gentleman on the other side succeeded the other day in confusing this House, so far as House Bill 1639 is concerned, which was defeated. He is attempting to do the very same thing with this bill. Now, to my mind, Senate Bill 236 is really a companion bill to 990 and 1002, which were passed by this House last week.

It takes the State Insurance Fund from the control of the present Rating Bureau and gives it the right to fix its own rates. The present Rating Bureau is dominated by representatives of private insurance companies who fix their own rates. These rates have been proven to be exorbitant, as been shown by the public hearings which we held on this legislation. Insurance companies are making profits of from forty to fifty per cent on this insurance.

POINT OF ORDER

Mr. LOVETT. Mr. Speaker, I rise to a point of order.

The SPEAKER. The gentleman from Westmoreland will state his point of order.

Mr. LOVETT. Mr. Speaker, is it permissible for lobbyists to sit on the side and lobby for or against bills in this House?

POINT OF ORDER

Mr. WOODSIDE. Mr. Speaker, I rise to a point of order.

The SPEAKER. The gentleman from Dauphin will state his point of order.

Mr. WOODSIDE. Is it permissible, Mr. Speaker, for a former Democratic floor-leader to sit in the seat of a Member during the debate and advise the minority whip?

The SPEAKER. No one other than Members is permitted to be on the floor of the House and sit in the seats of the Members.

Mr. LOVETT. What about my point of order, Mr. Speaker?

The SPEAKER. Will the gentleman from Westmoreland repeat his point of order?

Mr. LOVETT. Mr. Speaker, is it permissible for anyone to sit on the sidelines and there lobby for or against a bill?

The SPEAKER. Members may not be interrupted during the debate of a bill on the floor of the House or while in their seats. The point of order is well taken.

Mr. HERMAN. Mr. Speaker, my friend on the other side in his debate on Bill 1639—

Mr. WOODSIDE. Will the Chair restate his ruling on the point of order?

The SPEAKER. The ruling of the Chair was that no member may be interrupted while in his seat during the debate on a bill before the House.

Mr. HERMAN. Mr. Woodside, in his remarks on Bill 1639, stated he was very solicitous about the welfare of the workingman and told us that 1639 was detrimental to the interests of the workingman. However, I never agreed with that theory, but that bill has been defeated.

The effect of this bill is this: there has been a lot of contention whether the present rates for insurance are prohibitive. The present Workmen's Compensation Act is elective. When the rates are prohibitive, there are less employers coming under the act and less employes are protected. By the passage of this bill, and giving the State Insurance Fund the right to fix its own rates, we feel that the rates of insurance can be lowered to the extent of forty to fifty per cent, which will be an inducement to those employers who are unable to come under the act, and therefore, more workers will be protected. This and the other bill are companion bills, and it will help not only the enforcement of the main act, which is No. 1002, fixing the rates of benefit, but it will help, as I said before, to bring in those employers who are unable to come under the act, due to the high rates of insurance which have been fixed by this commission, which is controlled by the private insurance companies.

I therefore urge every member of this House who is interested in the welfare, not only of the worker, but the employer, to vote for this bill.

Mr. WOODSIDE. Mr. Speaker, I desire to interrogate the gentleman from Philadelphia, Mr. Herman.

The SPEAKER. Will the gentleman from Philadelphia permit himself to be interrogated?

Mr. HERMAN. I shall, Mr. Speaker.

Mr. WOODSIDE. Mr. Speaker, I understand from the gentleman that he feels this bill if it were enacted into law, and the state Workmen's Insurance Board were permitted to set the rates for the State Workmen's Insurance Fund, they could make those rates lower than the rates now are, is that correct?

Mr. HERMAN. That is correct, Mr. Speaker.

Mr. WOODSIDE. Mr. Speaker, does the gentleman from Philadelphia think that they could be able to be reduced forty to fifty per cent lower than the rates which the State Workmen's Insurance Fund is now charging?

Mr. HERMAN. Mr. Speaker, on the expert testimony that was adduced at the public hearings we had, I feel that they can.

Mr. WOODSIDE. Mr. Speaker, I want to know from the gentleman then whether he feels that the rates would have been much lower last year or the year before and on back?

Mr. HERMAN. Mr. Speaker, I think the rates could be that much lower at the present time with the present set-up, but the insurance companies want to make too much profit out of this business.

Mr. WOODSIDE. Mr. Speaker, I should like the gentleman to tell me how much profit the State Workmen's Insurance Fund has made since it was established in 1915.

Mr. HERMAN. Mr. Speaker, I did not hear the last part of the gentleman's question.

Mr. WOODSIDE. Mr. Speaker, I would like to have the gentleman tell me how much profit the State Workmen's Insurance Fund has made on the rates which they charge?

Mr. HERMAN. Mr. Speaker, they made a very good profit up until the advent of this administration, when they were forced to discharge all their solicitors, and the only insurance they could obtain was the insurance that was rejected by the private insurance companies.

Mr. WOODSIDE. Mr. Speaker, will the gentleman tell me what has been done with the profits?

Mr. HERMAN. Mr. Speaker, the profits were eaten up by the losses which they sustained after their business was curtailed by this administration.

Mr. WOODSIDE. Mr. Speaker does the gentleman mean to tell me that the Workmen's Insurance Fund under the old administration made a profit?

Mr. HERMAN. I do, Mr. Speaker.

Mr. WOODSIDE. Mr. Speaker, and the profit was turned into the treasury and not distributed?

Mr. HERMAN. There was a profit, yes, Mr. Speaker, they made money.

Mr. WOODSIDE. And the gentleman means to say, does he, Mr. Speaker, that under the law that money was retained in a fund. What was to be done with that money? Suppose it made a profit now, what is now to be done with the money?

Mr. HERMAN. Mr. Speaker, I do not know the exact setup there. I imagine it would be put into a reserve fund to meet any future losses.

Mr. WOODSIDE. Mr. Speaker, would they continue to pile up that reserve fund?

Mr. HERMAN. Well no, Mr. Speaker, if that fund would get too large they would again apply that to a reduction of their rates, which the private companies failed to do, and hand it out in dividends.

Mr. WOODSIDE. Mr. Speaker, does not the gentleman know that the State Workmen's Insurance Fund hands out their profits in dividends to their policy holders?

Mr. HERMAN. I don't know, Mr. Speaker. If the gentleman is telling me I will take it for granted.

Mr. WOODSIDE. Mr. Speaker, I will tell the gentleman they do. They do not make any profit under the law, and if they should they give the profit back to the insurers.

Mr. HERMAN. Yes, Mr. Speaker, but there is a certain amount held in reserve, is there not?

Mr. WOODSIDE. Certainly, Mr. Speaker. The gentleman would not suggest for a minute that there should not be a proper reserve kept for future losses. Certainly they keep reserves for future losses. If they did not they would be insolvent. They keep a certain amount of reserve. There is some question frequently as to whether or not it is enough. They keep a reserve for future losses, but any profit that is made is paid back. In other words it is an operation which is carried on under the law without the profit. You cannot make less than nothing. The State Workmen's Insurance Fund under the law makes no profit.

Mr. HERMAN. Mr. Speaker, I thought I was being interrogated. I cannot follow the gentleman. It is a very long question which he has asked, and I don't know whether the gentleman is asking me a question or making a speech.

Mr. WOODSIDE. Mr. Speaker, do I have the floor?

Mr. HERMAN. Mr. Speaker, if he is making a speech I will sit down.

The SPEAKER. Is the gentleman through with his interrogation?

Mr. WOODSIDE. No, Mr. Speaker, but the gentleman seems to avoid a certain point, and I was trying to make an explanation of something which he said he did not understand, and which I intend to follow with another question.

What I was stating is that you cannot make less than nothing, and the State Workmen's Insurance Fund under the law operates in the same manner as a mutual company does. Therefore, they make no profit now. If they don't make any profit now, I want to know how the gentleman thinks the over-all rate can be lowered to any degree at all.

Mr. HERMAN. Mr. Speaker, I agree with the gentleman one hundred per cent, that they are not making any profit now, because the only insurance they get now, they tell me, is the undesirable insurance that the private companies refused to handle.

Mr. WOODSIDE. Mr. Speaker, the gentleman does not understand. Under the law they never did make any profit and under the law they cannot make any profit; they give it back in dividends. They operate as a mutual company, and a mutual company does not make a profit. They pay their operating expenses and if there is a profit it is paid back to the policy holders. That is the way the State Insurance Fund operates, and the gentleman should know that.

Mr. HERMAN. Mr. Speaker, that is exactly what we are trying to accomplish by this bill; instead of making a profit, we want to reduce the rates to bring more employers under the act so that more workers will be protected.

Mr. WOODSIDE. Mr. Speaker, will the gentleman tell me how a profit is made by a mutual insurance company.

Mr. HERMAN. By the rates that they charge, Mr. Speaker; dependent upon the rates they charge.

Mr. WOODSIDE. Mr. Speaker, what do they do with the profit, if the gentleman from Philadelphia calls it a profit?

Mr. HERMAN. Mr. Speaker, what they do with it after they take care of their expenses and the high salaries of their officials, whatever is left they hand back to the policy holders.

Mr. WOODSIDE. Then Mr. Speaker there is no profit any more, is there?

Mr. HERMAN. Well, Mr. Speaker, that is a profit.

Mr. WOODSIDE. Which, Mr. Speaker, is distributed among all the policy holders and reduces the cost of insurance?

Mr. HERMAN. That is right, Mr. Speaker.

Mr. WOODSIDE. Mr. Speaker, in other words a mutual company charges a man a standard rate as set up by the board, say fifteen dollars, and as the result of that charge of fifteen dollars they make a profit of three dollars, that three dollars is given back to the man who pays the fifteen; is that correct?

Mr. HERMAN. I do not agree with that, Mr. Speaker.

Mr. WOODSIDE. Mr. Speaker, what does the gentleman understand the procedure to be that is followed in a mutual insurance company?

Mr. HERMAN. Mr. Speaker, if they get the three dollars profit they hand it back to the policy holder according to you, but I do not agree with that.

Mr. WOODSIDE. What does the mutual company do with it?

Mr. HERMAN. Mr. Speaker, after they deduct their expenses, there probably would be about twenty-five cents of that three dollars which will be handed back to the policy holders.

Mr. WOODSIDE. Mr. Speaker, then take the twenty-five cents as an example. As a matter of fact, that is not nearly the average profit, and the gentleman should know that. Many of the companies pay ten, fifteen, twenty-five or thirty per cent, but let his figures stand, let us say that they charge fifteen dollars and they make only twenty-five cents profit and they pay back a quarter, how much does the insurance cost the man?

Mr. HERMAN. Mr. Speaker, that is where we disagree. I say by this bill the State Fund will be able to charge lower rates for insurance than the private insurance companies do.

Mr. WOODSIDE. Mr. Speaker, if the Insurance Fund now charges fifteen dollars, and after they pay their expenses, which must be paid, whether this bill is passed or whether it is not passed, there is left two dollars, in other words they could have written it for thirteen dollars, as the gentleman suggests, what will they do with that two dollars?

Mr. HERMAN. Mr. Speaker, they return it to the policy holders.

Mr. WOODSIDE. Mr. Speaker, then the policy holder only paid thirteen dollars in the final analysis for that insurance, is that not correct?

Mr. HERMAN. That is correct.

Mr. WOODSIDE. Mr. Speaker, if they could write it in that way, they would write the insurance at cost. In making up cost two things must be taken into consideration, the cost of administration, and their losses?

Mr. HERMAN. That is right, Mr. Speaker.

Mr. WOODSIDE. Mr. Speaker, what would be the difference in that respect under this bill? They could not write any insurance under any circumstances at less than cost, that is, less than their loss expense and the cost of administration. I think the gentleman will agree with me on that. They are not writing at any more than that at the present time, because whatever the difference is is paid back to the insurers.

Mr. Speaker, the point I am trying to make to the gentleman is that when insurance is written at cost, as it is in any mutual organization, as it is in the Workmen's Insurance Fund, there is no material difference whether the original rate is high or low, because after all you can not write insurance and stay in business at less than cost. Therefore, if the rate is fifteen dollars originally and experience shows that it should have been only thirteen dollars, the two dollars is paid back, and that is all the insured has to pay. That situation is exactly the same whether you pay it back or whether you charge thirteen dollars originally, except for the fact in one case you are taking a chance on insolvency and in the other case you are not.

I would still be interested, if the gentleman can tell me any possible way that this bill will result in lowering rates, to explain in detail how it would operate to result in an over-all lower rate for insurance. If the gentleman can do it, I will be glad to have him explain it.

Mr. HERMAN. The only way I can do it is this: at the present time, as I said before, the State Insurance Fund writes only those risks which the private insurance companies turn down and which they do not care to handle. They are naturally the most hazardous risks, and they pay out more money than the average insurance companies do on their more favorable risks. By this bill, the State Insurance Fund will be able to set up a schedule of rates affecting the different industries, and I feel that the rates that are being charged those various industries by the private insurance companies can be reduced by the State Insurance Fund to the extent of forty-five or fifty per cent, and thus encourage the private insurance companies to reduce their rates, and that is why they are against this bill.

Mr. LEVY. Mr. Speaker, I am very much disappointed with Senate Bill 236. As the Journal will show, it passed the Senate by a vote of forty-eight to nothing, and was forced to lie on the calendar until the closing hours of the session. In view of that fact I cannot understand the minority floor-leader in his statement with respect to the transfer of the Rating Bureau into the hands of the Workmen's Fund itself, how he arrives at his conclusions, when he attended and listened very carefully to the testimony that was taken at the various hearings before the Workmen's Compensation Committee when bills of this type were discussed. I would say to the minority floor-leader that if he were sincere, as he says he is, and I believe he is sincere in his own judgment of the problem, but if he were sincere from the standpoint of the employe and the employer, I think there would be no doubt in his mind that Senate Bill 236 should be finally passed by this House and enacted into law.

The minority floor-leader, in interrogating the gentleman from Philadelphia asked him a very pertinent question as to how could the Rating Bureau in the hands of the Workmen's Fund could reduce the rates which the private companies throughout the Commonwealth of Pennsylvania have been unable to do? My answer to the gentleman from Dauphin is this, that when he attended the hearing of the Workmen's Compensation Committee on this bill and similar bills, he heard the Governor's own representative, the manager of the Workmen's Fund, tell the Committee in no uncertain terms that Governor James had, in the early part of his administration, ordered fifty solicitors that were employed under the Earle administration dismissed. His reason for doing so was given in the form of a letter to the manager of the Fund, in which he stated very emphatically that he thought the insurance business relative to Workmen's Compensation should be handled by private companies. At that time, the Governor not only made the statement, but he allowed a wedge to be thrown into the Workmen's Compensation business in Pennsylvania by inviting these fifty solicitors to be dismissed from the Workmen's Compensation Fund and to be hired by private outfits throughout the State. As a consequence, they gobbled up almost all the good business in Pennsylvania. I ask the gentleman from Dauphin, knowing that this came from no less an authority than his own representative, the manager of the Fund, what is his answer to the actions of the Governor in that situation? If the Governor of the Commonwealth of Pennsylvania was sincere in regard to workmen's compensation, why did he order the dismissal of fifty solicitors who had performed a valuable service to the Commonwealth of Pennsylvania in regard to the Workmen's Fund? And if he did so, what was the reason for his statement that the insurance business relative to Workmen's Compensation belonged entirely in the hands of private companies under private control?

Mr. Speaker, I say to the gentleman from Dauphin, if he wants to find the answer as to how, under this bill, the rates will be decreased in Pennsylvania, he need only look at the testimony offered at the public hearing on these bills by his own manager of the Workmen's Fund. Naturally, the rates will be reduced. I defy the gentleman from Dauphin to deny that statement, and I say to the gentleman from Dauphin it is only common sense that if the Workmen's Fund is permitted to adjust its own rates through its experience, and I would say without experts,

then certainly the gentleman cannot tell me why on interrogation by the gentleman from Philadelphia, he admitted that he did not know the complexion of the present Rating Bureau.

Mr. Speaker, the rating bureau at the present time is in the hands exclusively—and I will repeat, exclusively in the hands of the private insurance companies in the Commonwealth of Pennsylvania, because they have an unmistakable majority of opinion on that Board. Five members of that Board are representatives of private companies throughout the Commonwealth of Pennsylvania. Now, is it so hard to understand that with a majority of opinion making up the rates of Pennsylvania representing private insurance companies, is it so difficult to understand why the rates in Pennsylvania are so absurdly high when compared to the states of West Virginia, Ohio and New York? I say to the gentleman from Dauphin, let him answer that question.

I further say to the gentleman from Dauphin if he cannot figure out how the rates in Pennsylvania can be materially decreased by Senate Bill 236, then his logic is not perfect because he says on one hand, "We do not like the amendments introduced in the House of Representatives. The bill as it came from the Senate was all right, but when it was amended in the House we rebelled against it". Then I say to the gentleman, Mr. Speaker, if he is sincerely interested in the employers of the Commonwealth, if he is interested in the working man of the Commonwealth of Pennsylvania, he will not insist on the bill's being amended at this late hour but he will say, "Let us pass this bill. Let it go to the conference committee and probably by the wee hours of tomorrow morning the House and the Senate may reach an agreement upon this measure." That, Mr. Speaker, I believe, is the logical method to pursue. If we cannot appreciate the policy of the Democratic party relative to the rating bureau in Pennsylvania, then let us have a conference committee between the Republican Senate and the Democratic House and that, I say to the gentleman from Dauphin, is the logical way to handle this situation. We maintain that the rate can be drastically reduced. The minority floor leader says he does not see how. Then, Mr. Speaker, let us pass this bill in its present form. It is not a law then, as the Senate has not concurred. Let it go to a conference committee and let us see by the end of the legislative day if we cannot reach an agreement. That I think is the sensible way to attack the problem.

Mr. WOODSIDE. Mr. Speaker, the gentleman stated at the beginning of his remarks that this bill was passed by the Senate 48 to nothing, thus showing that this bill must have been an excellent bill. I hope he has made it clear that afterward amendments were inserted in the House and they would have to go to the Senate. When it came from the Senate it was perfectly proper for every body to vote for the bill. It was good legislation, but the bill as it has been amended is not good legislation, it is unworkable legislation, and with all the debate of the gentleman on the other side who has very eloquently argued this case, and who has been very closely associated with this problem, I have not yet heard him demonstrate in any respect whatsoever how you can save money for the insured under this bill. When you are operating at cost you cannot operate at less than cost; if you are operating at cost you are operating with the lowest possible amount of money and that is what the State Workmen's Insurance Fund does under the law.

We can debate for hours the question that was raised by the gentleman from Philadelphia, Senator Shapiro, in his attack upon insurance companies in the Senate quite some time ago, but it was answered conclusively on two separate occasions. It was answered by the gentleman from Cumberland, Senator Wade, on the floor of the Senate and it was answered item for item categorically by the Insurance Commissioner in the answer he made to it.

There is one point which the gentleman raised which I think should be cleared up. He states that the board is made up of insurance men. Of course it is, but the gentleman did not call the attention of the House to the fact that the Insurance Commissioner passes upon all those rates, that they cannot be put into effect until they are passed upon by the Insurance Commissioner, and if the Insurance Commissioner says the rate is no good, the rate cannot be put into effect and insurance cannot be written until that rate is approved by the insurance Commissioner. That is not merely a superficial matter because in many instances the Insurance Commissioner has control of the rates, not only in workmen's compensation but in many other fields. They make a real study and represent the entire Commonwealth in a careful, scientific and conscientious consideration of rates. All this would be very good and you might be able to argue and it could not conclusively be refuted that this would save money to the insured if all insurance, including the state fund, were written as stock companies write insurance. But when you write insurance as a mutual insurance company does or as the state fund does, there is no such thing as profit; you cannot save any money on the rates because there is no profit made on the rates, and that profit is the only place you can save money.

Mr. Speaker, the gentleman is talking about forty to fifty percent profit made by these various insurance companies. About one half of workmen's compensation that is paid into the state is paid by the self-insurers. I think everybody understands and appreciates that there is not a cent of profit made from that. The rate is not jacked up in any way because there is no write up. Each company pays exactly what it costs them in the way of payments for insurance and administration and there cannot be any profit in that. There is no profit in that. Another large percentage of the balance is written by mutual insurance companies and those mutual insurance companies do not make any profit because whatever profit is made, or what we normally call profit, is paid back to the policy holders.

I just want to recite an example of what the gentleman from Philadelphia is intimating and what the Senator from Philadelphia, Senator Shapiro, said on the floor of the Senate. He took a case where one mutual insurance company made thirty percent on the rate. He called that a profit but he totally disregarded the fact that that thirty percent went back to the policy holder. Instead of paying one hundred dollars for that policy of insurance he paid seventy dollars for it.

There is so much involved in the argument presented by the gentleman from Philadelphia, Senator Shapiro, and which was touched upon by the gentleman from Philadelphia, Mr. Levy, that I think there is no question

about it, we could be here discussing and arguing it back and forth for quite a long time, and the gentleman from Philadelphia, Mr. Shapiro, made a very long speech on it. That speech has been answered and appears in the record and there is no real advantage in going into it. I will say this to the gentleman, however, there are provisions in the bill that are good and are satisfactory, but the bill is entirely unworkable as it is now, as well as useless. I presume the gentleman is interested in getting a useful bill which can pass this House and go into conference, and is interested in seeing that a decent bill is written. Therefore, I agree with the suggestion he has made that we try to work out a bill which will be workable and satisfactory, and will not attempt to do some of the foolish things the amendments inserted in the House do. It might be a good idea for this House to pass this bill as it is, definitely with the idea and with the understanding that when the bill passes the House the Senate will nonconcur in the amendments, as I am sure they will, and the bill go to conference. It may be we can get a decent bill out of it.

Mr. LEVY. Mr. Speaker, do I understand the gentleman from Dauphin has expressed a desire or has inferred that they will go along with the bill, and that a conference committee be appointed?

Mr. Speaker, may I interrogate the gentleman from Dauphin, Mr. Woodside?

The SPEAKER. Will the gentleman from Dauphin permit himself to be interrogated?

Mr. WOODSIDE. I shall, Mr. Speaker.

Mr. LEVY. Mr. Speaker, did I understand the gentleman from Dauphin to say that he would be willing to go along with the bill as it is so that a conference committee might be appointed?

Mr. WOODSIDE. Mr. Speaker, I personally am torn between two thoughts, as one always is when you must vote for a bill with a double proposition. This bill has a double proposition. It started out with one idea definitely concerning appeals from the Rating Board. There is nothing wrong with that, that right ought to exist. I do not think it is going to do a whole lot of good, but it is all right and it ought to exist.

The bill in its present form as amended in the House is dangerous; it would not accomplish anything if enacted into law, except endanger the state fund and possibly ruin the set-up of that fund. If the gentleman will agree, as a representative of those interested in this bill, that he will go along in striking out the House amendments and inserting the Senate amendments, we will go along on this side of the House in passing the bill with that understanding.

Mr. LEVY. Mr. Speaker, in answer to the gentleman from Dauphin, I might say he is asking me to tie both my hands and my mouth at the same time, on an agreement to pass this bill in order to go into conference.

I will say to the gentleman from Dauphin I am broad enough and would be broad enough in a conference committee, or the members of my party would be broad enough to say if there could not be an agreement reached between the two principles involved, that either one of the principles should be adopted or the bill should be killed. However, I would say to the gentleman, Mr. Speaker, that I will not tie my hands and my mouth at the same time. I would say to the gentleman from Dauphin in further answer, if he would be in agreement to pass this bill this afternoon so that we might be able to sit in the calm and quiet of the conference room, possibly we might, out of all this confusion, evolve some plan that might be a compromise between the two lines of thought. That, in my judgment, would be the fair thing to do.

Mr. WOODSIDE. Mr. Speaker, it seems to me that there is no question of compromise on the amendments which were put in by the gentleman on the other side. They are absolutely impossible of sound operation. The theory is not sound and as a result of that it seems to me that there can be nothing done in the way of suggesting a compromise on the amendments which were inserted by the House. If the Members of the House will agree to let the bill go back to third reading and strike out the Senate amendments, which we could do without reprinting, I am sure we would go along with the passage of the bill. Of if the gentleman, speaking for his colleagues, will agree to strike out the House amendments, I will be very glad to go along and I am sure the other Members on this side of the House will be very glad to get the bill in conference committee. But the proposition, as it stands now, is very definitely unsound, it represents a theory which is so definitely unsound that I do not think we can in fairness go along with the bill in its present form, unless we have an understanding now that the amendments which were inserted in the House be stricken out.

MOTION TO LAY ON TABLE

Mr. LEVY. Mr. Speaker, in view of the fact that it is quite disappointing that the gentleman from Dauphin does not wish to come fifty per cent of the way, I move that Senate Bill No. 236, House Bill No. 1481, Printer's No. 496, be placed on the table.

MOTION WITHDRAWN

Mr. LEVY. Mr. Speaker, I withdraw my motion to lay on the table.

Mr. LEVY. Mr. Speaker, I move the previous question, and ask for a roll call.

The motion was seconded by Messrs. Stank, Marks, Paul A. Brunner, Wright, McDermott, Vogt, O'Mullen, Finestone, Duffy, Hersch, Kolankiewicz, Boies, Verona, McLane, Herman, Voldow, Samuel Rose, Schwab, Goodwin, Shaffer and others.

On the question,

Shall the main question be now put?

Mr. LEVY. Mr. Speaker, I believe in my motion for the previous question, I made it emphatic that I desired a roll call.

The yeas and nays were required by Mr. Levy and Mr. Weiss.

Messrs. Levy, Maxwell and Weiss asked for a verification of the roll.

The roll was verified and was as follows:

YEAS—107

Achterman,	Flynn	McDermott,	Rooney,
Baker,	Gallagher,	McFall,	Rose, S.,
Balthaser,	Gates,	McIntosh,	Rosenfeld,

Bentley,	Goodwin,	McLanahan,	Rush,
Bentzel,	Gryskewicz,	McLane,	Sarraf,
Boles,	Hamilton,	Melchiorre,	Scanlon,
Boney,	Harkins,	Mihm,	Schwab,
Bradley,	Harris,	Modell,	Shaffer,
Breth,	Heatherington,	Monks,	Shaw,
Brown,	Hering,	Mooney,	Skale,
Brunner, P A.,	Herman,	Moran,	Stank,
Burns,	Hersch,	Munley,	Stine,
Burris,	Holland,	Nagel,	Tarr,
Chervenak,	Huntley,	O'Brien,	Tate,
Chudoff,	Jefferson,	O'Connor,	Verona,
Cohen, M. M.,	Keenan,	O'Mullen,	Vincent,
Cohen, R. E.,	Kenehan,	O'Neill,	Vogt,
Corrigan,	Kolankiewicz,	Owens,	Voldow,
Croop,	Komorofski,	Petrosky,	Weiss,
Cullen,	Leonard,	Pettit,	Welsh, E. B.,
DiGenova,	Lesko,	Polaski,	Welsh, M. J.,
Dolon,	Levy,	Polen,	Williams,
D'Ortona,	Lovett,	Powers,	Wright,
Duffy,	Malloy,	Prosen,	Woodring,
Early,	Marks,	Readinger,	Yester,
Elliott,	Maxwell,	Reese, R. E.,	Young,
Finestone,	McClanaghan,	Reynolds,	Kilroy, Speaker.

NAYS—64

Auker,	Gillan,	Leisey,	Snyder,
Boorse,	Greenwood,	Lyons,	Sollenberger,
Bower,	Gyger,	McClester,	Sorg,
Bretherick,	Habbyshaw,	McDowell,	Stambaugh,
Cadwalader,	Haines,	McKinney,	Stockham,
Cook,	Hall,	McMillen,	Thompson, R. L.,
Cooper,	Hare,	McSurdy,	Trout,
Cordier,	Helm,	Muir,	VanAllsburg,
Dennison,	Hewitt,	O'Dare,	Wagner,
Dix,	Imbrie,	Reagan,	Watkins,
Eckels,	James,	Reese, D. P.,	Weingartner,
Elder,	Jones, G. E.,	Rhea,	Winner,
Ely,	Knoble,	Riley,	Wood, L. H.,
Fiss,	Krise,	Royer,	Wood, N.,
Fleming,	Lee, E. A.,	Sarge,	Woodside,
Fletcher,	Lee, T. H.,	Simons,	Yeakel,

So the question was determined in the affirmative and the motion was agreed to.

On the question recurring,

Shall the bill pass finally?

The roll was called.

(During the verification of the roll).

QUESTION OF INFORMATION

Mr. WOODRING. Mr. Speaker, I rise to a question of information.

The SPEAKER. The gentleman from Northampton will state his question of information.

Mr. WOODRING. Mr. Speaker, cannot the members vote before the result of the vote is announced?

The SPEAKER. Members are required to be in the hall of the House when the "yeas" and "nays" are taken to qualify to vote. Was the gentleman in the hall of the House?

Mr. WOODRING. Mr. Speaker, I was in the hall of the House during the calling of a portion of the roll.

The SPEAKER. The gentleman is qualified to be recorded.

Mr. WOODRING. I desire to be recorded as voting "aye."

The SPEAKER. The gentleman will be recorded as voting "aye."

(Following the verification of the affirmative roll).

Mr. AUKER. Mr. Speaker, I would like to ask whether the gentleman from Philadelphia, Mr. Thompson was in the Hall of the House during the calling of the roll.

QUESTION OF INFORMATION

Mr. ACHTERMAN. Mr. Speaker, I rise to a question of information.

The SPEAKER. The gentleman from Monroe will state his question of information.

Mr. ACHTERMAN. Mr. Speaker, are we engaged in verifying the affirmative roll?

The SPEAKER. The affirmative roll has been verified.

POINT OF ORDER

Mr. ACHTERMAN. Mr. Speaker, I rise to a point of order.

The SPEAKER. The gentleman from Monroe will state his point of order.

Mr. ACHTERMAN. Mr. Speaker, the gentleman is in violation of the rules of the House in endeavoring to verify the affirmative roll now.

The SPEAKER. The point of order is well taken. The Chair was merely extending a courtesy to the gentleman from Blair.

Mr. STAMBAUGH. Mr. Speaker, it seems to have been the custom for the Clerk to have missed my name. I did vote on the roll call. I asked for recognition and got it. I did vote "no."

The SPEAKER. For the information of the gentleman, the Chair cannot hear the Members when they answer to their names, there is too much noise and confusion. The Chair is attempting to maintain order.

Mr. STAMBUAGH. It is not the fault of the Chair, I am sure, Mr. Speaker, but it seems to have become a custom to miss my name. I am not raising the question in any manner whatsoever excepting that I do feel that I was embarrassed a great many times when I had to get on the floor to ask for recognition, because someone was either intentionally or otherwise missing my name.

The SPEAKER. For the information of the gentleman from Perry, if he has noticed the gentleman sitting in the back row, the gentleman from Fayette, Mr. Tarr, he will have noticed that there were many times when it was necessary for him to take the floor and ask to be recognized. That has frequently been because of the noise in that part of the House.

Mr. STAMBUAGH. I thank you, Mr. Speaker.

Agreeably to the provisions of the Constitution the yeas and nays were taken.

Messrs. Turner, Habbyshaw and Tarr asked for a verification of the roll.

The roll was verified and was as follows:

YEAS—115

Achterman,	Fleming,	McDermott,	Rooney,
Baker,	Flynn,	McFall,	Rose, S.,
Balthaser,	Gallagher,	McIntosh,	Rosenfeld,
Bentley,	Gates,	McLanahan,	Rush,
Bentzel,	Goodwin,	McLane,	Sarraf,
Boles,	Gryskewicz,	Melchiorre,	Scanlon,
Boney,	Hamilton,	Mihm,	Schwab,
Bradley,	Harkins,	Modell,	Shaffer,
Breth,	Harris,	Monks,	Shaw,
Brown,	Heatherington,	Mooney,	Skale,
Brunner, P A.,	Hering,	Moran,	Stank,
Burns,	Herman,	Munley,	Stine,
Burris,	Hersch,	Nagel,	Tarr,
Chervenak,	Holland,	O'Brien,	Tate,

Chudoff,	Huntley,	O'Connor,	Thompson, R. L.,
Cochran,	Jefferson,	O'Mullen,	Verona,
Cohen, M. M.,	Jones, P. N.,	O'Neill,	Vincent,
Cohen, R. E.,	Keenan,	Owens,	Vogt,
Cooper,	Kenehan,	Petrosky,	Voldow,
Corrigan,	Kolankiewicz,	Pettit,	Weiss,
Croop,	Komorofski,	Polaski,	Welsh, E. B.,
Cullen,	Leonard,	Polen,	Welsh, M. J.,
DiGenova,	Lesko,	Powers,	Williams,
Dolon,	Levy,	Prosen,	Woodring,
D'Ortona,	Lovett,	Rausch,	Wright,
Duffy,	Malloy,	Readinger,	Yester,
Early,	Marks,	Reese, R. E.,	Young,
Elliott,	Maxwell,	Reynolds,	Kilroy,
Finestone,	McClanaghan,	Rhea,	Speaker.

NAYS—58

Auker,	Greenwood,	Leisey,	Snyder,
Boorse,	Gyger,	Lyons,	Sollenberger,
Bower,	Habbyshaw,	McClester,	Sorg,
Bretherick,	Haines,	McDowell,	Stambaugh,
Brunner, C. H.,	Hall,	McKinney,	Stockham,
Cadwalader,	Hare,	McMillen,	Trout,
Cook,	Hewitt,	McSurdy,	Turner,
Cordier,	Imbrie,	Muir,	Van Allsburg,
Dennison,	James,	O'Dare,	Wagner,
Dix,	Jones, G. E.,	Reese, D. P.,	Weingartner,
Eckels,	Kline,	Riley,	Winner,
Elder,	Knoble,	Royer,	Wood, L. R.,
Ely,	Krise,	Sarge,	Wood, N.,
Fiss,	Lee, E. A.,	Serrill,	Woodside,
Fletcher,	Lee, T. H.,	Simons,	Yeakel,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return it to the Senate with information that the House has passed it with amendments in which the concurrence of the Senate is requested.

BILL ON FINAL PASSAGE

(CONSIDERATION OF SENATE BILL No. 379 RESUMED)

Mr. REUBEN E. COHEN asked and obtained unanimous consent to call up Senate Bill No. 379 (House Bill No. 1506).

The SPEAKER. The Chair lays before the House, Senate Bill No. 379, (House Bill No. 1506), entitled:

An Act to further amend section one of the act approved the seventeenth day of June one thousand nine hundred and thirteen (P. L. 507), entitled "An act to provide revenue for state and county purposes, and, in cities coextensive with counties, for city and county purposes; imposing taxes upon certain classes of personal property; providing for the assessment and collection of the same, providing for the duties and compensation of prothonotaries and recorders in connection therewith; and modifying existing legislation which provided for raising revenue for State purposes," by excluding proceeds of life insurance policies from the provisions thereof.

which was passed over.

On the question recurring,

Shall the bill pass finally?

QUESTION OF INFORMATION

Mr. LEVY. Mr. Speaker, I rise to a question of information.

The SPEAKER. The gentleman from Philadelphia will state his question of information.

Mr. LEVY. Mr. Speaker, do I understand that we are now considering Senate Bill No. 379, Printer's No. 194?

The SPEAKER. That is correct on final passage.

Mr. LEVY. Mr. Speaker, do I understand that this is the bill that was reported out of the Committee of Ways and Means?

The SPEAKER. That is correct.

Mr. LEVY. Unanimous consent was given, Mr. Speaker, to have it placed on third reading and final passage calendar without the title being printed?

The SPEAKER. That is correct.

MOTION TO DROP BILL FROM CALENDAR

Mr. LEVY. Mr. Speaker, in view of the fact that the House is now considering on final passage Senate Bill 379, Printer's No. 194, I feel that a statement coming from one who might rebel against a procedure of this kind is appropriate.

I am going to make a statement, Mr. Speaker, in reference to this bill. Truthfully, gentlemen, I have read the bill in its entirety and I regret very much that I was not more interested in the bill when it was on first and second reading, but I certainly do protest the fact that a bill, reported out of committee on one legislative day, is to be pushed through for final enactment on the same identical day. The only reason I rise in protest to this bill, notwithstanding the fact that it might have merit and might be a proper bill on our legislative calendar, is that I maintain this is the beginning of a very dangerous precedent. I might add, in my memory as a Member of this legislative body, this procedure did not occur in the special session of 1936, in the regular session of 1937 or in the special session succeeding that, nor in the sessions of 1938-1939, and 1940-1941.

Therefore, Mr. Speaker, in view of that, after conversing with many of my colleagues regarding this proposed procedure on Senate Bill 379, I now move, in order to avert the possibility of doing something that might haunt us in succeeding sessions, that Senate Bill 379, Printer's No. 194, be dropped from the calendar.

On the question,

Will the House agree to the motion?

Mr. FINESTONE. Mr. Speaker, I have not arisen during the entire session to speak on any bill, but I feel that this bill is of such importance to every man, woman and child in the Commonwealth of Pennsylvania that regardless of the doubt of my good friend and colleague, Mr. Levy, this bill should be passed.

The bill proposes to cure something that was recently decided by the Supreme Court in the Beisel decision. The purport of the decision, as I take it, is to tax the proceeds of life insurance which has been left with the company by the assured and make it subject to the four mills county tax.

Now, the effect of this, gentlemen, would be this, that in the case of a man leaving life insurance, say in the sum of ten thousand dollars, and making a provision with the company that the amount be left with the company for the protection of his widow, she would on that sum receive say three per cent interest. That would be an income of three hundred dollars a year, or at the rate of twenty-five dollars a month.

Under the Beisel decision that amount would be subject to the state tax of four mills and the county tax of four mills, making a total of eighty dollars, leaving instead

of three hundred dollars a year income, only two hundred and twenty dollars, and reducing the monthly income to eighteen dollars and thirty-three cents a month.

When you stop to consider what that means, Mr. Speaker, you can readily see the importance of exempting such insurance from the four mills tax. It would be a tax on the widow's income of 26 and two-thirds per cent.

All that this act intends to do is to exempt such insurance from the four mills tax, and it is in conformity with the policy of the state in exempting life insurance from the inheritance tax, exempting the proceeds of life insurance from the payment of debts, and I think it is in line with the humane policy of the state to exempt such insurance from the payment of taxes.

We have been talking a great deal on both sides of the House during the campaigns of protecting widows and orphans, and here is one bill more than any other bill that has come up in this House that is a real bill for the protection of the widows and orphans, and I say to you if you pass this bill, the widows and orphans will rise and call you blessed.

Mr. LOVETT. Mr. Speaker, we have heard an awful lot about widows and orphans in this bill. I want to say that I am just as much interested in the widows and orphans as any body else in this House. If these gentlemen will tell me some way in which we can set an exemption of funds at two thousand dollars or something of that kind, so that we do not protect the one hundred thousand dollar insurance policies, I am perfectly willing to go along with the gentleman.

To sum up what this bill really does, in the state, we have the same kind of law, but the state refuses to allow them to be exempt. Don't forget that the state refuses to allow the exemption, but we men sitting here are going to ask that our poor counties, mind you, let them be exempt. We hear a lot about widows and orphans. Do you gentlemen realize that your county taxation comes from real estate, and that your local municipalities get their taxation from real estate? The state has a large field in which to collect taxes, nevertheless we refuse to let them come out from under the law as far as the state is concerned. But in this bill we are going to say to our poor counties and our poor home owners back home, who are losing their homes on account of taxation, here is a bill in which we are going to exempt these fellows. Now, do not let them get it over to you that they are only exempting poor widows and poor orphans, because some of these are fifty thousand, seventy-five thousand or one hundred thousand dollar beneficiaries. I for one am perfectly willing that we pay our fair share of taxes. I even went so far as to say we should have a flat income tax for school purposes, that is going a long way. Nevertheless, I say to you that this is unfair. I say there is a question of whether or not it is constitutional, because taxation must be equal, and if the state refuses, then it is not uniform and we are asking the county to do something that the state will not do.

Gentlemen, I cannot plead with you too strongly to defeat this measure because it is unjust. Again we have the specially privileged asking for an exemption. The poor widows and orphans do not mind paying their share of taxation if they ever get anything to pay it with. I am not so much worried about the people who have something to pay it with; I am worried about the poor widows and orphans who do not have anything to pay it with, the poor people who are losing their homes day after day. You are proposing deliberately to take that tax away from your county and compel your county to put that tax on the home.

If you are in favor of this bill and you go back and tell them that you are protecting the widow and orphan, they will tell you you are crazy.

Mr. WOODSIDE. Mr. Speaker—

The SPEAKER. The Chair recognizes the gentleman from Dauphin, Mr. Woodside.

Mr. LEVY. Mr. Speaker—

Mr. WOODSIDE. Mr. Speaker, I yield to the gentleman from Philadelphia, Mr. Levy.

MOTION WITHDRAWN

Mr. LEVY. Mr. Speaker, as I explained before in my brief statement, I am not so much concerned with the merits of this piece of legislation. We have a variance of opinion there. Some of us believe it is meritorious and some believe it is not, but I am deeply concerned with the precedent that we are setting in these closing hours of the session.

This bill was committed to the Committee on Ways and Means approximately three or four weeks ago. It lay dormant in Committee for that length of time, and finally very suddenly this morning the bill was reported out of the Ways and Means Committee. Now, I am looking into the future. If we are on agreement to report bills, read them and pass them in one day, then what is going to happen in the future when we have bills that are far more controversial than this issue? If we are going to use this procedure on bills on which we are in agreement, then I say we are also going to use this procedure on bills which are in controversy. For that reason I rise in protest against the consideration of this bill.

Probably a little hastily I made a motion to drop the bill from the calendar. I really should, in better judgment, change that motion, and I withdraw it, Mr. Speaker, and move.

The SPEAKER. For the information of the gentleman from Philadelphia, Mr. Levy, if he makes a motion to lay the bill on the table that motion will not be debatable; it will close the debate.

Mr. LEVY. I intend, Mr. Speaker, for reasons that are more ethical to make that motion. I mentioned that in my haste I probably made the wrong motion. I did not want to act in such a manner as to infer that I was against the bill or against the principles of the bill, but I say to you if the other motion can be entertained I would rather have that motion placed in the journal.

The SPEAKER. For the information of the gentleman, the gentleman from Dauphin, Mr. Woodside, yielded to the gentleman from Philadelphia, after having been recognized by the Chair.

Mr. LEVY. In that case, Mr. Speaker, I will withdraw my motion to drop the bill from the calendar and withhold my tentative motion to place it on the table.

Mr. Speaker, may I ask the courtesy of the Chair to recognize me for the purpose of making that motion following Mr. Woodside's speech?

The SPEAKER. The gentleman may. The gentleman

from Philadelphia, Mr. Levy, withdraws his motion to drop the bill from the calendar and withholds his motion to place the bill on the table.

Mr. WOODSIDE. Mr. Speaker, may I first state in reference to what has been said by the gentleman from Philadelphia, Mr. Levy, that it is my recollection during the five regular sessions—

PARLIAMENTARY INQUIRY

Mr. HARKINS. Mr. Speaker, I rise to a question of parliamentary inquiry.

The SPEAKER. The gentleman from Allegheny will state his question of parliamentary inquiry.

Mr. HARKINS. Mr. Speaker, I understand in effect Mr. Levy is yielding the floor now to Mr. Woodside?

The SPEAKER. That is correct. The gentleman from Dauphin will proceed.

Mr. WOODSIDE. Mr. Speaker, I was saying that within my recollection, although I would not be absolutely certain of this, I think during every session of the Legislature particularly during the last several days, there have been at least one or two instances where we have considered bills that were not on the calendar.

The matter before us is one which received a great deal of consideration I think, throughout the entire state. It is a bill in which a number of people have had an interest for a considerable length of time; it is a bill that was before this House on two readings and it has been in our files for many months. Therefore, it would seem to me it would not be improper at all to consider this bill at this time and I'm confident that we would not be setting a precedent because I recall a number of instances where this was done within the past few terms. I have spoken to the gentleman from Delaware, Mr. Turner, who has served in this House for more than seventeen years, and he tells me that he is of the opinion that in practically every regular session in which he has served it has been done. Therefore, I think the gentleman from Philadelphia, Mr. Levy, is in error when he says he feels we will be setting a precedent. I agree with him we should have time to consider all important legislation. I think this bill should be debated as it is being debated. It is a very simple bill. It only changes one or two words. It is not difficult to understand, and I think all the Members of the House can vote on this bill intelligently.

Mr. Speaker, just one word after what has been said concerning the counties. I can never have very much patience with people who suggest the difficulties of counties at the present time. During the last ten years, the problem of the state, particularly in relation to financing has increased tremendously. So have the problems of the Federal Government, so have the problems of the school districts and so have the problems of most of the cities, boroughs and townships, but the problems of the counties certainly should not have increased in any respect or to any extent during the last decade, because during that period the state has relieved the counties of one responsibility after another until they should be able to carry on their work very, very easily, without any problem of financing. For example, first we took away outdoor relief, which was a rather substantial burden and put it upon the State. We took away the roads and the bridges from the counties and put that responsibility on the state and at the present time the counties have very few roads and bridges to take care of because that responsibility rests practically entirely on the State. Again in this session we are saving them large sums of money because we have taken over the mental hospitals and relieved them of another substantial burden. During all of this time we have been helping them out because the amount of tax that is being collected by the state is being paid back to them. The gasoline tax has increased yearly so that each year they are receiving more and more money collected by the state and paid to them. In another respect, we helped them. Many of the counties did not successfully collect the personal property tax until the state passed its Personal Property Tax law and enabled them to collect the personal property tax with much greater ease. As a result of that all of these things were taken away from the counties and it seems clear to me that the argument that this will be a great burden upon the counties is fallacious and it should not be considered as meritorious in the consideration of this bill.

POINT OF ORDER

Mr. LOVETT. Mr. Speaker, I rise to a point of order.

The SPEAKER. The gentleman from Westmoreland will state his point of order.

Mr. LOVETT. Mr. Speaker, under the unusual position in which we find ourselves in at this particular time on this particular bill, not being on the Calendar and being reported out, I feel somewhat like my friend, Mr. Woodside, that at least we should be able to debate it and I have certain questions that I would like to ask Mr. Woodside. I do not think it is fair to the membership of this House to close off debate on this very important issue. I don't know whether they are going to lay it on the table or recommit it, or what they are going to do. I only ask the Chair and the House to give me the privilege of asking the gentleman from Dauphin, Mr. Woodside, a few questions.

The SPEAKER. Will the gentleman from Westmoreland restate his remarks in the nature of a point of order? Did the gentleman say he would like to interrogate Mr. Woodside?

Mr. LOVETT. Mr. Speaker, I said that due to the fact that we find ourselves in this position on this particular bill, although Mr. Turner, said it has happened many times, which may be true, I desired to interrogate Mr. Woodside. I do not know if it has happened as I probably have sat here and have been fooled many times. You men do not want to be fooled, I do not want to be fooled. I would not want to do anything that is wrong. I ask the consideration of the House that I may ask Mr. Woodside a few questions, and I wish to further debate the bill.

Mr. LEVY. Mr. Speaker, in view of the fact that apparently my request to the Chair to make a motion has tied up the debate on the floor, I want to make myself very clear.

I feel like the gentleman from Dauphin, Mr. Woodside, and the gentleman from Westmoreland, Mr. Lovett, that this bill deserves every consideration. I think the gentleman from Dauphin has made himself clear on this issue. I think the gentleman from Philadelphia, Mr. Finestone, was so enthused by this great piece of legislation that he

probably wants to speak again, and I think he has every right to do so. If my tentative motion gives the impression to the Chair and to the membership that I wish to close debate on this issue, I want to make it clear that I do not want to do that at all. I want to give every man a chance to speak, but regardless of how many times Mr. Finestone or Mr. Woodside take the floor and speak on this piece of legislation, I nevertheless say in the most emphatic way that I know we are today setting a bad precedent, and I differ with the gentleman from Dauphin, Mr. Woodside, when he says that Mr. Turner has informed him that this has happened before. I don't know; perhaps it has, but I don't recall it.

I think I inquired of the gentleman from Allegheny, Mr. Brown, whether or not he remembered such a procedure being followed and I think Mr. Brown answered me in this manner: He said he believed too it is a dangerous precedent. I am not debating the merits of the bill I am very anxious to withhold my motion in order to give the members an opportunity to debate it.

Mr. LOVETT. Mr. Speaker, I desire to interrogate the gentleman from Dauphin, Mr. Woodside.

The SPEAKER. Will the gentleman from Dauphin permit himself to be interrogated?

Mr. WOODSIDE. I shall, Mr. Speaker.

Mr. LOVETT. Mr. Speaker, the gentleman from Dauphin said he felt the counties were very well taken care of, that for some years past they have been out of the picture and the state has been taking over the burden of the county. I would like to ask if we passed a tax abatement bill during this session of the legislature.

Mr. WOODSIDE. Mr. Speaker, we passed an optional tax abatement bill, if I remember correctly.

Mr. LOVETT. Mr. Speaker, does the gentleman feel that the reason we passed the tax abatement bill was to give the people an opportunity to pay their taxes?

Mr. WOODSIDE. Mr. Speaker, that was the motive and the reason that was given for the passing of the bill.

Mr. LOVETT. Mr. Speaker, does the gentleman feel, due to the fact that we do pass such bills, that the county is really not out of the woods?

Mr. WOODSIDE. Mr. Speaker, the taxpayers are not all out of the woods, I know that, but I am talking about the counties. I say that the counties as governmental units have had less financial problems during the last ten years than any other municipal unit. They have increased their income by our acts during the last few years, we have decreased their responsibilities, their duties and their outgo of money, and that is a situation which is absolutely the reverse from that which exists in any other governmental unit.

Mr. LOVETT. Mr. Speaker, will the gentleman from Dauphin say that in the past ten years the country as a whole has been in a panic up until the past few years?

Mr. WOODSIDE. Well, Mr. Speaker, the New Deal has had us upset and in a whirl for a great deal of the time. I don't know that I would call it a panic but we have been in pretty bad shape a good part of the time. I will grant that.

Mr. LOVETT. Mr. Speaker, in other words, the revenue that runs the counties comes from taxes on homes, is that correct?

Mr. WOODSIDE. Some of it, Mr. Speaker, is on real estate. Many of the counties have reduced their real estate tax. Lancaster County for example, I think has one and nine tenths mills or something like that.

Mr. LOVETT. Mr. Speaker, does the gentleman know that there are now measures before this House asking for the return of some of the gasoline taxes to the counties?

Mr. WOODSIDE. Yes, Mr. Speaker, each year the gasoline tax returned to the counties mounts up more and more. Each year the counties are finding it more difficult to disburse that money under the law, they are having trouble using it up.

Mr. LOVETT. Mr. Speaker, does the gentleman realize that the gentleman from Allegheny, Mr. Holland, has quite a number of bills asking for the return of the gasoline tax to the counties?

Mr. WOODSIDE. Mr. Speaker, what does the gentleman mean by the return of the gasoline tax?

Mr. LOVETT. Mr. Speaker, I mean to the municipalities.

Mr. WOODSIDE. Mr. Speaker, what does the gentleman mean by municipalities?

Mr. LOVETT. Mr. Speaker, cities, counties, boroughs and townships.

Mr. WOODSIDE. Mr. Speaker, I don't know that the return of the gasoline tax to the cities, boroughs and townships has anything to do with the matter before the House. There are bills on that surely.

Mr. LOVETT. Mr. Speaker, I am just trying to explain to the gentleman that the counties get their revenue from real estate taxes as a whole. Is not that correct?

Mr. WOODSIDE. No, Mr. Speaker, they get revenue from real estate tax certainly but they also get it from personal property tax and they get it from gasoline tax and they get it from fees.

Mr. LOVETT. Mr. Speaker, will the gentleman from Dauphin say that the counties receive most of their money from the property tax?

Mr. WOODSIDE. Mr. Speaker, I think that would depend on the counties. I imagine most of the counties receive a very large percentage of their taxes from real estate but that may not be true of all counties. I don't know which, I never went down over the budgets of the counties with that thought in mind, but I know that many of the counties have reduced their real estate taxes very substantially in the last ten years, and there are no other governmental units that I know of which as a whole have not increased that tax and which have been forced, by the greatest economy, to still seek new means of getting revenue.

Mr. LOVETT. Mr. Speaker, the gentleman made a statement that the state has taken over many of the roads. I would like to ask the gentleman if the state during this legislative session is going to pass the omnibus bill.

Mr. WOODSIDE. I don't know, Mr. Speaker. As a matter of fact I can tell the gentleman this, there are a number of counties in the state to whom that does not make any difference because they do not have any roads any more. May I remind the gentleman from Westmoreland that the state does not take over the county roads as such. The counties have been out of the road business for a number of years and many of the counties are building no roads at all.

Mr. LOVETT. Mr. Speaker, would the gentleman mind answering my question yes or no? Does he know if there is going to be an omnibus bill passed during this session of the legislature to take over any more roads?

Mr. WOODSIDE. Mr. Speaker, is the gentleman talking about county roads?

Mr. LOVETT. No, Mr. Speaker, any roads.

Mr. WOODSIDE. Mr. Speaker, I have seen dozens of cases of the taking over of township roads but we have not taken over any county roads for a number of years, and the reason is that there are no county roads left to take over because the counties are really out of the road business.

Mr. LOVETT. Mr. Speaker, does the gentleman realize that regardless whether they are county roads or township roads or what roads they are, the home owners back home have to keep them up?

Mr. WOODSIDE. The gentleman is trying to draw a red herring across the path. That has nothing to do with the question of the county budget. If the gentleman is so much interested in the home owner, I wonder how he can justify his vote—

Mr. LOVETT. Mr. Speaker, I will be glad to be interrogated if the gentleman wishes to interrogate me.

Mr. WOODSIDE. Mr. Speaker, I have asked the gentleman to confine his remarks to the subject before the House in asking questions.

Mr. LOVETT. That is all. Mr. Speaker, I do not wish to prolong the debate. I think my statement was clear. I think everybody understood if there is anybody trying to becloud the issue it is Mr. Woodside on the other side. We are fighting in the interests of the taxpayers and home owners of Pennsylvania. I know they have been losing their homes and I know that every session we have passed these tax abatement bills giving them a chance to pay their taxes. That has happened not only in one session, but it has happened in every session of the Legislature. We said it would start a bad precedent when we first started it. We have continued it all along the line. Here we find special privilege coming in again at the last moment trying to shove down our throats legislation that is not in the interests of the taxpayers.

Mr. FINESTONE. I just desire briefly to answer the gentleman from Westmoreland, Mr. Lovett. I would be the last man in this House to stand up here if I felt for one moment that this was a bill that would favor special interests. I think my record in this House answers that argument most effectively. However, I think the issue should not be beclouded on either side. The argument of the gentleman from Westmoreland, Mr. Lovett, strikes me very much as an attempt to cut your nose to spite your face. He said it would exempt the rich man who might leave one hundred thousand dollars of insurance. May I tell you gentleman as a matter of common sense an encyclopedia is not needed to answer that question, but for every man that carries one hundred thousand dollars of insurance, you have one thousand or possibly five thousand whose entire estate may not exceed a policy of insurance in the amount of five or ten thousand dollars. It is the little fellows you are going to strike at in not passing this legislation.

I am informed, although I can not vouch for it, that the counties themselves in the past years have collected the tax only because of the Beisel decision which endangers this form of insurance proceeds. I understand there are only one or two counties in the Commonwealth of Pennsylvania that have collected this four mills tax on the proceeds of life insurance. This is distinctly a bill which would not favor the large interests, but is a bill, more than any other bill that I know of or that has come up for discussion in this House, that would really protect the widows and orphans of Pennsylvania.

Mr. HARKINS. Mr. Speaker, I rise to oppose this bill because in my judgment, while the bill is fair as between the various beneficiaries in the proceeds of life insurance policies, in theory it will more greatly benefit the person who receives the proceeds of the large insurance policies because the widow and orphan who will benefit from small one thousand, two thousand, three thousand or five thousand dollar policies will not in all probability have much money left on deposit with the insurance company.

There is another reason: this bill will interfere greatly with the budget of the County Commissioners in the County of Allegheny, which is the county from which I come. I believe it will also interfere with the budgets already established in all the other counties in the Commonwealth. I believe we should not, in this late day in the session, suddenly bring forth a bill from committee and proceed hastily to pass it probably on the last day of the session, when we have lulled the County Commissioners into a sense of false security by sending the bill back to committee.

I say, further, Mr. Speaker, if the intent is that these proceeds shall not pay this tax, we are by passing this bill going to interfere with one item of the personal property tax which has been one of its most laudable characteristics, namely, that of uniformity as between the county personal property tax and the state personal property tax. If this bill is good so far as removing the tax of the counties from this particular subject matter, then we ought also relieve the same funds from the state personal property tax. The same question is involved; the only difference is that we are here robbing the county treasury instead of the state treasury. I am informed that since this decision an effort has been made by the state to collect from the various insurance companies the corporate loans tax, and I understand in this session we have definitely said that type of account is not subject to the corporate loans tax because we have in this session passed a bill setting forth clearly that it does not fall within that particular category. That relieves and clarifies the situation to the extent of eight mills which the insurance companies have benefitted by in this very session. I believe we ought not to pass this act now, but rather if it is to be done at all we should leave it to the next session to take similar action on this matter as respects both the state and county personal property tax, and I ask you to vote down the bill.

MOTION TO LAY ON TABLE

Mr. LEVY. Mr. Speaker, I move that Senate Bill No. 379, be laid on the table.

The motion was not agreed to.

On the question recurring,

Shall the bill pass finally?

QUESTION OF INFORMATION

Mr. WEISS. Mr. Speaker, I rise to a question of information.

The SPEAKER. The gentleman from Westmoreland will state his question of information.

Mr. WEISS. Mr. Speaker, is this bill still debatable?

The SPEAKER. The bill is debatable.

Mr. WEISS. Mr. Speaker, I would like to interrogate the gentleman from Dauphin, Mr. Woodside.

The SPEAKER. Will the gentleman from Dauphin permit himself to be interrogated?

Mr. WOODSIDE. I shall, Mr. Speaker.

Mr. WEISS. Mr. Speaker, may I ask Judge Woodside if the four mill personal property tax did not pass recently?

Mr. WOODSIDE. Mr. Speaker, first there was a one mill personal property tax adopted and then it was raised to four mills. I am not sure of the year it was first passed, but it seems to me it was just about ten years ago.

Mr. WEISS. Mr. Speaker, the four mill personal property tax passed this session, is that not right?

Mr. WOODSIDE. Yes, Mr. Speaker.

Mr. WEISS. Mr. Speaker, does that include the present exemptions that the gentleman wants adopted for the counties?

Mr. WOODSIDE. What is that, Mr. Speaker?

Mr. WEISS. Mr. Speaker, does the bill that we just passed include the exemption that is asked for in this particular bill?

Mr. WOODSIDE. No, Mr. Speaker, as I understand it as the conference report adopted it, it does not contain that provision.

Mr. WEISS. Mr. Speaker, may I ask Judge Woodside if he thinks this bill would be constitutional if it were passed?

Mr. WOODSIDE. Mr. Speaker, the gentleman has me on the spot now; he has been calling me Judge. What if I were a Judge? I might have to pass on it and I would be prejudging. Maybe I had better not answer the question.

Mr. WEISS. I thank the gentleman from Dauphin County, Judge Woodside.

Mr. Speaker, I would like to interrogate the Judge from Allegheny County, Mr. Brown.

Mr. BROWN. I don't know whether the gentleman from Westmoreland, Mr. Weiss, is just being funny or not, Mr. Speaker. Seriously, I do not want to be put in a facetious light because probably the gentleman from Dauphin, Mr. Woodside, has secured the services of Mr. Weiss for the purpose of getting newspaper publicity. If it will help the gentleman from Dauphin, Mr. Woodside, and if there are any other Judges in the House, whom it will help in the next campaign, I will be glad to answer the gentleman's question.

The SPEAKER. The gentleman from Westmoreland will proceed.

Mr. WEISS. Mr. Speaker, I would like to interrogate the gentleman from Allegheny, Mr. Brown, as to whether or not he thinks, and I am serious about it, this would be constitutional.

Mr. BROWN. Mr. Speaker, I see no objection to it from a constitutional standpoint.

Mr. WEISS. Mr. Speaker, does the gentleman from Allegheny think we can pass legislation here allowing two different forms of taxation, or exemptions from taxation?

Mr. BROWN. Mr. Speaker, we can exempt anything from taxation so long as the tax is reasonable and follows a particular classification.

Mr. WEISS. Mr. Speaker, does the gentleman from Allegheny, Mr. Brown, think it is reasonable to exempt from state tax and not exempt from the county tax or vice-versa?

Mr. BROWN. Mr. Speaker, does the gentleman mean how the courts would construe it or what I think about the principle? From a constitutional standpoint I think it is all right, but as to whether or not it is good policy is another matter.

Mr. WEISS. Mr. Speaker, I thank the gentleman from Allegheny, Mr. Brown.

I believe the very fact that Judge Woodside refused and is afraid to answer the question due to the fact that he might become a judge, is a reason in this particular case why he might declare it to be unconstitutional. I certainly agree with the gentleman from Westmoreland, Mr. Lovett, and the other gentleman that it is very unfair to have two forms of taxation. If this bill would go the whole way, exempting the proceeds from both the county tax and from the state tax, I would personally be in favor of it because I believe it would help the widows and orphans. Why should you help the widows and orphans as far as the county is concerned and not help them as far as the state is concerned? Some say half a loaf is better than none. If we are going to give only a half a loaf, we might as well take it from the state as take it from the county. Therefore, that argument does not seem to hold water for that particular reason. Either take it away altogether or not at all. If you are going to take it away from the county alone then I believe it is very unfair. Furthermore, I think beyond any question of doubt it is unconstitutional, and as I am an attorney I will give you that as my opinion on the question.

Mr. FINESTONE. Mr. Speaker, may I say for the information of the Westmoreland delegation that I am also a candidate for judge. I do not hesitate for one moment to agree with my colleague from Allegheny, Mr. Brown, that it is constitutional and I would so hold

Mr. LEVY. Mr. Speaker, now that the House has decided that this bill shall be considered, I do not believe the most important question in this bill is whether the bill is constitutional or unconstitutional. I disagree with my friend from Westmoreland when he says that the important phase of the bill is whether or not it is ethical for the state to tax and for the county to exempt. The important part of this bill, now that the House wants to consider this bill, and I want any man in this House to deny this charge—

QUESTION OF INFORMATION

Mr. GATES. Mr. Speaker, I arise to a question of information.

The SPEAKER. The gentleman from Armstrong will state his question of information.

Mr. GATES. Mr. Speaker, I think somebody should give Mr. Levy the megaphone that was presented to him.

Mr. LEVY. Mr. Speaker, the megaphone is now lying in the archives of the legislature with the pasters and folders.

Mr. Speaker I seriously say that the most important part of this bill has not been touched upon and I think every man will agree with me when they hear it explained.

This bill comes not from the orphans and widows of the Commonwealth of Pennsylvania but comes directly from the offices of the big insurance companies in the Commonwealth of Pennsylvania, and I am going to tell you why. If the Members of the House will read this bill carefully they will find that the poor widow that Mr. Finestone cried about, if she takes her insurance money and invests it in railroad bonds or utility bonds or any other investment, she is not exempt under this bill from this tax. Oh, no, but if she leaves the money with the insurance company and they invest it then they are exempt from paying the tax, In other words the insurance companies are exempt from paying the tax. Gentlemen, I say to you in all seriousness let us take off the mask of hypocrisy. If you are going to exempt the widows and orphans exempt them when they invest their money and not when the insurance companies invest their money. Let not any man be deceived.

That is why I warned at the opening of this debate that these bills that are hustled out of committee in the closing days of the session are neither fair nor justifiable. These bills that are hurried out of committee on the closing days of the session, under the guise of protecting the widows and orphans do not protect them at all. This bill does favor the big insurance companies of the Commonwealth of Pennsylvania and I challenge the Senator on the other side of the Assembly to deny it. I would ask the gentlemen of the House if they know the profession of the Senator on the other side of the Assembly. This is an insurance company bill. Write into this bill an exemption for widows and orphans who invest their own money and then I will vote for the bill, but I will not vote for the bill if it does not exempt them on the one hand, but exempts the insurance carriers on the other hand. Let us get the truth of this situation. You Members of the House may bellow and yell and laugh but that is the truth. Let the gentleman from Philadelphia, Mr. Finestone, deny it. Let the gentleman from Dauphin deny it. That is the purpose of this bill; that is what the bill does. If you want to enact legislation like this that is your business but I am going to walk out of here at the close of this session with a clean record. I am not going to vote for bills like this no matter how jovial the House feels this afternoon. Let us be honest about it. The bill was debated in the Senate. The charge was made in the Senate that that was the purpose of the bill and it was not denied. I say to you, Mr. Speaker, I am making the charge this afternoon, which I did not want to do before, that I thought it was unfair, because the bill was not on the calendar and I asked that the bill be laid on the table. I repeat the charge made in the Senate back in March which was not answered and I defy any of you gentlemen to deny it now.

Mr. FINESTONE. Mr. Speaker, there is evidence of an attempt to becloud the issue with a lot of loud speaking. I think the fact that some of the large insurance companies might be interested in this bill ought not to really make us lose our common sense.

In many instances, the widow has absolutely no say in the matter as to how she is going to invest her funds. Take the case, Mr. Speaker, of the average man who has possibly twenty-five thousand dollars, or let us say ten thousand dollars of insurance. He might feel that his widow if given that amount in a lump sum would dissipate it or be subject to the wiles of some unscrupulous person. He makes that decision in his own lifetime. He has said to the company, "I want my insurance money to be paid to my widow and children; leave it here to accumulate interest at the rate of three and one-half per cent." Then, whatever the amount may be, it is payable to the widow and children, including the principal and interest, over a period of time, depending upon the amount of insurance and the amount of monthly payments, possibly for ten or fifteen years. The widow has no choice about the matter. If it had been left to her directly, she might have taken that money and invested it in tax-exempt government bonds, or any other tax-exempt securities; she might have done that if she had the choice, but she did not have the choice, and in most instances, the insurance is left that way. She has no choice in the matter at all. In the first place, this fund is the result of her savings because of her frugality, because of her good housekeeping which made it possible for her husband to save enough to pay the premiums. Why should she be subjected to the payment of this tax? She had no say in the matter, and just because the husband wants to protect her is no reason in the world why the state which now exempts insurance companies from this form of taxation should levy this tax which falls most heavily on those who are least able to pay.

Mr. GATES. Mr. Speaker, I desire to interrogate the gentleman from Philadelphia, Mr. Levy.

The SPEAKER. Will the gentleman from Philadelphia permit himself to be interrogated?

Mr. LEVY. I shall, Mr. Speaker.

Mr. GATES. Mr. Speaker, I would like to ask the gentleman from Philadelphia, Mr. Levy, whether the other day he voted for the four mill personal property tax?

Mr. LEVY. Mr. Speaker, in answer to the gentleman from Armstrong, I would say I did vote for it.

Mr. GATES. I thank the gentleman, Mr. Speaker.

If I recall, Mr. Speaker, I was the only Member of the House who voted against the four mill personal property tax. I did that because I do not believe in the tax. I believe it is a levy, and it is taxing these same widows and orphans that you have been discussing today.

Mr. Levy said, "We will take the mask off." I think the mask came off in his first remarks on the floor of the House when he asked to either recommit the bill or lay it on the table. He said he was not against the bill on its merits, but he was against it because of its establishing a precedent in the state of Pennsylvania.

Someone intimated the other day that organized labor was very much opposed to this particular piece of legislation. I made it my business today to interrogate the heads of both of the large labor unions of the state of Pennsylvania, and I say to the membership of this House and I say to them authentically that neither of the labor organizations in the State of Pennsylvania are opposed to

this humane piece of legislation. I do not think we should pass on to these widows and orphans a tax, as explained by Mr. Finestone, that in some instances amounts to twenty-six per cent. Maybe it is not perfect legislation, but I say for the great majority of the mothers and the children of the state of Pennsylvania if there is one humane piece of legislation that should be passed by the House before we adjourn, it is this particular piece of legislation. The membership of this House knows that I have many times gone against my own party when I voted for labor legislation, when I have been the one Member on this side of the House that has done so. So if you are really interested, if you are honestly and truly interested in humane legislation in the interest of the poorer class of people in the state, vote for this bill.

Mr. LOVETT. Mr. Speaker, I desire to interrogate the gentleman from Armstrong, Mr. Gates.

The SPEAKER. Will the gentleman from Armstrong permit himself to be interrogated?

Mr. GATES. I shall, Mr. Speaker.

Mr. LOVETT. Mr. Speaker, as one man in whom I have a lot of confidence, one man who has voted for labor, I think the remarks the gentleman just made are unfair, and I want to ask the gentleman a question in regard to it.

The gentleman from Armstrong said that he contacted the labor leaders of both the outstanding labor organizations in the state of Pennsylvania.

Mr. GATES. That is right, Mr. Speaker.

Mr. LOVETT. And they said, Mr. Speaker, they were not opposed to this act?

Mr. GATES. That is correct, Mr. Speaker.

Mr. LOVETT. Would the gentleman say that the labor leaders were in favor of this act?

Mr. GATES. I would not, Mr. Speaker.

Mr. LOVETT. That clears the issue, and that is the point I am making. That is all.

Mr. GATES. Mr. Speaker, I desire to interrogate the gentleman from Westmoreland, Mr. Lovett.

The SPEAKER. Will the gentleman from Westmoreland permit himself to be interrogated?

Mr. LOVETT. I shall, Mr. Speaker.

Mr. GATES. Mr. Speaker, when the labor organizations of the State felt that a certain piece of legislation was against the best interests of the working people of Pennsylvania, they have always been open and above board in stating their position either for or against that legislation. So I say to the gentleman from Westmoreland, when they were not against this bill, they did not think it was against the best interests of the working people of the State of Pennsylvania. I assure you, Mr. Speaker, that I think it is not against their interests, but rather I think it is in their favor.

Mr. LOVETT. Mr. Speaker, in answer to the question of the gentleman from Armstrong, Mr. Gates, I might say to him that I do not feel—I may be wrong in this statement—that group insurance held by employes and manufacturers throughout the state of Pennsylvania will be affected by this act. If I am wrong, I stand corrected. I might also add and tell the gentleman from Armstrong that the labor leaders possibly know that the majority of the working people in the state of Pennsylvania have the large majority of their insurance placed in that type of insurance. So, therefore, the labor leaders would not be too much interested in this particular bill.

Mr. Speaker, I now rise in defense of free womanhood. The insurance companies were tricky enough, they were plenty tricky enough to go around our men and tell them, "Listen, your wives and children are not capable of taking care of your money; you had better leave it right here with us; we will protect them, we will give them the benefit of this money, we will invest it, and of course, we will give a little sprinkling of it back to your poor wife and children." I rise in defense of free womanhood.

Mr. BAKER. Mr. Speaker, if there are any twenty-five thousand dollar widows foot-loose, they will not be widows very long after they get twenty-five thousand dollars.

Mr. Speaker, we have had this issue before us for close to two hours and I think both sides of the House have pretty well made up their minds, and, I now move the previous question.

The motion was seconded by Messrs. Finestone, Mooney, Wright, Hersch, Paul A. Brunner, Matthew J. Welsh, Reynolds, Shaw, McLane, Schwab, Tate, Early, Pettit, Powers, Williams, Turner, VanAllsburg, Snyder, Stockham, Lloyd H. Wood, Charles H. Brunner, Cadwalader and others.

On the question,

Shall the main question be now put?

It was agreed to.

On the question recurring,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken.

Messrs. Lovett, Gerard and Bentley asked for a verification of the roll.

The roll was verified and was as follows:

YEAS—116

Achterman,	Gates,	Malloy,	Serrill,
Auker,	Gillan,	McClester,	Skale,
Bentzel,	Greenwood,	McDermott,	Snyder,
Boles,	Gryskewicz,	McDowell,	Sollenberger,
Boney,	Gyger	McIntosh,	Sorg,
Boorse,	Habbyshaw,	McKinney,	Stambaugh,
Bower,	Haines,	McLane,	Stine,
Brethericks,	Hall,	McMillen,	Stockham,
Brunner, C. H.,	Hare,	McGurdy,	Tarr,
Burns,	Harris,	Melchiorre,	Tate,
Burris,	Helm,	Modell,	Thompson, R. L.,
Cadwalader,	Hering,	Monks,	Trout,
Chervenak,	Hersch,	Moul,	Turner,
Chudoff,	Hewitt,	Muir,	Van Allsburg,
Cohen, M. M.,	Huntley,	Munley,	Vogt,
Cohen, R. E.,	Imbrie,	O'Brien,	Voldow,
Cook,	James,	O'Connor,	Wagner,
Cooper,	Jones, G. E.,	O'Dare,	Watkins,
Cordier,	Jones, P. N.,	O'Mullen,	Weingartner,
Corrigan,	Kenehan,	O'Neill,	Welsh, E. B.,
Dennison,	Kline,	Owens,	Winner,
DiGenova,	Knoble,	Rank,	Wood, L. H.,
Dix,	Kolankiewicz,	Reese, R. E.,	Wood, N.,
Eckels,	Komorofski,	Riley,	Woodside,
Ely,	Krise,	Rooney,	Wright,
Finestone,	Lee, E. A.,	Royer,	Yeakel,
Fiss,	Lee, T. N.,	Sarge,	Young,
Fleming,	Leisey,	Scanlon,	Kilroy,
Fletcher,	Lichtenwalter,	Schwab,	Speaker.

NAYS—52

Baker,	Hamilton,	Marks,	Readinger,
Balthaser,	Harkins,	Maxwell,	Reynolds,

Bentley,	Heatherington,	McFall,	Rush,
Breth,	Herman,	McLanahan,	Sarraf,
Brunner, P. A.,	Holland,	Mihm,	Shaffer,
Cullen,	Jefferson,	Mooney,	Shaw,
Dolon,	Keenan,	Moran,	Verona,
D'Ortona,	Leonard,	Petrosky,	Vincent,
Duffy,	Lesko,	Pettit,	Weiss,
Early,	Levy,	Polaski,	Welsh, M. J.,
Flynn,	Longo,	Polen,	Williams,
Gerard,	Lovett,	Powers,	Woodring,
Goodwin,	Lyons,	Prosen,	Yester,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return it to the Senate with information that the House has passed it without amendment.

QUESTION OF PERSONAL PRIVILEGE

Mr. ELDER. Mr. Speaker, I rise to a question of personal privilege.

The SPEAKER. The gentleman will state his question of personal privilege.

Mr. ELDER. Mr. Speaker, I voted in the affirmative when the roll was called on Senate Bill 379 but I find I am not so recorded.

BILL ON THIRD READING

Mr. SKALE asked and obtained unanimous consent to call up out of order House Bill No. 1745, (Senate Bill No. 839) Printer's No. 609, on page 16 of today's calendar, bills on third reading.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1745, (Senate Bill No. 839), entitled:

An Act to further amend Sections 4 and 7 of the act approved the fifth day of May one thousand nine hundred twenty-one (P. L. 374) entitled "An act providing for the licensing and regulation of corporations copartnerships associations and individuals engaged in the business of receiving payments or contributions to be held or used in any plan of accumulation or investment or of issuing negotiating offering for sale or selling any certificates securities contracts or other choses in actions evidenced by writing on the partial payment or instalment plan or of assuming fixed obligations or issuing in connection therewith a contract based upon payments being made upon instalments or single payments under which all or part of the total amount received is to be repaid at some future time with or without profit and imposing penalties" requiring corporations and persons licensed under said act to deposit additional security with the Commission for the fulfillment of their contracts and exempting certain licensees from deposit of security in full or in part

On the question,

Will the House agree to the bill on third reading?

BILL RECOMMITTED

Mr. SKALE. Mr. Speaker, I move that this bill be recommitted to the Committee on Banking for further study.

The motion was agreed to.

SENATE MESSAGES

SENATE INSISTS ON NON-CONCURRENCE IN HOUSE AMENDMENTS

The Clerk of the Senate being introduced, informed that the Senate insists on its nonconcurrence in the amendments made and insisted upon by the House of Representatives to Senate Bill No. 653, entitled:

An Act regulating and improving the civil service of certain departments and agencies of the Commonwealth vesting in the State Civil Service Commission and a Personnel Director certain powers and duties providing for classification of positions adoption of compensation schedules and certification of payrolls imposing duties upon certain officers and employes of the Commonwealth authorizing service to political sub-divisions of the Commonwealth in matters relating to civil service defining certain crimes and misdemeanors imposing penalties making an appropriation and repealing certain acts and parts thereof

Mr. READINGER. Mr. Speaker, I move that the House insist upon its amendments non-concurred in by the Senate to Senate Bill No. 653 and that a Committee of Conference be appointed.

The motion was agreed to.

APPOINTMENT OF COMMITTEE OF CONFERENCE ON SENATE BILL No. 653

The SPEAKER. The Chair appoints as a Committee of Conference on said bill, Messrs. READINGER, PETROSKY and VAN ALLSBURG.

Ordered, That the Clerk inform the Senate accordingly.

AMENDED HOUSE BILLS RETURNED FOR CONCURRENCE

The Clerk of the Senate being introduced, returned bill from the House of Representatives numbered and entitled as follows:

HOUSE BILL No. 971.

An Act to further amend sections fifteen and fifteen and three-tenths and to repeal sections fifteen and one-tenth fifteen and two-tenths of the act approved the sixteenth day of May one thousand nine hundred and twenty-three (P. L. 207) entitled "An act providing when how upon what property and to what extent liens shall be allowed for taxes and for municipal improvements for the removal of nuisances and for water rents or rates sewer rates and lighting rates for the procedure upon claims filed therefor the methods for preserving such liens and enforcing payment of such claims the effect of judicial sales of the properties liened the distribution of the proceeds of such sales and the redemption of the property therefrom for the lien and collection of certain taxes heretofore assessed and of claims for municipal improvements made and nuisances removed within six months before the passage of this act and for the procedure on tax and municipal claims filed under other and prior acts of Assembly" as amended by providing for the renewal extension and continuation of liens for taxes and water lighting power and sewer rates until such taxes and rates are fully paid and satisfied and authorizing the filing and revival of liens heretofore lost and in certain cases reviving validating preserving and extending liens.

With the information that the Senate has passed the same with amendments, in which the concurrence of the House of Representatives is requested.

The SPEAKER. The Clerk will read the amendments.

The Clerk read the amendments as follows:

Amend the title, page 1, line 1, by striking out after the word "amend" the word "section" and inserting in lieu thereof the word "section"; also same page, by striking out in lines 1 and 2 the words "and fifteen and three-

tenths"; also same page, at the beginning of line 3, by striking out the word "and"; also same line, by inserting after the word "two-tenths" the words "and fifteen and three-tenths"; also on page 2 of the title, line 6, by inserting after the word "extension" the word "revival"; also same page, by striking out in lines 7 to 11 of the title the words "taxes and water lighting power and sewer rates until such taxes and rates are fully paid and satisfied and authorizing the filing and revival of liens heretofore lost and in certain cases reviving validating preserving and extending liens" and inserting in lieu thereof the words "tax municipal and other claims until the same are paid and satisfied and repealing certain existing sections of said act."

Amend Section 1, page 4, line 5, by striking out after the word "suggestion" the word "on" and inserting in lieu thereof the word "of".

Amend Section 2, page 6, by striking out all of liens 8 to 29 inclusive and on page 7 by striking out all of lines 1 to 7 inclusive as follows:

"Section 2 Section fifteen and three-tenths of the act approved the twentieth day of June one thousand nine hundred and thirty-nine (P. L. 512) amending the act approved the sixteenth day of May one thousand nine hundred and twenty-three (P. L. 207) is hereby amended to read as follows

Section [15.3] 15.1 Where the lien of any taxes or water rents or rates lighting rates power rates or sewer rates has heretofore been lost by reason of the failure to file the claim therefor within the time prescribed by this act or by reason of the failure to revive such lien within five years from the date of entry or last revival the claim for such taxes and rates may be entered or such liens may be revived in the manner provided by this act [within six months after the effective date of this act] at any time prior to the first day of January one thousand nine hundred and forty-two and the liens of any claims so filed and of any liens so revived shall be valid liens and are hereby ratified and confirmed and as such shall be subject to the provisions of this amendment which relate to liens filed after the effective date of this act Provided however That the filing of such claims or the revival of such liens under the provisions of this clause shall not establish revive or reestablish any lien against real estate which was transferred to any bona fide purchaser during the time before such claims were filed or liens revived or when such liens were lost"

Amend Section 3, page 7, at the beginning of line 8, by striking out after the word "Section" the figure "3" and inserting in lieu thereof the figure ""2"; also same line, by striking out after the word "one-tenth" the word "and"; also same page, at the beginning of line 9, by inserting after the word "two-tenths" the words "and fifteen and three-tenths."

Amend Section 4, page 7, at the beginning of line 10, by striking out after the word "Section" the figure "4" and inserting in lieu thereof the figure "3".

Amend Section 5, page 7, at the beginning of line 13, by striking out after the word "Section" the figure "5" and inserting in lieu thereof the figure "4".

On the question,

Will the House concur in the amendments made by the Senate?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows, viz:

YEAS—204

Achterman,	Gallagher,	Malloy,	Royer,
Allmond,	Gates,	Marks,	Rush,
Auker,	Gerard,	Maxwell,	Sarge,
Baker,	Gillan,	McClanaghan	Sarraf,
Balthaser,	Gillette,	McClester,	Scanlon,
Bentley,	Goodwin,	McDermott,	Schwab,
Bentzel,	Greenwood,	McDowell	Serrill,
Boles,	Gross,	McFall	Shaffer,
Boney,	Gryskewicz,	McIntosh	Shaw,
Boorse,	Gyger,	McKinney,	Shepard,
Bower,	Habbyshaw,	McLanahan,	Simons,
Bradley,	Haberlen,	McLane,	Skale,
Bretherick,	Haines,	McMillen,	Snyder,
Brown,	Hall,	McSurdy,	Sollenberger,
Brunner, C. H.,	Hamilton,	Melchiorre,	Sorg,
Brunner, P. A.,	Hare,	Mihm,	Stambaugh,
Burns,	Harkins,	Modell,	Stank,
Burris,	Harmuth,	Monks,	Stine,
Cadwalader,	Harris,	Mooney,	Stockham,
Chervenak,	Heatherington,	Moran,	Tarr,
Chudoff,	Helm,	Moul,	Tate,
Cochran,	Hering,	Muir,	Taylor,
Cohen, M. M.,	Herman,	Munley,	Thompson, E. F.,
Cohen, R. E.,	Hersch,	Nagel,	Thompson, R. L.,
Cook,	Hewitt,	Nunemacher,	Trout,
Cooper,	Hirsch,	O'Brien,	Turner,
Cordier,	Holland,	O'Connor,	Van Allsburg,
Corrigan,	Huntley,	O'Dare,	Verona,
Croop,	Imbrie,	O'Mullen,	Vincent,
Cullen,	James,	O'Neill,	Vogt,
Dalrymple,	Jefferson,	Owens,	Voldow,
Dennison,	Jones, G. E.,	Petrosky,	Voorhees,
DiGenova,	Jones, P. N.,	Pettit,	Wagner,
Dix,	Keenan,	Polaski,	Watkins,
Dolon,	Kenehan,	Polen,	Weingartner,
D'Ortona,	Kline,	Powers,	Weiss,
Duffy,	Knoble,	Prosen,	Welsh, E. B.,
Early,	Kolankiewicz,	Rank,	Welsh, M. J.,
Eckels,	Komorofski,	Rausch,	Wilkinson,
Elder,	Krise,	Readinger	Williams,
Elliott,	Lee, E. A.,	Reagan,	Winner,
Ely,	Lee, T. H.,	Reese, D. P.,	Wood, L. H.,
Falkenstein,	Leisey,	Reese, R. E.,	Wood, N.,
Finestone,	Leonard,	Regan,	Woodring,
Finnerty,	Lesko,	Reynolds,	Woodside,
Fisher,	Levy,	Rhea,	Wright,
Fiss,	Leydic,	Riley,	Yeakel,
Fleming,	Lichtenwalter,	Rooney,	Yeater,
Fletcher,	Longo,	Rose, S.,	Young,
Flynn,	Lovett	Rose, W. E.,	Kilroy,
Foor,	Lyons,	Rosenfeld,	Speaker.
French.			

NAYS—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative, and the amendments were concurred in.

Ordered, That the Clerk inform the Senate accordingly.

The Clerk of the Senate being introduced, returned bill from the House of Representatives numbered and entitled as follows:

HOUSE BILL No. 1253.

An Act providing a method of annexation of parts of townships to cities of the first class and regulating the proceedings pertaining thereto.

With the information that the Senate has passed the same with amendments, in which the concurrence of the House of Representatives is requested.

The SPEAKER. The Clerk will read the amendments.

The Clerk read the amendments as follows:

Amend the title, page 1, at the end of line 1, by inserting after the word "townships" the words "now owned by and contiguous"; also same page, line 2 of the title, by inserting after the word "class" the words "acquired and used or to be used as an airport seaplane base and rail and marine terminal".

Amend Section 1, page 1, line 1, by inserting after the word "township" the words "contiguous to and now owned by an adjacent city of the first class acquired and used or to be used as an airport seaplane base and rail and marine terminal not exceeding six hundred acres in area"; also same page, line 2, by striking out the words "any adjacent" and inserting in lieu thereof the words "the said"; also same page, at the beginning of line 3, by striking out the word "following"; also at the end of same line by striking out "viz" and inserting in lieu thereof the words "hereinafter set forth Provided however That no such annexation shall be made under the

provisions of this act after the expiration of two years from the effective date of this act"; also same page, by striking out all of lines 4 to 9 inclusive as follows:

"Two-thirds of the taxpayers in number and amount in that part of the township shall present a petition to the Council of said City asking for such annexation which said petition shall be accompanied by a plot of the township and of the portion thereof proposed to be annexed to the said City."

Amend Section 2, page 1, by striking out in lines 10 and 11 and on page 2 by striking out all of lines 1 to 5 inclusive the following:

"Upon the presentation to the Council of such City of such petition and plot said Council may by ordinance annex such part of the township whereupon the said part thereof shall become a part of the said City and if such City be in a different county it shall become a part of the county in which such City is situated"

and inserting in lieu thereof the following:

"The Council of the said City of the first class shall pass an ordinance annexing said contiguous part of the township owned by it to the said City of the first class Said ordinance shall contain a plot of the township and of the portion thereof to the annexed to the said City."

Amend Section 3, page 2, by striking out in line 6 to 14 inclusive the following:

"That the action of said City Council shall be final and conclusive unless an appeal therefrom be taken within ten (10) days to the Court of Quarter Sessions of the county in which such City is situated upon such appeal the Clerk of said City Council shall certify to said Court all the papers and proceedings in the case whereupon said Court shall examine and inquire and if the proceedings appear to have been in conformity with law shall approve the same"

and inserting in lieu thereof the following:

"After the passage of the said Ordinance a certified copy thereof shall be filed in the Court of Quarter Sessions of the county in which the said City of the first class is located and in the Court of Quarter Sessions of the county in which such township is located and thirty (30) days after such filing the said annexation shall become effective and such part of the township shall become a part of the City and if such township and such city be in different counties the part of the township annexed shall become a part of the county in which such City is situated."

Amend Section 6, page 3, line 12, by inserting after the word "The" and before the word "township" the word "county"; also same line, by inserting after the word "township" the words "and school district"; also same line, by inserting after the word "officers" the words "of the county township and school district in which the annexed territory was situated"; also same page, line 14, by inserting after the word "the" and before the word "township" the word "county"; also same line, by inserting after the word "township" the words "or school district"; also same page, line 15, by inserting after the word "including" the word "county"; also at the end of same line, by inserting after the word "township" the words "and school district"; also same page, at the end of line 16, by inserting after the word "the" the word "county"; also same page, at the beginning of line 17, by inserting after the word "township" the words "and school district"; also same line, by inserting after the word "the" and before the word "township" the word "county"; also same line, by inserting after the word "township" and before the word "and" the words "and school district"; also same page, line 19, by inserting after the word "the" and before the word "township" the word "county"; also same line, by inserting after the word "township" the words "and school district"; also same page, at the end of line 22, by inserting after the word "the" and before the word "township" the word "county"; also at the end of same line by inserting after the word "township" the words "and school district respectively."

Amend Section 7, page 4, at the end of line 1, by inserting after the word "the" the words "said county"; also same page, at the beginning of line 2, by inserting after the word "township" the words "and school district"; also same page, at the beginning of line 6, by inserting after the word "th and before the word "township" the words "said county"; also same line by inserting after the word "township" the words "or school district"; also same page, line 15, by inserting after the word "and" and before the word "township" the words "to the county"; also same line by inserting after the word "township" the words "and school district"; also same page by striking out in lines 15 to 18 inclusive the words "and in cases where the City and township are in different counties to the County Commissioners of the county of which the township is a part"; also same page, at the end of line 21, by inserting after the word "the" and before the word "township" the word "county"; also at the end of same line by inserting after the word "township" the words "and school district"; also same page, at the end of line 23, by inserting after the word "the" and before the word "township' the words "said county"; also at the end of same line by inserting after the word "township" the words "or school district"; also same page, line 24, by inserting after the word "the" and before the word "township" the words "said county"; also same line by inserting after the word "township" the words "or school district."

Amend Section 8, page 4, at the beginning of line 28, by inserting after the word "the" and before the word "township" the words "said county"; also same line by inserting after the word "township" the words "and school district"; also on page 5, line 1, by inserting after the word "the" and before the word "township" the word "county"; also same line by inserting after the word "township" the words "or school district"; also same page, line 4, by inserting after the word "or" the word "to"; also same line by inserting after the word "the" and before the word "township" the word "county"; also same line by inserting after the word "township" the words "or school district"; also same page, line 5, by inserting after the word "or" the words "against the county"; also at the beginning of line 6, by inserting after the syllable "ship" the words "or school district"; also same page, line 7, by inserting after the word "or" the words "to the county"; also same line by inserting after the word "township" the words "or school district"; also same page, line 8, by inserting after the word "or" the words "of such county"; also same line by inserting after the word "township" the words "or school district"; also same page, at the beginning of line 10, by inserting after the word "or" the words "to said county"; also same line by inserting after the word "township" the words "or School district"; also same page, line 11, by inserting after the word "the" and before the word "township" the word "county"; also same line by inserting after the word "township" the words "or school district"; also same page, at the end of line 13, by inserting after the word "or" the words "against any county"; also same page, at the beginning of line 14, by inserting after the word "township" the words "or school district"; also same page, line 15, by inserting after the word "against" the word "counties"; also same line by striking out after the word "cities" the word "or"; also same line by inserting after the word "townships" the words "or school districts"; also same page, at the end of line 20, by inserting after the word "the" the word "county"; also same page, at the beginning of line 21, by inserting after the word "township" the words "and school district"; also same page, at the end of line 25, by inserting after the word "and" and before the word "township" the words "upon such county"; also at the end of same line by inserting after the word "township" the words "or school district."

Amend Section 9, page 5, at the end of line 28, by striking out after the word "cities" the word "and"; also on page 6, at the beginning of line 1, by inserting after the part-word "ships" and before the word "are" the words "and school districts."

Amend Section 10, page 6, by striking out all of lines 8 to 15 inclusive as follows:

"Section 10 The Act approved the second day of July A D One thousand nine hundred and thirty-seven (Pamphlet Laws 2803) entitled "An act providing a method of annexation of townships of the first class and parts thereof to cities and boroughs and regulating the proceedings pertaining thereto" and all other Acts or parts of Acts insofar as they are inconsistent herewith or supplied hereby be and the same are hereby repealed."

Amend Section 11, page 6, at the beginning of line 16, by striking out after the word "Section" the figures "11" and inserting in lieu thereof the figures "10."

On the question,

Will the House concur in the amendments made by the Senate?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows, viz:

YEAS—200

Achterman,	Gallagher,	Malloy,	Rosenfeld,
Allmond,	Gates,	Marks,	Royer,
Auker,	Gerard,	Maxwell,	Rush,
Baker,	Gillan,	McClanaghan	Sarge,
Balthaser,	Gillette,	McClester	Sarraf,
Bentley,	Goodwin,	McDermott	Scanlon,
Bentzel,	Greenwood,	McDowell	Schwab,
Boles,	Gross,	McFall	Serrill,
Boney,	Gryskewicz,	McIntosh	Shaffer,
Boorse,	Gyger,	McKinney,	Shaw,
Bower,	Habbyshaw,	McLanahan,	Shepard,
Bradley,	Haberlen,	McLane,	Simons,
Brown,	Haines,	McMillen,	Skale,
Brunner, C. H.,	Hall,	McSurdy,	Snyder,
Brunner, P. A.,	Hamilton,	Melchiorre,	Sollenberger,
Burns,	Hare,	Mihm,	Sorg,
Burris,	Harkins,	Modell,	Stambaugh,
Chervenak,	Harmuth,	Monks,	Stank,
Chudoff,	Harris,	Mooney,	Stine,
Cochran,	Heatherington,	Moran,	Stockham,
Cohen, M. M.,	Helm,	Moul,	Tarr,
Cohen, R. E.,	Hering,	Muir,	Tate,
Cook,	Herman,	Munley,	Taylor,
Cooper,	Hersch,	Nagel	Thompson, E. F.,
Cordier,	Hewitt,	Nunemacher,	Thompson, R. L.,
Corrigan,	Hirsch,	O'Brien,	Trout,
Croop,	Holland,	O'Connor,	VanAllsburg,
Cullen,	Huntley,	O'Dare,	Verona,
Dalrymple,	Imbrie,	O'Mullen,	Vincent,
Dennison,	Jefferson,	O'Neill,	Vogt,
DiGenova,	Jones, G. E.,	Owens,	Voldow,
Dix,	Jones, P. N.,	Petrosky,	Voorhees,
Dolon,	Keenan,	Pettit,	Wagner,
D'Ortona,	Kenehan,	Polaski,	Watkins,
Duffy,	Kline,	Polen,	Weingartner,
Early,	Knoble,	Prosen,	Weiss,
Eckels,	Kolankiewicz,	Powers,	Welsh, E. B.,
Fider,	Komorofski,	Rank,	Welsh, M. J.,
Elliott,	Krise,	Rausch,	Wilkinson,
Ely,	Lee, E. A.,	Readinger,	Williams,
Falkenstein,	Lee, T. H.,	Reagan,	Winner,
Finestone,	Leisey,	Reese, D. P.,	Wood, L. H.,
Finnerty,	Leonard,	Reese, R. E.,	Wood, N.,
Fisher,	Lesko,	Regan,	Woodring,
Fiss,	Levy,	Reynolds,	Woodside,
Fleming,	Leydic,	Rhea,	Wright,
Fletcher,	Lichtenwalter,	Riley,	Yeakel,
Flynn,	Longo,	Rooney,	Yester,
Foor,	Lovett,	Rose, S.,	Young,
French,	Lyons,	Rose, W. E.,	Kilroy, Speaker

NAYS—4

Bretherick,	Cadwalader,	James,	Turner,

The majority required by the Conustitution having voted in the affirmative, the question was determined in the affirmative, and the amendments were concurred in.

Ordered, That the Clerk inform the Senate accordingly.

The Clerk of the Senate being introduced, returned bill from the House of Representatives numbered and entitled as follows:

HOUSE BILL No. 1420.

An Act to amend the act approved the seventeenth day of June one thousand nine hundred and thirteen (P. L. 507), entitled "An act to provide revenue for State and county purposes and in cities coextensive with counties for city and county purposes imposing taxes upon certain classes of personal property providing for the assessment and collection of the same providing for the duties and compensation of prothonotaries and recorders in connection therewith and modifying existing legislation which provided for raising revenue for State purposes" as amended by imposing the tax upon personal property held and managed in this Commonwealth owned held or possessed by residents as trustees agents or attorneys-in-fact jointly with one or more trustees agents or attorneys-in-fact domiciled in another state and by imposing the tax upon equitable interests of residents in personal property held and managed in another state where the legal title to such personal property is held by more than one trustee agent or attorney-in-fact one or more of whom are domiciled in another state and one or more of whom are domiciled within this Commonwealth

With the information that the Senate has passed the same with amendments, in which the concurrence of the House of Representatives is requested.

The SPEAKER. The Clerk will read the amendments.

The Clerk read the amendments as follows:

Amend the title, page 2, at the end of line 7, by inserting after the word "Commonwealth" the words "and exempting casualty insurance companies having no capital stock from the tax imposed by this act."

Amend Section 1, page 6, line 25, by inserting after the word "life" the word "casualty."

On the question,

Will the House concur in the amendments made by the Senate?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows, viz:

YEAS—204

Achterman,	Gallagher,	Malloy,	Royer,
Allmond,	Gates,	Marks,	Rush,
Auker,	Gerard,	Maxwell,	Sarge,
Baker,	Gillan,	McClanaghan	Sarraf,
Balthaser,	Gillette,	McClester,	Scanlon,
Bentley,	Goodwin,	McDermott	Schwab,
Bentzel,	Greenwood,	McDowell	Serrill,
Boles,	Gross,	McFall	Shaffer,
Boney,	Gryskewicz,	McIntosh	Shaw,
Boorse,	Gyger,	McKinney,	Shepard,
Bower,	Habbyshaw,	McLanahan,	Simons,
Bradley	Haberlen,	McLane,	Skale,
Bretherick,	Haines,	McMillen,	Snyder,
Brown,	Hall,	McSurdy,	Sollenberger,
Brunner, C. H.,	Hamilton,	Melchiorre,	Sorg,
Brunner, P. A.,	Hare,	Mihm,	Stambaugh,
Burns,	Harkins,	Modell,	Stank,
Burris,	Harmuth,	Monks,	Stine,
Cadwalader,	Harris,	Mooney,	Stockham,
Chervenak,	Heatherington,	Moran,	Tarr,
Chudoff,	Helm,	Moul,	Tate,
Cochran,	Hering,	Muir,	Taylor,
Cohen, M. M.,	Herman,	Munley	Thompson, E. F.
Cohen, R. E.,	Hersch,	Nagel	Thompson, R. L.,
Cook,	Hewitt,	Nunemacher,	Trout,
Cooper,	Hirsch,	O'Brien,	Turner,
Cordier,	Holland,	O'Connor,	VanAllsburg,
Corrigan,	Huntley,	O'Dare,	Verona,
Croop,	Imbrie,	O'Mullen,	Vincent,
Cullen,	James,	O'Neill,	Vogt,
Dalrymple,	Jefferson,	Owens,	Voldow,
Dennison,	Jones, G. E.,	Petrosky,	Voorhees,
DiGenova,	Jones, P. N.,	Pettit,	Wagner,
Dix,	Keenan,	Polaski,	Watkins,
Dolon,	Kenehan,	Polen,	Weingartner,
D Ortona,	Kline,	Powers,	Weiss,
Duffy,	Knoble,	Prosen,	Welsh, E. B.,
Early,	Kolankiewicz,	Rank,	Welsh, M. J.,

Eckels,	Komorofski,	Rausch,	Wilkinson,
Elder,	Krise,	Readinger,	Williams,
Elliott,	Lee, E. A.,	Reagan,	Winner,
Ely,	Lee, T. H.,	Reese, D. P.,	Wood, L. H.,
Falkenstein,	Leisey,	Reese, R. E.,	Wood, N.,
Finestone,	Leonard,	Regan,	Woodring,
Finnerty,	Lesko,	Reynolds,	Woodside,
Fisher,	Levy,	Rhea,	Wright,
Fiss,	Leydic,	Riley,	Yeakel,
Fleming,	Lichtenwalter,	Rooney,	Yester,
Fletcher,	Longo,	Rose, S.,	Young,
Flynn,	Lovett,	Rose, W. E.,	Kilroy.
Foor,	Lyons,	Rosenfeld,	Speaker.
French,			

NAYS—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative, and the amendments were concurred in.

Ordered, That the Clerk inform the Senate accordingly.

The Clerk of the Senate being introduced, returned bill from the House of Representatives numbered and entitled as follows:

HOUSE BILL No. 1365.

An Act to amend the act approved the first day of May one thousand nine hundred and twenty-nine (P. L. 905), entitled "An act for the protection of the public safety regulating the use of highways and the operation of vehicles tractors street cars trackless trolley omnibuses bicycles pedestrians and the riding of animals upon the highways of this Commonwealth providing for the titling including liens encumbrances and legal claims registration of certain vehicles and licensing the operators thereof upon payment of prescribed fees and prescribing and limiting the powers of local authorities to deal with the subject matter of this act conferring powers and imposing duties upon the Department of Revenue Department of Highways peace officers mayors burgesses magistrates aldermen justices of the peace the courts and the clerks thereof owners of vehicles and garage keepers providing that records are admissible as evidence imposing upon owners counties cities boroughs incorporated towns townships within the Commonwealth liability for damages caused by the negligent operation of their motor vehicles imposing penalties imposing certain costs upon counties providing for the disposition of fines forfeitures fees and miscellaneous receipts making an appropriation and providing for refunds" as variously amended authorizing the Secretary of Revenue to establish a system of permanent registration of vehicles and further regulating the operation of vehicles and the suspension of registrations and operating privileges giving the Pennsylvania Turnpike Commission power to regulate traffic on turnpikes extending the time limit for cities of the second class A to make certain changes in traffic signals extending the liability of political subdivisions to include negligent operation of their vehicles drawn by animal power amplifying and changing provisions of said act relating to lighting signal and warning devices redefining the term dealer further regulating dealers in junked vehicles permits for oversize and overweight vehicles use of school buses registration plates and cards maximum size of vehicles and medical examinations by physicians providing for payment of certain fees by counties limiting and providing new exemptions from the various provisions of said act giving additional authority to peace officers and department employes in the matter of investigations further regulating prosecutions giving certain powers to local authorities for the regulation of traffic and the establishment of traffic courts changing and fixing additional fees changing and imposing new penalties giving the secretary additional powers and duties imposing additional duties on keepers and employers of garages and repair shops providing refunds to certain persons entering Federal services and making an appropriation.

With the information that the Senate has passed the same with amendments, in which the concurrence of the House of Representatives is requested.

The SPEAKER. The Clerk will read the amendments.

The Clerk read the amendments as follows:

Amend the title, page 2, at the end of line 12, by inserting after the word "vehicles" the words "providing for the issuance of limited operator's licenses in certain cases;" also same page, line 23, by inserting after the word "devices" the words "and the transportation of vehicles;" also on page 3 of the title, at the end of line 11, by inserting after the word "services" the words "making it a misdemeanor for committing malicious mischief to motor vehicles parts or accessories thereof and establishing penalties therefor."

Amend Section 1, page 18, line 22, by inserting after the word "lying" the words "on along or."

Amend Section 3, page 2, line 25, by striking out after the word "a" the word "farm" and inserting in lieu thereof the word "form".

Amend Section 6, page 30, line 5, by striking out the word "recession" and inserting in lieu thereof the word "recision."

Amend Section 7, page 54, line 29, by inserting after the word "than" and before the word "mental" the words "as provided in clauses one two three and four of section six hundred fourteen of this act or for"; also on page 55, by inserting between line 7 and 8 the following:

"When the operator's license of any person is revoked for any of the crimes enumerated in clauses one two three and four of section six hundred fourteen of this act the secretary shall at his discretion issue or refuse to issue to such person the limited operator's license herein provided for the facts and circumstances of each individual case to be taken into consideration."

Amend Section 9, page 58, at the beginning of line 9, by striking out the "(1)".

Amend Section 20, page 73, line 1, by striking out the word "Subsection" and inserting in lieu thereof the words and leter "Subsections (b) and"; also same page by inserting between lines 7 and 8 the following:

"(b) If the secretary finds after hearing had that the provisions of this act are not being complied with or that the business of an official inspection station in connection with the corrections adjustments repairs or inspection of motor vehicles trailers or semi-trailers is being improperly conducted or receives notice of the conviction of any person conducting an official inspection station of any violation of the provisions of this act he shall suspend the certificate of apopintment of any such station and require the immediate surrender and return of the certificate of appointment together with all department forms Provided however That if the servant or employe of any such inspection station shall without the authorization knowledge or consent of his employer violate any of the provisions of this act in reference to the inspection of vehicles such violation or violations shall not be the cause of the suspension of the certificate of appointment as herein provided but such employe shall be subject to prosecution as hereinafter provided Any person whose certificate or appointment is suspended under the provisions of this subsection may within thirty (30) days from the date thereof appeal to the court of common pleas of the county wherein such official inspection station is located and such court is hereby vested with jurisdiction and it shall be its duty to set the matter down for hearing upon thirty (30) days' written notice to the secretary and thereupon to take testimony and examine into the facts of the case and to determine whether the petitioner is subject to suspension of his certificate of appointment under the provisions of this act When any hearing is held by the secretary to determine whether the provisions of this act are not being complied wih or that the business of an official inspection station in connection with the corrections adjustments repairs of inspection of motor vehicles trailers or semi-trailers is being improperly conducted the person or persons accused of such violations shall be given notice there-

of and shall be permitted to be present and represented by counsel

Penalty Any owner who operates such inspection station or any manager or operator thereof or any employe thereof violating any of the provisions of this section shall upon summary conviction before a magistrate be sentenced to pay a fine of twenty-five ($25.00) dollars and costs of prosecution and in default of the payment thereof shall undergo imprisonment for not more than ten (10) days".

Amend Section 24, page 79, line 9, by inserting after the word "dismemberment" the words "the total length of"; also same line by striking out the light-faced brackets before and after the word "which"; also at the end of same line by striking out the words "where total length of"; also same page, at the beginning of line 10, by striking out the word "vehicles"; also same page, at the end of line 16, by inserting after the word "weight" the words "or axle load"; also same page, line 18, by inserting after the word "weight" the words "or axle load"; also same page, at the end of line 19, by inserting after the word "weight" the words "or axle load"; also same page, at the end of line 25, by inserting after the word "weight" the words "or axle load"; also same page, line 27, by inserting after the word "weight" the words "or axle load".

Amend Section 25, page 80, line 13, by inserting after the word "weight" the words "or axle load"; also same page, line 14, by inserting after the word "weight" the words "or axle load"; also same page, line 15, by inserting after the word "weight" the words "or axle load"; also same page, line 22, by inserting after the word "weight" the words "or axle load"; also same page, line 24, by inserting after the word "weight" the words "or axle load".

Amend Section 26, page 83, line 7, by inserting a light-faced bracket before the word "Whenever"; also same page, line 9, by inserting a light-faced bracket after the word "highway".

Amend Section 27, page 83, at the beginning of line 28, by inserting after the figures "27" and before the word "Clause" the following: "Clause 4 of subsection (b) and"; also on page 84, by inserting between lines 5 and 6 the following:

"(b) Subject to the provisions of subsection (a) of this section speeds in excess of the maximum limits hereinafter provided shall be unlawful

* * * *

4 Twenty-five (25) or thirty-five (35) miles an hour speed limit All vehicles except those restricted by this act to lower maximum speeds within business or residential districts or public park areas where official signs erected by the proper authorities on the right-hand side of the highway facing the traffic to be controlled or on the left-hand side of one-way streets are displayed This limit shall be observed for a distance beyond said sign for not more than one-eighth (1/8) of a mile An additional sign shall be placed at intervals not greater than one-eighth (1/8) of a mile and any extension of such limited zone shall be marked by additional signs in like manner At the end of such limited zone there shall be an official sign similarly placed as to traffic indicating the end of the limited zone Provided however That cities of the first class and cities of the second class may by ordinance adopted in accordance with the provisions of section one thousand one hundred and three (i) of this act establish a speed limit of thirty-five (35) miles an hour to be effective in the business or residential districts wihtin the limits of any such city except where official signs erected in conformity with the provisions of this subsection otherwise provide

* * * * *";

Also same page, by striking out in lines 17 to 21 inclusive the following: "except that in ascertaining whether or not the operator of such vehicle is violating the speed limit at an intersection such measured stretch shall not be less than eighty-eight (88) feet in length"; also same page, at the beginning of line 24, by inserting after the word "vehicle" the words "painted predominately white and."

Amend Section 28, page 85, at the beginning of line 24, by striking out after the word "Section" the figures "28" and inserting in lieu thereof the figures "29".

Amend Section 29, page 86, at the beginning of line 11, by striking out after the word "Section" the figures "29" and inserting in lieu thereof the figures "30".

Amend Section 30, page 87, at the beginning of line 24, by striking out after the word "Section" the figures "30" and inserting in lieu thereof the figures "31"; also on page 88, at the beginning of line 25, by striking out after the syllable "ment" and before the word "fire" the word "and" and inserting in lieu thereof the word "or"; also on page 89, by inserting between lines 11 and 12 the following:

"Section 32 That section 1033 of said act as last amended by the act of June twenty-seven one thousand nine hundred and thirty-nine (P. L. 1135) is hereby further amended to read as follows

Section 1033 Vehicles carrying other vehicles

(a) No person shall on or after January first one thousand nine hundred and [forty-two] forty-four operate a vehicle on the highways of this Commonwealth having two levels for the carriage of other vehicles

(b) No person shall on or after January first one thousand nine hundred and [forty-two] forty-four operate a vehicle on the highways of this Commonwealth carrying other vehicles any part of which is carried at a height of more than one hundred fifteen (115) inches above the ground

(c) [No person shall operate a vehicle on the highways of this Commonwealth carrying any other vehicle the weight of which is directly above the cab of the carrier vehicle or directly over the head of the operator of such vehicle] No vehicle being transported on another single vehicle or combination vehicle and trailer shall be carried in such manner as to extend above the cab of the transporting vehicle and where such vehicle shall be transported on a combination truck tractor and semi-trailer the transported vehicle shall be loaded wholly upon the semi-trailer and shall not extend more than five feet beyond the front extremity of the semi-trailer

(d) No person shall on or after January first one thousand nine hundred and [forty-two] forty-four operate a vehicle on the highways of this Commonwealth carrying any other vehicle any axle of which is more than three (3) feet higher than any other axle on such carrier vehicle

Penalty Any person violating any of the provisions of this section shall upon summary conviction before a magistrate be sentenced to pay a fine of twenty-five ($25) dollars and costs of prosecution and in default of the payment thereof shall undergo imprisonment for not more than five (5) days".

Amend Section 31, page 89, at the beginning of line 12, by striking out after the word "Section" the figures "31" and inserting in lieu thereof the figures "33"; also on page 90, line 16, by inserting after the word "speed" the words "in the business and residential districts"; also on page 91, by inserting between lines 17 and 18 the following:

"Section 34 Section one thousand one hundred and three of said act as amended by the act approved the twenty-second day of June one thousand nine hundred and thirty-one (P. L. 751) is hereby further amended by adding thereto after subsection (g) one new subsection to read as follows

Section 1103 Powers of Local Authorities

* * * *

(h) Local authorities of cities of the first class and cities of the second class may by ordinance establish a speed limit of thirty-five (35) miles an hour to be exective in the business and residential districts within the limits of any such city except where official signs erected in conformity with the provisions of subsection (b) of section one thousand and two of this act otherwise provide In making such provisions the local authorities of such cities shall provide that signs showing the said thirty-five (35)

mile speed limit within said cities shall be posted at the entrance of such cities and at ten other locations at least within such cities and when so posted the said cities shall not be required to post any such signs elsewhere within the said cities

Section 35 Section one thousand one hundred and six of said act as amended by the act approved the fifth day of June one thousand nine hundred and thirty-seven (P. L. 1718) is hereby further amended to read as follows

Section 1106 Local Traffic Signs Local authorities in their respective jurisdiction may cause official signs in accordance with section one thousand one hundred and five of this act to be erected and maintained as may be appropriate to give notice of legal parking and other local ordinances rules and regulations shall not be enforceable against an alleged violator if at the time and place of the alleged violation an official sign giving notice thereof is not posted conspicuously by the municipalities making the same at points where any highway affected thereby joins other highways except as otherwise provided in this act."

Amend Section 32, page 91, at the beginning of line 18, by striking out after the word "Section " the figures "32" and inserting in lieu thereof the figures "36."

Amend Section 33, page 92, at the beginning of line 16, by striking out after the word "Section" the figures "33" and inserting in lieu thereof the figures "37."

Amend Section 34, page 93, at the beginning of line 27, by striking out after the word "Section" the figures "34" and inserting in lieu thereof the figures "38"; also on page 95, line 14, by inserting after the word "days" and before the word "after" the following:

"except in the case where the information is brought against any person who has not been stopped by the officer at the time of the violation In such cases all information must be filed and mailed by registered letter to the violator within five (5) days of the date of the said violation."

Amend Section 35, page 96, at the beginning of line 6, by striking out after the word "Section" the figures "35" and inserting in lieu thereof the figures "39."

Amend Section 36, page 98, at the beginning of line 21, by striking out after the word "Section" the figures "36" and inserting in lieu thereof the figures "40"; also on page 99, line 3, by inserting a light-faced bracket before the word "nine" where said word appears the first time in said line; also same line, by inserting a light-faced bracket after the figures "(903)"; also on page 100, line 6, by striking out the words "nine hundred and three"; also same page, at the beginning of line 7, by striking out the figures "(903)."

Amend Section 37, page 101, at the beginning of line 9, by striking out after the word "Section" the figures "37" and inserting in lieu thereof the figures "41."

Amend Section 38, page 103, at the beginning of line 23, by striking out after the word "Section" the figures "38" and inserting in lieu thereof the figures "42."

Amend Section 39, page 105, at the beginning of line 5, by striking out after the word "Section" the figures "39" and inserting in lieu thereof the figures "43."

Amend Section 40, page 106, at the beginning of line 5, by striking out after the word "Section" the figures "40" and inserting in lieu thereof the figures "44."

Amend Section 41, page 106, at the beginning of line 23, by striking out after the word "Section" the figures "41" and inserting in lieu thereof the figures "45"; also same page, line 25, by striking out after the word "twenty-two" the word "two" and inserting in lieu thereof the word "three"; also on page 107, at the end of line 27, by inserting after the word "examinations" the following: "And provided further That all said fees shall be paid from fines and penalties collected and bail forfeited under the provisions of subsection (f) of section six hundred and twenty of this act"; also on page 108, by inserting after line 4 the following paragraph:

"Section 1225 Any person who shall wilfully and maliciously break injure destroy or deface any motor vehicle or any part or accessory thereof which motor vehicle part or accessory shall belong to another shall be guilty of a misdemeanor and upon conviction shall be sentenced to pay a fine not exceeding one hundred dollars ($100.00) or suffer imprisonment not exceeding six months or both at the discretion of the court."

On the question,

Will the House concur in the amendments made by the Senate?

Mr. READINGER. Mr. Speaker, I move that the House non-concur in the amendments made by the Senate.

The motion was agreed to.

Ordered, That the Clerk inform the Senate accordingly.

QUESTION OF INFORMATION

Mr. MIHM. Mr. Speaker, I arise to a question of information.

The SPEAKER. The gentleman from Allegheny will state his question of information.

Mr. MIHM. Mr. Speaker, I would ask whether the Conference Reports on House Bills 1464, 1465, 1466, 1467 and 1468 are on file? I have not received the printed reports.

The SPEAKER. They are all printed and on file except on House Bill No. 1466.

Mr. MIHM. Mr. Speaker, may I call up all of the Conference Reports at the present time?

The SPEAKER. For the information of the gentleman from Allegheny, he may call them up.

Mr. MIHM. Mr. Speaker, I call up the reports of the Committees on conference on House Bills 1465, 1467, 1468, 1469, and 1526.

REPORT OF COMMITTEE OF CONFERENCE ON HOUSE BILL No. 1465

To the Members of the Senate and House of Representatives:

We, the undersigned, Committee of Conference on the part of the Senate and House of Representatives for the purpose of considering House Bill No. 1465, entitled:

"An act to amend the act, approved the twenty-ninth day of April, one thousand nine hundred thirty-seven (P. L. 487), entitled 'An act to provide for the permanent personal registration of electors in boroughs, towns and townships as a condition of their right to vote at elections and primaries and their enrollment as members of political parties as a further condition of their right to vote at primaries; * * *' as amended, by requiring and providing for the registration of persons in military service before they shall be entitled to vote at any election."

Respectfully submit the following bill as our report:

Robert M. Miller
Paul M. Crider
J. K. McQuiddy
(Committee on the Part of the Senate.)

H. J. Maxwell
Martin C. Mihm
George T. Weingartner
(Committee on the part of the House of Representatives.)

An Act to amend the act approved the twenty-ninth day of April one thousand nine hundred thirty-seven (P. L. 487) entitled "An act to provide for the permanent per-

sonal registraion of electors in boroughs towns and townships as a condition of their right to vote at elections and primaries and their enrollment as members of political parties as a further condition of their right to vote at primaries prescribing certain procedure for the conduct of elections and primaries and the challenge and proof of qualifications of electors requiring the county commissioners of the various counties to act as a registration commission therefor and prescribing the powers and duties of citizens parties political bodies registration commissions commissioners registrars inspectors of registration and other appointees of registration commissions county election boards election officers municipal officers departments and bureaus police officers courts judges prothonotaries sheriffs county commissioners peace officers county treasurers county controllers registrars of vital statistics certain public utility corporations real estate brokers rental agents and boards of school directors and imposing penalties" as amended by requiring and providing for the registration of persons in military service before they shall be entitled to vote at any election

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section two of the act approved the twenty-ninth day of April one thousand nine hundred thirty-seven (P. L. 487) entitled "An act to provide for the permanent personal registration of electors in boroughs towns and townships as a condition of their right to vote at elections and primaries and their enrollment as members of political parties as a further condition of their right to vote at primaries prescribing certain procedure for the conduct of elections and primaries and the challenge and proof of qualifications of electors requiring the county commissioners of the various counties to act as a registration commission therefor and prescribing the powers and duties of citizens parties political bodies registration commissions commissioners registrars inspectors of registration and other appointees of registration commissions county election boards election officers municipal officers departments and bureaus police officers courts judges prothonotaries sheriffs county commissioners peace officers county treasurers county controllers registrars of vital statistics certain public utility corporations real estate brokers rental agents and boards of school directors and imposing penalties" is hereby amended to read as follows

Section 2 Definitions (a) The word "Commission" shall mean any registration commission having jurisdiction in boroughs towns and townships

(b) "Commissioner" shall mean a county commissioner acting as a member of the registration commission

(c) "Oath" shall include affirmation and "Swear" shall include affirm

(d) "Election" shall mean any general special municipal or primary election unless otherwise specified

(e) "General election" shall mean the election which the Constitution of this Commonwealth requires to be held in even-numbered years

(f) "Municipal election" shall mean the election which the Constitution of this Commonwealth requires to be held in odd-numbered years

(g) "Primary election" shall mean any election for the nomination of candidates

(h) "November election" shall mean either the general or the municipal election or both according to the context

(i) "Party" shall mean any party or political body one of whose candidates at the general election next preceding the primary polled in each of at least ten counties of the State not less than two per centum of the largest entire vote cast in each of said counties for any elected candidate and polled a total vote in the State equal to at least two per centum of the largest entire vote cast in the State for any elected candidate or any party or political body one of whose candidates at either the general or municipal election preceding the primary polled at least five per centum of the largest entire vote cast for any elected candidate in any county containing therein any borough town or township

(j) "Political body" shall mean any political body not recognized as a political party which has filed proper nomination papers as required by law

(k) "Qualified elector" shall mean any person who shall possess all of the qualifications for voting now or hereafter prescribed by the Constitution of this Commonwealth or who being otherwise qualified by continued residence in his election district shall obtain such qualifications before the next ensuing election

(l) "Register" shall mean the cards containing or to contain all or any part of the registry list of qualified electors prepared or to be prepared by the registration commissions as hereinafter provided

(m) "County" shall mean any county of this Commonwealth

(n) "Public office" shall mean and include any National State judicial county city borough town township school district poor district ward or election office or employment requiring any person elected or appointed thereto to render any public service for a fixed fee or compensation except the office of notary public or commissioner of deeds

(o) Wherever a term in the masculine form is used in this act it shall refer alike to men and women

(p) "District" shall mean any election district or precinct of a borough town or township

(q) All references to police officers clerks secretaries courts judges prothonotaries county treasurers county controllers county commissioners sheriffs peace officers registrars of vital statistics boards of school districts and other officials of counties boroughs towns townships and school districts where not otherwise specified shall refer only to those of any borough town or township or to those of any county within which such borough town or township is located or to any school district containing contained in or coextensive with any borough town or township

(r) "County election board" or "county board" shall mean the county board of elections of any county as now or hereafter provided for by the election laws of this Commonwealth

(s) In determining or reckoning any period of time mentioned in this act the day upon which the act is done paper filed or notice given shall be excluded from and the date of the primary election hearing or other subsequent event as the case may be shall be included in the calculation or reckoning Provided however That if the last day upon which any act may be done paper filed or notice given shall fall on a Sunday or a legal holiday the next following ordinary business day shall be considered as the last day for said purpose

(t) "Persons in military service" shall mean qualified electors of this Commonwealth who are or may be by enlistment enrollment or draft in actual military or naval service of the United States or any branch or unit thereof or in the military service of the Commonwealth

Section 2 Subsection (a) of section seventeen of the said act is hereby amended to read as follows

Section 17 Registration Cards Preparation and Distribution

(a) For the purpose of registering the qualified electors of each borough town or township the commission shall prepare registration cards serially numbered in duplicate and containing spaces for entering the information required by section eighteen and section eighteen and one-tenth of this act and either the following affidavit or the affidavit prescribed in section eighteen and one-tenth as the case may be

Registration Affidavit

State of Pennsylvania } ss
County of }

I hereby swear or affirm that I am a citizen of the United States that on the day of the next election I shall be at least twenty-one years of age and shall have resided in the State of Pennsylvania for one year (or having prev-

iously been a qualified elector or a native born citizen of the State and having removed and returned then six months) next preceding said election and in the election district two months that I am legally qualified to vote that I have read (or have had read to me) the foregoing statements made in connection with my registration and that they are true and correct

Subscribed and sworn to before me this ..... day of .....19....

.....
Signature of Voter

.....
Signature of Registrar

Section 3 The said act is amended by adding after section eighteen a new section eighteen and one-tenth to read as follows

Section 18.1 Manner of Registration by Persons in Military Service A person in military service may in addition to any other method herein provided also be registered in the following manner

(a) He may make application to the commission for a registration card

(b) The registration card shall require the statement of and shall provide sufficient space for the following information (1) The surname of the applicant (2) His Christian name or names (3) His occupation if any on the date of entering military service (4) The street or road and number if any of his residence on the date of entering military service (5) If his residence was a portion only of a house the location or number of the room or rooms apartment flat or floor which he occupied (6) The date his residence began at the place at which he resided on the date of entering military service (7) His residence address when he last registered and the year of such registration (8) The sex of the applicant (9) The color of the applicant (10) The state or territory of the United States or the foreign country where he was born (11) The date when place where and the court by which naturalized and the number of the naturalization certificate (12) If not naturalized personally the name of father mother or husband through whom naturalized (13) Whether he is unable by reason of illiteracy to read the names on the ballot or voting machine labels (14) whether he has a physical disability which will render him unable to see or mark the ballot or operate the voting machine or to enter the voting compartment or voting machine booth without assistance and if so his declaration of that fact and his statement of the exact nature of such disability (15) The designation of the political party of the elector for the purpose of voting at primaries (16) The affidavit of registration as hereinafter prescribed which shall be signed by the elector attested by the signature of the superior officer of the applicant or the judge of any court of record of the United States or of any state or territory thereof and dated by such superior officer or judge (17) The height of the applicant in feet and inches (18) The color of his hair (19) The color of his eyes (20) The date of his birth Each registration card for registration by persons in military service shall also have a sufficient number of spaces thereon for the insertion by the commission but not by the applicant of the borough town township ward and election district if any in which the applicant resided on the date of entering military service and to which he may from time to time remove after leaving military service together with his street address in each borough town or township and the other data required to be given upon such removal (21) The date of each election and primary at which the applicant votes after registration the number and letter if any of the stub of the ballot issued to him or his number in the order of admission to the voting machines and (22) The signature or initials of the election officer who enters the record of voting on the card

(c) In addition the foregoing registration card shall contain the following affidavit

Registration Affidavit

I hereby swear or affirm that I am a citizen of the United States that on the day of the next election I shall be at least twenty-one years of age and shall have resided in the Commonwealth for one year (or having previously been a qualified elector or a native born citizen of the Commonwealth and having removed and returned then six months) and in the election district two months that I am now in actual military service under a requisition of the President of the United States or by the authority of the Commonwealth of Pennsylvania that the military naval or air unit in which I am enrolled or commissioned is ..... with the rank of ..... now located at ..... that I am legally qualified to vote that I have read (or have had read to me) the foregoing statements made in connection with my registration and that they are true and correct

.....
Signature of applicant for registration

Sworn to and subscribed before me this ..... day of ..... 19....

.....
Signature of superior officer or judge of any court of record of the United States or any state or territory thereof and statement of official position

(d) Upon written application by any person in military service to the registration commission having jurisdiction in the borough town or township in which the applicant last resided on the date of entering military service a registration card in the form herein prescribed in duplicate shall be mailed postage prepaid to the applicant at the address given in such application Such person shall thereupon supply the information required on the registration card in duplicate and shall take the affidavit thereto in duplicate in the presence of his superior officer or of any judge of a court of record of the United States or any state or territory thereof and shall mail the same in duplicate postage prepaid to the registration commission from which it was procured

(e) Registration in this manner by persons in military service may be made at any time Provided however That if any registration card is received by any registration commission from any person in military service at any time when registration by personal appearance in the manner provided in section eighteen of this act could not be made under the provisions of section sixteen of this act such application shall be retained by the commission until the beginning of the next period during which such registration by personal appearance could be made and at such time the applicant if otherwise entitled shall be duly registered

(f) The status of any person in military service with respect to residence shall remain the same as it was when such person entered military service Provided however That if at the time of entering military service any person shall not have resided in Pennsylvania or in a particular election district thereof for a sufficient time to have been entitled to be registered but by continued residence would have become so entitled he shall be entitled to be registered at such time as he would have been so entitled had he not entered military service and had continued to reside where he then resided

(g) Registration cards returned by persons in military service to any registration commission shall be examined by a member of the commission or any clerk or registrar at a time and place when personal registration are being received and such member of the commission clerk or registrar shall announce in the hearing of all present the name of the person in military service who has thus offered to register and the address of his residence on the date of entering military service The right of such person in military service to be registered shall not be subject to challenge for any reason other than failure to have mailed the commission a properly completed registration card If the commission finds the registration card not properly completed it shall reject it in the manner hereinafter provided

Section 4 Section twenty-two of the said act is hereby amended to read as follows

Section 22 Incomplete or Rejected Applications to Be Recorded The registrar commissioner or clerk shall record on registration cards the surname Christian name or names and street and number of residence of each person who applies for registration whether or not the application is accepted Whenever the applicant is rejected after a portion of the record has been filled in the registration card or cards shall be marked "Applicant Rejected" and the registrar commissioner or clerk shall note thereon the reason for the rejection and shall sign his name thereto The registrar commissioner or clerk shall forthwith personally notify the applicant if his application for registration is rejected Provided however That if the registration card was received by mail from a person in military service notice of rejection shall be by mail All such cards shall be returned to the commission and shall be preserved for a period of two years

Section 5 Subsection (a) of section twenty-eight of the said act as amended by the act approved the ninth day of June one thousand nine hundred thirty-nine (Pamphlet Laws two hundred eighty-one) is hereby further amended to read as follows

Section 28 Change of Enrollment of Political Party Cancellation of Party Enrollment Persons Suffering Disability After Registration to Have Fact Recorded Cancellation (a) At any time prior to the thirtieth day next preceding a primary or an election excepting the thirty days next following each election and the five days next following each primary any person who desires to change the enrollment of his political designation or who although registered has not hitherto enrolled as a member of a party may appear before a registrar commissioner or clerk and state in writing over his signature the political party in which he desires to be enrolled and the registrar commissioner or clerk shall cause the enrollment of the elector's political designation to be made or altered accordingly in the general and district registers In such cases the signature of the elector shall be verified by comparison with his signature on the general and district registers before the change of enrollment is made If any elector desiring to change his party enrollment is unable to sign his application he shall make his mark thereto in the presence of the registrar commissioner or clerk and shall produce such other evidence as may be necessary to establish his identity When an elector has applied for a change in the enrollment of his political designation as provided herein the registrar commissioner or clerk shall upon request stamp or mark the change so made on the elector's card attesting his registration Any person in military service who desires to change his party enrollment shall be permitted to do so by addressing to the commission a signed written application under oath taken and subscribed to before any commissioned officer of the military or naval forces either within or without the Commonwealth or before any officer of this or any other state or territory of the United States authorized to administer oaths The application shall be sent by the applicant by registered mail return receipt required and shall also contain a statement that such person is at the time of making the application absent from his residence in military service If upon examination the signature appears authentic and the application conform to the provisions of this section the enrollment shall be changed in accordance with the application

Section 6 Section thirty of the said act is hereby amended to read as follows

Section 30 Check-up of Registers

(a) At any time prior to the thirtieth day next preceding an election or primary the commission may send by mail to any elector whose name appears in any district register a notice setting forth the elector's name and address as it shall appear in the register and requesting him in case of any error to present the notice on or before the tenth day next ensuing at the office of the commission and secure the correction of the error and warning the elector that any discrepancy between his actual name and address and his name and address as recorded in the original register will constitute ground for challenging his vote Such notice shall contain on the outside a request to the postmaster to return it within five days if it cannot be delivered to the addressee at the address given thereon

(b) At any time prior to the thirtieth day next preceding an election or primary the commission may cause a check-up to be made by postmen of the United States Post Office of any elector whose name appears in any district register

(c) At least once in each four years the commission shall conduct a check-up of each registered elector in the boroughs towns and townships by either of the methods provided for in subsections (a) and (b) above

(d) Upon the return by the post office of any such notice which it has been unable to deliver at the given address because the addressee cannot be found there or upon report by the post office that any registered elector does not reside at the address given on his registration card the commission shall direct an authorized employe to visit in person the address of the elector and if he shall find that the elector does not reside at the address he shall leave at such address the notice prescribed by section thirty-one of this act and the commission shall at the expiration of the time specified in such notice cancel the registration of such person unless he personally appears and proves his qualifications as an elector Provided however That the registration of any person in military service shall not be cancelled by reason of the failure of such person to reside at the address appearing upon the district register if such person did reside at such address on the date of entering military service

Section 7 Section thirty-six of the said act is hereby amended by adding thereto subsection (h) to read as follows

(h) Persons in military service shall be entitled to vote if duly registered in a manner provided by this act Persons in military service and by reason thereof absent from their places of residence on the day of any election shall be entitled to vote in such manner as may now or hereafter be provided by law unaffected by the provisions of this section insofar as they relate to the manner of voting

Section 8 This act shall become effective immediately upon final enactment

On the question,

Will the House adopt the report of the Committee of Conference?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows, viz:

YEAS—204

Achterman,	Gallagher,	Malloy,	Royer,
Allmond,	Gates,	Marks,	Rush,
Auker,	Gerard,	Maxwell,	Sarge,
Baker,	Gillan,	McClanaghan	Sarraf,
Balthaser,	Gillette,	McClester,	Scanlon,
Bentley,	Goodwin,	McDermott	Schwab,
Bentzel,	Greenwood,	McDowell	Serrill,
Boney,	Gross,	McFall	Shaffer,
Boles,	Gryskewicz,	McIntosh	Shaw,
Boorse,	Gyger,	McKinney,	Shepard,
Bower,	Habbyshaw,	McLanahan,	Simons,
Bradley,	Haberlen,	McLane,	Skale,
Bretherick,	Haines,	McMillen,	Snyder,
Brown,	Hall,	McSurdy,	Sollenberger,
Brunner, C. H.,	Hamilton,	Melchiorre,	Sorg,
Brunner, P. A.,	Hare,	Mihm,	Stambaugh,
Burns,	Harkins,	Modell,	Stank,
Burris,	Harmuth,	Monks,	Stine,
Cadwalader,	Harris,	Mooney,	Stockham,
Chervenak,	Heatherington,	Moran,	Tarr,
Chudoff,	Helm,	Moul,	Tate,
Cochran,	Hering,	Muir,	Taylor,
Cohen, M. M.,	Herman,	Munley	Thompson, E. F.,
Cohen, R. E.,	Hersch,	Nagel,	Thompson, R. L.,
Cook,	Hewitt,	Nunemacher,	Trout,
Cooper,	Hirsch,	O'Brien,	Turner,

Cordier,	Holland,	O'Connor,	Van Allsburg,
Corrigan,	Huntley,	O'Dare,	Verona,
Croop,	Imbrie,	O'Mullen,	Vincent,
Cullen,	James,	O'Neill,	Vogt,
Dalrymple,	Jefferson,	Owens,	Voldow,
Dennison,	Jones, G. E.,	Petrosky,	Voorhees,
DiGenova,	Jones, P. N.,	Pettit,	Wagner,
Dix,	Keenan,	Polaski,	Watkins,
Dolon,	Kenehan,	Polen,	Weingartner,
D'Ortona,	Kline,	Powers,	Weiss,
Duffy,	Knoble,	Prosen,	Welsh, E. B.,
Early,	Kolankiewicz,	Rank,	Welsh, M. J.,
Eckels,	Komorofski,	Rausch,	Wilkinson,
Elder,	Krise,	Readinger	Williams,
Elliott,	Lee, E. A.,	Reagan,	Winner,
Ely,	Lee, T. H.,	Reese, D. P.,	Wood, L. H.,
Falkenstein,	Leisey,	Reese, R. E.,	Wood, N.,
Finestone,	Leonard,	Regan,	Woodring,
Finnerty,	Lesko,	Reynolds,	Woodside,
Fisher,	Levy,	Rhea,	Wright,
Fiss,	Leydic,	Riley,	Yeakel,
Fleming,	Lichtenwalter,	Rooney,	Yester,
Fletcher,	Longo,	Rose, S.,	Young,
Flynn,	Lovett	Rose, W. E.,	Kilroy,
Foor,	Lyons,	Rosenfeld,	Speaker.
French,			

NAYS—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative and the report of the Committee of Conference was adopted.

Ordered, That the Clerk inform the Senate accordingly.

REPORT OF THE COMMITTEE OF CONFERENCE ON HOUSE BILL No. 1467

To the Members of the Senate and House of Representatives:

We, the undersigned, Committee of Conference on the part of the Senate and House of Representatives for the purpose of considering House Bill No. 1467, entitled:

"An Act to amend the act, approved the first day of June, one thousand nine hundred thirty-seven (P. L. 1132), entitled 'An act to provide for the permanent personal registration of electors in cities of the second class A as a condition of their right to vote at elections and primaries, and their enrollment as members of political parties as a further condition of their right to vote at primaries; * * *' as amended, by requiring and providing for the registration of persons in military service to entitle them to vote at any election."

Respectfully submit the following bill as our report:

Robert M. Miller,
Paul M. Crider,
J. K. McQuiddy,
(Committee on the part of the Senate.)

H. J. Maxwell,
Martin C. Mihm,
George T. Weingartner,
(Committee on the part of the House of Representatives.)

An Act to amend the act approved the first day of June one thousand nine hundred thirty-seven (P. L. 1132), entitled "An act to provide for the permanent personal registration of electors in cities of the second class A as a condition of their right to vote at elections and primaries and their enrollment as members of political parties as a further condition of their right to vote at primaries prescribing certain procedure for the conduct of elections and primaries and the challenge and proof of qualifications of electors and prescribing the powers and duties of citizens parties political bodies registration commissions commissioners registrars inspectors of registration and other appointees of registration commission county election boards election officers municipal officers departments and bureaus police officers courts judges prothonotaries sheriffs county commissioners peace officers county treasurers county controllers registrars of vital statistics certain public utility corporations real estate brokers rental agents and boards of school directors and imposing penalties" as amended by requiring and providing for the registration of persons in military service to entitle them to vote at any election

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section three of the act approved the first day of June one thousand nine hundred thirty-seven (P. L. 1132), entitled "An act to provide for the permanent personal registration of electors in cities of the second class A as a condition of their right to vote at elections and primaries and their enrollment as members of political parties as a further condition of their right to vote at primaries prescribing certain procedure for the conduct of elections and primaries and the challenge and proof of qualifications of electors and prescribing the powers and duties of citizens parties political bodies registration commissions commissioners registrars inspectors of registration and other appointees of registration commissions county election boards election officers municipal officers departments and bureaus police officers courts judges prothonotaries sheriffs county commissioners peace officers county treasurers county controllers registrars of vital statistics certain public utility corporations real estate brokers rental agents and boards of school directors and imposing penalties" is hereby amended by adding thereto a new subsection (u) to read as follows

(u) "Persons in military service" shall mean qualified electors of this Commonwealth who are or may be by enlistment enrollment or draft in actual military or naval service of the United States or any branch or unit thereof or in the military service of the Commonwealth

Section 2 Subsection (a) of section eighteen of the said act is hereby amended to read as follows

Section 18 Registration Cards Preparation and Distribution

(a) For the purpose of registering the qualified electors of each city the commission shall prepare registration cards serially numbered in duplicate and containing spaces for entering the information required by section nineteen and nineteen and one-tenth of this act and either the following affidavit or the affidavit prescribed in section nineteen and one-tenth as the case may be

Registration Affidavit

State of Pennsylvania }
County of } ss:

I hereby swear or affirm that I am a citizen of the United States that on the day of the next election I shall be at least twenty-one years of age and shall have resided in the State of Pennsylvania for one year (or having previously been a qualified elector or a native born citizen of the State and having removed and returned then six months) next preceding said election and in the election district two months that I am legally qualified to vote that I have read (or have had read to me) the foregoing statements made in connection with my registration and that they are true and correct

Subscribed and sworn to before me this
..... day of ..... 19... .....
Signature of Voter
.....
Signature of Registrar

Section 3 The said act is amended by adding after section nineteen a new section nineteen and one-tenth to read as follows

Section 19.1 Manner of Registration by Persons in Military Service A person in military service may in addition to any other method herein provided also be registered in the following manner

(a) He may make application to the commission for a registration card

(b) The registration card shall require the statement

of and shall provide sufficient space for the following information (1) the surname of the applicant (2) His Christian name or names (3) His occupation if any on the date of entering military service (4) The street or road and number if any of his residence on the date of entering military service (5) If his residence was a portion only of a house the location or number of the room or rooms apartment flat or floor which he occupied (6) The date his residence began at the place at which he resided on the date of entering military service (7) His residence address when he last registered and the year of such registration (8) The sex of the applicant (9) The color of the applicant (10) The state or territory of the United States or the foreign country where he was born (11) The date when place where and the court by which naturalized and the number of the naturalization certificate (12) If not naturalized personally the name of father mother or husband through whom naturalized (13) Whether he is unable by reason of illiteracy to read the names on the ballot or voting machine labels (14) Whether he has a physical disability which will render him unable to see or mark the ballot or operate the voting machine or to enter the voting compartment or voting machine booth without assistance and if so his declaration of that fact and his statement of the exact nature of such disability (15) The designation of the political party of the elector for the purpose of voting at primaries (16) The affidavit of registration as hereinafter prescribed which shall be signed by the elector attested by the signature of the superior officer of the applicant or the judge of any court of record of the United States or of any state or territory thereof and dated by such superior officer or judge (17) The height of the applicant in feet and inches (18) The color of his hair (19) The color of his eyes (20) The date of his birth Each registration card for registration by persons in military service shall also have a sufficient number of spaces thereon for the insertion by the commission but not by the applicant of the ward and election district if any in which the applicant resided on the date of entering military service and to which he may from time to time remove after leaving military service together with his street address in each such ward and district and the other data required to be given upon such removal (21) The data of each election and primary at which the applicant votes after registration the number and letter if any of the stub of the ballot issued to him or his number in the order of admission to the voting machines and (22) The signature or initials of the election officer who enters the record of voting on the card

(c) In addition the foregoing registration card shall contain the following affidavit

Registration Affidavit

I hereby swear or affirm that I am a citizen of the United States that on the day of the next election I shall be at least twenty-one years of age and shall have resided in the Commonwealth of Pennsylvania for one year (or having previously been a qualified elector or a native born citizen of the Commonwealth and having removed and returned then six months) and in the election district two months that I am now in actual military service under a requisition of the President of the United States or by the authority of the Commonwealth of Pennsylvania that the military naval or air unit in which I am commissioned or enrolled is ..... with the rank of ..... now located at ..... that I am legally qualified to vote that I have read (or have had read to me) the foregoing statements made in connection with my registration and that they are true and correct

.....

Signature of applicant for registration

Sworn to and subscribed before me this ..... day of ..... 19...

.....

Signature of superior officer or judge of any court of record of the United States or any state or territory thereof and a statement of official position

(d) Upon written application by any person in military service to the registration commission having jurisdiction in the city in which the applicant resided on the date of entering military service a registration card in the form herein prescribed in duplicate shall be mailed postage prepaid to the applicant at the address given in such application Such person shall thereupon supply the information required on the registration card in duplicate and shall take the affidavit thereto in duplicate in the presence of his superior officer or of any judge of a court of record of the United States or any state or territory thereof and shall mail the same in duplicate postage prepaid to the registration commission from which it was procured

(e) Registration in this manner by persons in military service may be made at any time Provided however That if any registration card is received by any registration commission from any person in military service at any time when registration by personal appearance in the manner provided in section eighteen of this act could not be made under the provisions of section sixteen of this act such application shall be retained by the commission until the beginning of the next period during which such registration by personal appearance could be made and at such time the applicant if otherwise entitled shall be duly registered

(f) The status of any person in military service with respect to residence shall remain the same as it was when such person entered military service Provided however That if at the time of entering military service any person shall not have resided in Pennsylvania or in a particular election district thereof for a sufficient time to have been entitled to be registered but by continued residence would have become so entitled he shall be entitled to be registered at such time as he would have been so entitled had he not entered military service and had continued to reside where he then resided

(g) Registration cards returned by persons in military service to any registration commission shall be examined by a member of the commission or any clerk or registrar at a time and place when personal registrations are being received and such member of the commission clerk or registrar shall announce in the hearing of all present the name of the person in military service who has thus offered to register and the address of his residence on the date of entering military service The right of such person in military service to be registered shall not be subject to challenge for any reason other than failure to have mailed the commission a properly completed registration card If the commission finds the registration card not properly completed it shall reject it in the manner hereinafter provided

Section 4 Section twenty-three of the said act is hereby amended to read as follows

Section 23 Incomplete or Rejected Applications to Be Recorded The registrar commissioner or clerk shall record on registration cards the surname Christian name or names and street and number of residence of each person who applies for registration whether or not the application is accepted Whenever the applicant is rejected after a portion of the record has been filled in the registration card or cards shall be marked "Applicant Rejected" and the registrar commissioner or clerk shall note thereon the reason for the rejection and shall sign his name thereto The registrar commissioner or clerk shall forthwith personally notify the applicant if his application for registration is rejected Provided however That if the registration card was received by mail from a person in military service notice of rejection shall be by mail All such cards shall be returned to the commission and shall be preserved for a period of two years

Section 5 Subsection (a) of section twenty-nine of the said act is hereby amended to read as follows

Section 29 Change of Enrollment of Political Party Cancellation of Party Enrollment Persons Suffering Disability After Registration to Have Fact Recorded Cancellation (a) At any time prior to the fifteenth day next preceding a primary or an election excepting the thirty days next

following each election and the five days next following each primary any person who desires to change the enrollment of his political designation or who although registered has not hitherto enrolled as a member of a party may appear before a registrar commissioner or clerk and state in writing over his signature the political party in which he desires to be enrolled and the registrar commissioner or clerk shall cause the enrollment of the elector's political designation to be made or altered accordingly in the general and district registers In such cases the signature of the elector shall be verified by comparison with his signature on the general and district registers before the change of enrollment is made If any elector desiring to change his party enrollment is unable to sign his application he shall make his mark thereto in the presence of the registrar commissioner or clerk and shall produce such other evidence as may be necessary to establish his identity When an elector has applied for a change in the enrollment of his political designation as provided herein the registrar commissioner or clerk shall upon request stamp or mark the change so made on the elector's card attesting his registration Any person in military service who desires to change his party enrollment shall be permitted to do so by addressing to the commission a signed written application under oath taken and subscribed to before any commissioned officer of the military or naval forces either within or without the Commonwealth or before any officer of this or any other state or territory of the United States authorized to administer oaths The application shall be sent by the applicant by registered mail return receipt required and shall also contain a statement that such person is at the time of making the application absent from his residence in military service If upon examination the signature appears authentic and the application conform to the provisions of this section the enrollment shall be changed in accordance with the application

Section 6 Section thirty-one of the said act is hereby amended to read as follows

Section 31 Check-up of Registers

(a) At any time prior to the thirtieth day next preceding an election or primary the commission may send by mail to any elector whose name appears in any district register a notice setting forth the elector's name and address as it shall appear in the register and requesting him in case of any error to present the notice on or before the tenth day next ensuing at the office of the commission and secure the correction of the error and warning the elector that any discrepancy between his actual name and address and his name and address as recorded in the original register will constitute ground for challenging his vote Such notice shall contain on the outside a request to the postmaster to return it within five days if it cannot be delivered to the addressee at the address given thereon

(b) At any time prior to the thirtieth day next preceding an election or primary the commission may cause a check-up to be made by postmen of the United States Post Office of any elector whose name appears in any district register

(c) At least once in each four years the commission shall conduct a check-up of each registered elector in the city by either of the methods provided for in subsections (a) and (b) above

(d) Upon the return by the post office of any such notice which it has been unable to deliver at the given address because the addressee cannot be found there or upon report by the post office that any registered elector does not reside at the address given on his registration card the commission shall direct an authorized employe to visit in person the address of the elector and if he shall find that the elector does not reside at the address he shall leave at such address the notice prescribed by section thirty-two of this act and the commission shall at the expiration of the time specified in such notice cancel the registration of such person unless he personally appears and proves his qualifications as an elector Provided however That the registration of any person in military service shall not be cancelled by reason of the failure of such person to reside at the address appearing upon the district register if such person did reside at such address on the date of entering military service

Section 7 Section thirty-seven of the said act is hereby amended by adding thereto a new subsection (h) to read as follows

(h) Persons in military service shall be entitled to vote if duly registered in a manner provided by this act Persons in military service and by reason thereof absent from their places of residence on the day of any election shall be entitled to vote in such manner as may now or hereafter be provided by law unaffected by the provisions of this section insofar as they relate to the manner of voting

Section 8 This act shall become effective immediately upon final enactment

On the question,

Will the House adopt the report of the Committee of Conference?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows, viz:

YEAS—204

Achterman,	Gallagher,	Malloy,	Royer,
Allmond,	Gates,	Marks,	Rush,
Auker,	Gerard,	Maxwell,	Sarge,
Baker,	Gillan,	McClanaghan,	Sarraf,
Balthaser,	Gillette,	McClester,	Scanlon,
Bentley,	Goodwin,	McDermott,	Schwab,
Bentzel,	Greenwood,	McDowell,	Serrill,
Boles,	Gross,	McFall,	Shaffer,
Boney,	Gryskewicz,	McIntosh,	Shaw,
Boorse,	Gyger,	McKinney,	Shepard,
Bower,	Habbyshaw,	McLanahan,	Simons,
Bradley,	Haberlen,	McLane,	Skale,
Bretherick,	Haines,	McMillen,	Snyder,
Brown,	Hall,	McSurdy,	Sollenberger,
Brunner, C. H.,	Hamilton,	Melchiorre,	Sorg,
Brunner, P. A.,	Hare,	Mihm,	Stambaugh,
Burns,	Harkins,	Modell,	Stank,
Burris,	Harmuth,	Monks,	Stine,
Cadwalader,	Harris,	Mooney,	Stockham,
Chervenak,	Heatherington,	Moran,	Tarr,
Chudoff,	Helm,	Moul,	Tate,
Cochran,	Hering,	Muir,	Taylor,
Cohen, M. M.,	Herman,	Munley,	Thompson, E. F.,
Cohen, R. E.,	Hersch,	Nagel,	Thompson, R. L.,
Cook,	Hewitt,	Nunemacher,	Trout,
Cooper,	Hirsch,	O'Brien,	Turner,
Cordier,	Holland,	O'Connor,	Van Allsburg,
Corrigan,	Huntley,	O'Dare,	Verona,
Croop,	Imbrie,	O'Mullen,	Vincent,
Cullen,	James,	O'Neill,	Vogt,
Dalrymple,	Jefferson,	Owens,	Voldow,
Dennison,	Jones, G. E.,	Petrosky,	Voorhees,
DiGenova,	Jones, P. N.,	Pettit,	Wagner,
Dix,	Keenan,	Polaski,	Watkins,
Dolon,	Fanehan,	Polen,	Weingartner,
D'Ortona,	Kline,	Powers,	Weiss,
Duffy,	Knoble,	Prosen,	Welsh, E. B.,
Early,	Kolankiewicz,	Rank,	Welsh, M. J.,
Eckels,	Komorofski,	Rausch,	Wilkinson,
Elder,	Krise,	Readinger,	Williams,
Elliott,	Lee, E. A.,	Reagan,	Winner,
Ely,	Lee, T. H.,	Reese, D. P.,	Wood, L. H.,
Falkenstein,	Leisey,	Reese, R. E.,	Wood, N.,
Finestone,	Leonard,	Regan,	Woodring,
Finnerty,	Lesko,	Reynolds,	Woodside,
Fisher,	Levy,	Rhea,	Wright,
Fiss,	Leydic,	Riley,	Yeakel,
Fleming,	Lichtenwalter,	Rooney,	Yester,
Fletcher,	Longo,	Rose, S.,	Young,
Flynn,	Lovett,	Rose, W. E.,	Kilroy,
Foor,	Lyons,	Rosenfeld,	Speaker.
French,			

NAYS—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the

affirmative and the report of the Committee of Conference was adopted.

Ordered, That the Clerk inform the Senate accordingly.

REPORT OF THE COMMITTEE OF CONFERENCE ON HOUSE BILL No. 1468

To the Members of the Senate and House of Representatives:

We, the undersigned, Committee of Conference on the part of the Senate and House of Representatives for the purpose of considering House Bill No. 1468, entitled:

"An Act to amend the act approved the twenty-fifth day of May, one thousand nine hundred thirty-seven (P. L. 814) entitled 'An act to provide for the permanent personal registration of electors in cities of the second class as a condition of their right to vote at elections and primaries, and their enrollment as members of political parties as a further condition of their right to vote at primaries; * * *,' as amended by requiring and providing for the registration of persons in military service to entitle them to vote at any election."

Respectfully submit the following bill as our report:

Robert M. Miller,
Paul M. Crider,
J. K. McQuiddy,
(Committee on the part of the Senate.)

H. J. Maxwell,
Martin C. Mihm,
George T. Weingartner,
(Committee on the part of the House of Representatives.)

An Act to amend the act approved the twenty-fifth day of May one thousand nine hundred thirty-seven (P. L. 814) entitled "An act to provide for the permanent personal registration of electors in cities of the second class as a condition of their right to vote at elections and primaries and their enrollment as members of political parties as a further condition of their right to vote at primaries prescribing certain procedure for the conduct of elections and primaries and the challenge and proof of qualifications of electors and prescribing the powers and duties of citizens parties political bodies registration commissions commissioners registrars inspectors of registration and other appointees of registration commissions county election boards election officers municipal officers departments and bureaus police officers courts judges prothonotaries sheriffs county commissioners peace officers county treasurers county controllers registrars of vital statistics certain public utility corporations real estate brokers rental agents and boards of school directors and imposing Penalties" as amended by requiring and providing for the registration of persons in military service to entitle them to vote at any election

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section three of the act approved the twenty-fifth day of May one thousand nine hundred thirty-seven (P. L. 814) entitled "An act to provide for the permanent personal registration of electors in cities of the second class as a condition of their right to vote at elections and primaries and their enrollment as members of political parties as a further condition of their right to vote at primaries prescribing certain procedure for the conduct of elections and primaries and the challenge and proof of qualifications of electors and prescribing the powers and duties of citizens parties political bodies registration commissions commissioners registrars inspectors of registration and other appointees of registration commissions county election boards election officers municipal officers departments and bureaus police officers courts judges prothonotaries sheriffs county commissioners peace officers county treasurers county controllers registrars of vital statistics certain public utility corporations real estate brokers rental agents and boards of school directors and imposing penalties" is hereby amended to read as follows

Section 3 Definitions (a) the word "Commission" shall mean any registration commission having jurisdiction in any city of the second class

(b) "Commissioner" shall mean a member of a registration commission

(c) "Oath" shall include affirmation and "Swear" shall include affirm

(d) "Election" shall mean any general special municipal or primary election unless otherwise specified

(e) "General election" shall mean the election which the Constitution of this Commonwealth requires to be held in even-numbered years

(f) "Municipal election" shall mean the election which the Constitution of this Commonwealth requires to be held in odd-numbered years

(g) "Primary election" shall mean any election for the nomination of candidates

(h) "November election" shall mean either the general or the municipal election or both according to the context

(i) "Party" shall mean any party or political body one of whose candidates at the general election next preceding the primary polled in each of at least ten counties of the State not less than two per centum of the largest entire vote cast in each of said counties for any elected candidate and polled a total vote in the State equal to at least two per centum of the largest entire vote cast in the State for any elected candidate or any party or political body one of whose candidates at either the general or municipal election preceding the primary polled at least five per centum of the largest entire vote cast for any elected candidate in any county containing therein any city of the second class

(j) "Political body" shall mean any political body not recognized as a political party which has filed proper nomination papers as required by law

(k) "Qualified elector" shall mean any person who shall possess all of the qualifications for voting now or hereafter prescribed by the Constitution of this Commonwealth or who being otherwise qualified by continued residence in his election district shall obtain such qualifications before the next ensuing election

(l) "Register" shall mean the cards containing or to contain all or any part of the registry list of qualified electors prepared or to be prepared by the registration commission as hereinafter provided

(m) "County" shall mean any county of this Commonwealth within which is located a city of the second class

(n) "City" shall mean only a city of the second class

(o) All references to mayors police officers clerks secretaries courts judges prothonotaries county treasurers county controllers county commissioners sheriffs peace officers registrars of vital statistics boards of school directors and other officials of counties cities and school districts where not otherwise specified shall refer only to those of any city of the second class or to those of any county within which such city is located or to any school district with which it is coextensive

(p) "Public office" shall mean and include any National State judicial county city school district poor district ward or election office or employment requiring any person elected or appointed thereto to render any public service for a fixd fee or compensation except the office of notary public or commissioner of deeds

(q) Whenever a term in the masculine form is used in this act it shall refer alike to men and women

(r) "District" shall mean any election district of the city

(s) "County Election Board" or "County Board" shall mean the county board of elections of any county containing a city of the second class as now or hereafter provided for by the election laws of this Commonwealth

(t) In determining or reckoning any period of time mentioned in this act the day upon which the act is done paper filed or notice given shall be excluded from and the date of the primary election hearing or other subsequent event as the case may be shall be included in the calculation or reckoning Provided however That if the last day upon which any act may be done paper filed or notice given shall fall on a Sunday or a legal holiday

the next following ordinary business day shall be considered as the last day for said purpose

(u) "Persons in military service" shall mean qualified electors of this Commonwealth who are or may be by enlistment enrollment or draft in actual military or naval service of the United States or any branch or unit thereof or in the military service of the Commonwealth

Section 2 Subsection (a) of section eighteen of the said act is hereby amended to read as follows

Section 18 Registration Cards Preparation and Distribution (a) For the purpose [or] of registering the qualified electors of each city the commission shall prepare registration cards serially numbered in duplicate and containing spaces for entering the information required by section nineteen and nineteen and one-tenth of this act and either the following affidavit or the affidavit prescribed in section nineteen and one-tenth as the case may be

Registration Affidavit

State of Pennsylvania } ss
County of }

I hereby swear or affirm that I am a citizen of the United States that on the day of the next election I shall be at least twenty-one years of age and shall have resided in the State of Pennsylvania for one year (or having previously been a qualified elector or a native born citizen of the State and having removed and returned then six [months] months) next preceding said election and in the election district two months that I am legally qualified to vote that I have read (or had read to me) the foregoing statements made in connection with my registration and that they are true and correct

Subscribed and sworn to before
me this ..... day of .....
19....

.....
Signature of Voter

.....
Signature of Registrar

Section 3 The said act is amended by adding after section nineteen a new section nineteen and one-tenth to read as follows

Section 19.1 Manner of Registration by Persons in Military Service A person in military service may in addition to any other method herein provided also be registered in the following manner

(a) He may make application to the commission for a registration card

(b) The registration card shall require the statement of and shall provide sufficient space for the following information (1) The surname of the applicant (2) His Christian name or names (3) His occupation if any on the date of entering military service (4) The street or road and number if any of his residence on the date of entering military service (5) If his residence was a portion only of a house the location or number of the room or rooms apartment flat or floor which he occupied (6) The date his residence began at the place at which he resided on the date of entering military service (7) His residence address when he last registered and the year of such registration (8) The sex of the applicant (9) The color of the applicant (10) The state or territory of the United States or the foreign country where he was born (11) The date when place where and the court by which naturalized and the number of the naturalization certificate (12) If not naturalized personally the name of father mother or husband through whom naturalized (13) Whether he is unable by reason of illiteracy to read the names on the ballot or voting machine labels (14) Whether he has a physical disability which will render him unable to see or mark the ballot or operate the voting machine or to enter the voting compartment or voting machine booth without assistance and if so his declaration of that fact and his statement of the exact nature of such disability (15) The designation of the political party of the elector for the purpose of voting at primaries (16) The affidavit of registration as hereinafter prescribed which shall be signed by the elector attested by the signature of the superior officer of the applicant or the judge of any court of record of the United States or of any state or territory thereof and dated by such superior officer or judge (17) The height of the applicant in feet and inches (18) The color of his hair (19) The color of his eyes (20) The date of his birth Each registration card for registration by persons in military service shall also have a sufficient number of spaces thereon for the insertion by the commission but not by the applicant of the ward and election district if any in which the applicant resided on the date of entering military service and to which he may from time to time remove after leaving military service together with his street address in each such ward and district and the other data required to be given upon such removal (21) The date of each election and primary at which the applicant votes after registration the number and letter if any of the stub of the ballot issued to him or his number in the order of admission to the voting machines and (22) The signature or initials of the election officer who enters the record of voting on the card

(c) In addition the foregoing registration card shall contain the following affidavit

Registration Affidavit

I hereby swear or affirm that I am a citizen of the United States that on the day of the next election I shall be at least twenty-one years of age and shall have resided in the Commonwealth of Pennsylvania for one year (or having previously been a qualified elector or a native born citizen of the Commonwealth and having removed and returned then six months) and in the election district two months that I am now in actual military service under a requisition of the President of the United States or by the authority of the Commonwealth of Pennsylvania that the military naval or air unit in which I am enrolled or commissioned is ..... with the rank of ..... now located at ..... that I am legally qualified to vote that I have read (or have had read to me) the foregoing statements made in connection with my registration and that they are true and correct

.....
Signature of applicant for registration

Sworn to and subscribed before me this
..... day of ..... 19....

.....
Signature of superior officer or judge of any court of record of the United States or any state or territory thereof and a statement of official position

(d) Upon written application by any person in military service to the registration commission having jurisdiction in the city in which the applicant resided on the date of entering military service a registration card in the form herein prescribed in duplicate shall be mailed postage prepaid to the applicant at the address given in such application Such person shall thereupon supply the information required on the registration card in duplicate and shall take the affidavit thereto in duplicate in the presence of his superior officer or of any judge of a court of record of the United States or any state or territory thereof and shall mail the same in duplicate postage prepaid to the registration commission from which it was procured

(e) Registration in this manner by persons in military service may be made at any time Provided however That if any registration card is received by any registration commission from any person in military service at any time when registration by personal appearance in the manner provided in section eighteen of this act could not be made under the provisions of section sixteen of this act such application shall be retained by the commission until the beginning of the next period during which such registration by personal appearance could be made and at such time the applicant if otherwise entitled shall be duly registered

(f) The status of any person in military service with respect to residence shall remain the same as it was when such person entered military service Provided however That if at the time of entering military service any person shall not have resided in Pennsylvania or in a par-

ticular election district thereof for a sufficient time to have been entitled to be registered but by continued residence would have become so entitled he shall be entitled to be registered at such time as he would have been so entitled had he not entered military service and had continued to reside where he then resided

(g) Registration cards returned by persons in military service to any registration commission shall be examined by a member of the commission or any clerk or registrar at a time and place when personal registrations are being received and such member of the commission clerk or registrar shall announce in the hearing of all present the name of the person in military service who has thus offered to register and the address of his residence immediately prior to entering military service The right of such person in military service to be registered shall not be subject to challenge for any reason other than failure to have mailed the commission a properly completed registration card If the commission finds the registration card not properly completed it shall reject it in the manner hereinafter provided

Section 4 Section twenty-three of the said act is hereby amended to read as follows

Section 23 Incomplete or Rejected Applications to Be Recorded The registrar commissioner or clerk shall record on registration cards the surname Christian name or names and street and number of residence of each person who applies for registration whether or not the application is accepted Whenever the applicant is rejected after a portion of the record has been filled in the registration card or cards shall be marked "Applicant Rejected" and the registrar commissioner or clerk shall note thereon the reason for the rejection and shall sign his name thereto The registrar commissioner or clerk shall forthwith personally notify the applicant if his application for registration is rejected Provided however That if the registration card was received by mail from a person in military service notice of rejection shall be by mail All such cards shall be returned to the commission and shall be preserved for a period of two years

Section 5 Subsection (a) of section twenty-nine of the said act is hereby amended to read as follows

Section 29 Change of Enrollment of Political Party Cancellation of Party Enrollment Persons Suffering Disability After Registration to Have Fact Recorded Cancellation (a) At any time prior to the fifteenth day next preceding a primary or an election excepting the thirty days next following each election and the five days next following each primary any person who desires to change the enrollment of his political designation or who although registered has not hitherto enrolled as a member of a party may appear before a registrar commissioner or clerk and state in writing over his signature the political party in which he desires to be enrolled and the registrar commissioner or clerk shall cause the enrollment of the elector's political designation to be made or altered accordingly in the general and district registers In such cases the signature of the elector shall be verified by comparison with his signature on the general and district registers before the change of enrollment is made If any elector desiring to change his party enrollment is unable to sign his application he shall make his mark thereto in the presence of the registrar commissioner or clerk and shall produce such other evidence as may be necessary to establish his identity When an elector has applied for a change in the enrollment of his political designation as provided herein the registrar commissioner or clerk shall upon request stamp or mark the change so made on the elector's card attesting his registration Any person in military service who desires to change his party enrollment shall be permitted to do so by addressing to the commission a signed written application under oath taken and subscribed to before any commissioned officer of the military or naval forces either within or without the Commonwealth or before any officer of this or any other state or territory of the United States authorized to administer oaths The application shall be sent by the applicant by registered mail return receipt required and shall also contain a statement that such person is at the time of making the application absent from his residence in military service If upon examination the signature appears authentic and the application conform to the provisions of this section the enrollment shall be changed in accordance with the application

Section 6 Section thirty-one of the said act is hereby amended to read as follows

Section 31 Check-up of Registers

(a) At any time prior to the thirtieth day next preceding an election or primary the commission may send by mail to any elector whose name appears in any district register a notice setting forth the elector's name and address as it shall appear in the register and requesting him in case of any error to present the notice on or before the tenth day next ensuing at the office of the commission and secure the correction of the error and warning the elector that any discrepancy between his actual name and address and his name and address as recorded in the original register will constitute ground for challenging his vote Such notice shall contain on the outside a request to the postmaster to return it within five days if it cannot be delivered to the addressee at the address given thereon

(b) At any time prior to the thirtieth day next preceding an election or primary the commission may cause a check-up to be made by postmen of the United States Post Office of any elector whose name appears in any district register

(c) At least once in each four years the commission shall conduct a check-up of each registered elector in the city by either of the methods provided for in subsections (a) and (b) above

(d) Upon the return by the post office of any such notice which it has been unable to deliver at the given address because the addressee cannot be found there or upon report by the post office that any registered elector does not reside at the address given on his registration card the commission shall direct an authorized employe to visit in person the address of the elector and if he shall find that the elector does not reside at the address he shall leave at such address the notice prescribed by section thirty-two of this act and the commission shall at the expiration of the time specified in such notice cancel the registration of such person unless he personally appears and proves his qualifications as an elector Provided however That the registration of any person in military service shall not be cancelled by reason of the failure of such person to reside at the address appearing upon the district register if such person did reside at such address on the date of entering military service

Section 7 Section thirty-seven of the said act is hereby amended by adding thereto subsection (h) to read as follows

(h) Persons in military service shall be entitled to vote if duly registered in a manner provided by this act Persons in military service and by reason thereof absent from their places of residence on the day of any election shall be entitled to vote in such manner as may now or hereafter be provided by law unaffected by the provisions of this section insofar as they relate to the manner of voting

Section 8 This act shall become effective immediately upon final enactment

On the question,

Will the House adopt the report of the Committee of Conference?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows, viz:

YEAS—204

Achterman,	Gallagher,	Malloy,	Royer,
Allmond,	Gates,	Marks,	Rush,
Auker,	Gerard,	Maxwell,	Sarge,
Baker,	Gillan,	McClanaghan,	Sarraf,
Balthaser,	Gillette,	McClester,	Scanlon,
Bentley,	Goodwin,	McDermott,	Schwab,
Bentzel,	Greenwood,	McDowell,	Serrill,
Boles,	Gross,	McFall,	Shaffer,

Boney,	Gryskewicz,	McIntosh,	Shaw,
Boorse,	Gyger,	McKinney,	Shepard,
Bower,	Habbyshaw,	McLanahan,	Simons,
Bradley,	Haberlen,	McLane,	Skale,
Bretherick,	Haines,	McMillen,	Snyder,
Brown,	Hall,	McSurdy,	Sollenberger,
Brunner, C. H.,	Hamilton,	Melchiorre,	Sorg,
Brunner, P A.,	Hare,	Mihm,	Stambaugh,
Burns,	Harkins,	Modell,	Stank,
Burris,	Harmuth,	Monks,	Stine,
Cadwalader,	Harris,	Mooney,	Stockham,
Chervenak,	Heatherington,	Moran,	Tarr,
Chudoff,	Helm,	Moul,	Tate,
Cochran,	Hering,	Muir,	Taylor,
Cohen, M. M.,	Herman,	Munley,	Thompson, E. F.,
Cohen, R. E.,	Hersch,	Nagel,	Thompson, R. L.,
Cook,	Hewitt,	Nunemacher,	Trout,
Cooper,	Hirsch,	O'Brien,	Turner,
Cordier,	Holland,	O'Connor	VanAllsburg,
Corrigan,	Huntley,	O'Dare,	Verona,
Croop,	Imbrie,	O'Mullen,	Vincent,
Cullen,	James,	O'Neill,	Vogt,
Dalrymple,	Jefferson,	Owens,	Voldow,
Dennison,	Jones, G E.,	Petrosky,	Voorhees,
DiGenova,	Jones, P N.,	Pettit,	Wagner,
Dix,	Keenan,	Polaski,	Watkins,
Dolon,	Kenehan,	Polen,	Weingartner,
D'Ortona,	Kline,	Powers,	Weiss,
Duffy,	Knoble,	Prosen,	Welsh, E. B.,
Early,	Kolankiewicz,	Rank,	Welsh, M. J.,
Eckels,	Komorofski,	Rausch,	Wilkinson,
Elder,	Krise,	Readinger,	Williams,
Elliott,	Lee, E. A.,	Reagan,	Winner,
Ely,	Lee, T. H.,	Reese, D. P.,	Wood, L. H.,
Falkenstein,	Leisey,	Reese, R. E.,	Wood, N.,
Finestone,	Leonard,	Regan,	Woodring,
Finnerty,	Lesko,	Reynolds,	Woodside,
Fisher,	Levy,	Rhea,	Wright,
Fiss,	Leydic,	Riley,	Yeakel,
Fleming,	Lichtenwalter,	Rooney,	Yester,
Fletcher,	Longo,	Rose, S.,	Young,
Flynn,	Lovett,	Rose, W E.,	Kilroy,
Foor,	Lyons,	Rosenfeld,	Speaker.
French,			

NAYS—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative and the report of the Committee of Conference was adopted.

Ordered, That the Clerk inform the Senate accordingly.

REPORT OF THE COMMITTEE OF CONFERENCE ON HOUSE BILL No. 1469

To the Members of the Senate and House of Representatives:

We, the undersigned, Committee of Conference on the part of the Senate and House of Representatives for the purpose of considering House Bill No. 1469, entitled:

"An Act to amend the act, approved the twenty-fifth day of May, one thousand nine hundred thirty-seven (P. L. 849), entitled 'An act to provide for the permanent personal registration of electors in cities of the third class as a condition of their right to vote at elections and primaries and their enrollment as members of political parties as a further condition of their right to vote at primaries; prescribing certain procedure for the conduct of elections and primaries and the challenge and proof of qualifications of electors; * * *' as amended, by requiring and providing for the registration of persons in military service to entitle them to vote at any election."

Respectfully submit the following bill as our report:

Robert M. Miller
Paul M. Crider
J. K. McQuiddy
(Committee on the Part of the Senate.)
H. J. Maxwell
Martin C. Mihm
George T. Weingartner
(Committee on the part of the House of Representatives.)

An Act to amend the act approved the twenty-fifth day of May one thousand nine hundred thirty-seven (P. L. 849) entitled "An act to provide for the permanent personal registration of electors in cities of the third class as a condition of their right to vote at elections and primaries and their enrollment as members of political parties as a further condition of their right to vote at primaries prescribing certain procedure for the conduct of elections and primaries and the challenge and proof of qualifications of electors and prescribing the powers and duties of citizens parties political bodies registration commissions commissioners registrars inspectors of registration and other appointees of registration commissions county election boards election officers municipal officers departments and bureaus police officers courts judges prothonotaries sheriffs county commissioners peace officers county treasurers county controllers registrars of vital statistics certain public utility corporations real estate brokers rental agents and boards of school directors imposing penalties and repealing existing legislation" as amended by requiring and providing for the registration of persons in military service to entitle them to vote at any election

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section three of the act approved the twenty-fifth day of May one thousand nine hundred thirty-seven (P. L. 849) entitled "An act to provide for the permanent personal registration of electors in cities of the third class as a condition of their right to vote at elections and primaries and their enrollment as members of political parties as a further condition of their right to vote at primaries perscribing certain procedure for the conduct of elections and primaries and the challenge and proof of qualifications of electors and prescribing the powers and duties of citizens parties political bodies registration commissions commissioners registrars inspectors of registration and other appointees of registration commissions county election boards election officers municipal officers departments and bureaus police officers courts judges prothonotaries sheriffs county commissioners peace officers county treasurers county controllers registrars of vital statistics certain public utility corporations real estate brokers rental agents and boards of school directors imposing penalties and repealing existing legislation" is hereby amended to read as follows

Section 3 Definitions (a) The word "Commission" shall mean any board of county commissioners in any county within which is located a city of the third class acting as a registration commission

(b) "Commissioner" shall mean a member of a board of county commissioners acting as a registration commission

(c) "Oaths" shall include affirmation and "Swear" shall include affirm

(d) "Election" shall mean any general special municipal or primary election unless otherwise specified

(e) "General election" shall mean the election which the Constitution of this Commonwealth requires to be held in even-numbered years

(f) "Municipal election" shall mean the election which the Constitution of this Commonwealth requires to be held in odd-numbered years

(g) "Primary election" shall mean any election for the nomination of candidates

(h) "November election" shall mean either the general or the municipal election or both according to the context

(i) "Party" shall mean any party or political body one of whose candidates at the general election next preceding the primary polled in each of at least ten counties of the State not less than two per centum of the largest entire vote cast in each of said counties for any elected candidates and polled a total vote in the State equal to at least two per centum of the largest entire vote cast in the State for any elected candidate or any party or political body one of whose candidates at either the general or municipal election preceding the primary polled at least five per centum of the largest entire vote

cast for any elected candidate in any county containing therein any city of the third class

(j) "Political body" shall mean any political body not recognized as a political party which has filed proper nomination papers as required by law

(k) "Qualified elector" shall mean any person who shall possess all of the qualifications for voting now or hereafter prescribed by the Constitution of this Commonwealth or who being otherwise qualified by continued residence in his election district shall obtain such qualifications before the next ensuing election

(l) "Register" shall mean the cards containing or to contain all or any part of the registry list of qualified electors prepared or to be prepared by the registration commission as hereinafter provided

(m) "County" shall mean any county of this Commonwealth within which is located a city of the third class

(n) "City" shall mean only a city of the third class

(o) All references to mayors police officers clerks secretaries courts judges prothonotaries county treasurers county controllers county commissioners sheriffs peace officers registrars of vital statistics boards of school directors and other officials of counties cities and school districts where not otherwise specified shall refer only to those of any city of the third class or to those of any county within which such city is located or to any school district with which such city is coextensive

(p) "Public office" shall mean and include any National State judicial county city school district poor district ward or election office or employment requiring any person elected or appointed thereto to render any public service for a fixed fee or compensation except the office of notary public or commissioner of deeds

(q) Wherever a term in the masculine form is used in this act it shall refer alike to men and women

(r) "District" shall mean any election district of the city

(s) "County Election Board" or "County Board" shall mean the county board of elections of any county as now or hereafter provided for by the election laws of this Commonwealth

(t) In determining or reckoning any period of time mentioned in this act the day upon which the act is done paper filed or notice given shall be excluded from and the date of the primary election hearing or other subsequent event as the case may be shall be included in the calculation or reckoning Provided however That if the last day upon which any act may be done paper filed or notice given shall fall on a Sunday or a legal holiday the next following ordinary business day shall be considered as the last day for said purpose

(u) "Persons in military service" shall mean qualified electors of this Commonwealth who are or may be by enlistment enrollment or draft in actual military or naval service of the United States or any branch or unit thereof or in the military service of the Commonwealth

Section 2 Subsection (a) of section eighteen of the said act is hereby amended to read as follows

Section 18 Registration Cards Preparation and Distribution (a) For the purpose of registering the qualified electors of each city the commission shall prepare registration cards serially numbered in duplicate and containing spaces for entering the information required by section [eighteen] nineteen and nineteen and one-tenth of this act and either the following affidavit or the affidavit prescribed in section nineteen and one-tenth as the case may be

Registration Affidavit

State of Pennsylvania }
} ss
County of }

I hereby swear or affirm that I am a citizen of the United States that on the day of the next election I shall be at least twenty-one years of age and shall have resided in the State of Pennsylvania for one year (or having previously been a qualified elector or a native born citizen of the State and having removed and returned then six months) next preceding said election and in the election district two months that I am legally qualified to vote that I have read (or have had read to me) the foregoing statements made in connection with my registration and that they are true and correct

Subscribed and sworn to before me this .....day of ..... 19....

..... Signature of Voter

.....Signature of Registrar

Section 3 The said act is amended by adding after section nineteen a new section nineteen and one-tenth to read as follows

Section 19.1 Manner of Registration by Persons in Military Service A person in military service may in addition to any other method herein provided also be registered in the following manner

(a) He may make application to the commission for a registration card

(b) The registration card shall require the statement of and shall provide sufficient space for the following information (1) The surname of the applicant (2) His Christian name or names (3) His occupation if any on the date of entering military service (4) The street or road and number if any of his residence on the date of his entering military service (5) If his residence was a portion only of a house the location or number of the room or rooms apartment flat or floor which he occupied (6) The date his residence began at the place at which he resided on the date of entering military service (7) His residence address when he last registerd and the year of such registration (8) The sex of the applicant (9) The color of the applicant (10) The state or territory of the United States or the foreign country where he was born (11) The date when place where and the court by which naturalized and the number of the naturalization certificate (12) If not naturalized personally the name of father mother or husband through whom naturalized (13) Whether he is unable by reason of illiteracy to read the names on the ballot or voting machine labels (14) Whether he has a physical disability which will render him unable to see or mark the ballot or operate the voting machine or to enter the voting compartment or voting machine booth without assistance and if so his declaration of that fact and his statement of the exact nature of such disability (15) The designation of the political party of the elector for the purpose of voting at primaries (16) The affidavit of registration as hereinafter prescribed which shall be signed by the elector attested by the signature of the superior officer of the applicant or the judge of any court of record of the United States or of any state or territory thereof and dated by such superior officer or judge (17) The height of the applicant in feet and inches (18) The color of his hair (19) The color of his eyes (20) The date of his birth Each registration card for registration by persons in military service shall also have a sufficient number of spaces thereon for the insertion by the commission but not by the applicant of the ward and election district if any in which the applicant resided on the date of entering military service and to which he may from time to time remove after leaving military service together with his street address in each such ward and district and the other data required to be given upon such removal (21) The date of each election and primary at which the applicant votes after registration the number and letter if any of the stub of the ballot issued to him or his number in the order of admission to the voting machines and (22) The signature or initials of the election officer who enters the record of voting on the card

(c) In addition the foregoing registration card shall contain the following affidavit

Registration Affidavit

I hereby swear or affirm that I am a citizen of the United States that on the day of the next election I shall be at least twenty-one years of age and shall have resided in the Commonwealth of Pennsylvania for one

year (or having previously been a qualified elector or a native born citizen of the Commonwealth and having removed and returned then six months) and in the election district two months that I am now in actual military service under a requisition of the President of the United States or by the authority of the Commonwealth of Pennsylvania that the military naval or air unit which I am enrolled or commissioned is ..... with rank of ..... now located at ..... that I am legally qualified to vote that I have read (or have had read to me) the foregoing statements made in connection with my registration and that they are true and correct

.....

Signature of applicant for registration

Sworn to and subscribed before me this ..... day of ..... 19....

.....

Signature of superior officer or judge of any court of record of the United States or any state or territory thereof and statement of official position

(d) Upon written application by any person in military service to the registration commission having jurisdiction in the city in which the applicant resided on the date of entering military service a registration card in the form herein prescribed in duplicate shall be mailed postage prepaid to the applicant at the address given in such application Such person shall thereupon supply the information required on the registration card in duplicate and shall take the affidavit thereto in duplicate in the presence of his superior officer or of any judge of a court of record of the United States or any state or territory thereof and shall mail the same in duplicate postage prepaid to the registration commission from which it was procured

(e) Registration in this manner by persons in military service may be made at any time Provided however That if any registration card is received by any registration commission from any person in military service at any time when registration by personal appearance in the manner provided in section eighteen of this act could not be made under the provisions of section sixteen of this act such application shall be retained by the commission until the beginning of the next period during which such registration by personal appearance could be made and at such time the applicant if otherwise entitled shall be duly registered

(f) The status of any person in military service with respect to residence shall remain the same as it was when such person entered military service Provided however That if at the time of entering military service any person shall not have resided in Pennsylvania or in a particular election district thereof for a sufficient time to have been entitled to be registered but by continued residence would have become so entitled he shall be entitled to be registered at such time as he would have been so entitled had he not entered military service and had continued to reside where he then resided

(g) Registration cards returned by persons in military service to any registration commission shall be examined by a member of the commission or any clerk or registrar at a time and place when personal registrations are being received and such member of the commission clerk or registrar shall announce in the hearing of all present the name of the person in military service who has thus offered to register and the address of his residence on the date of entering military service The right of such person in military service to be registered shall not be subject to challenge for any reason other than failure to have mailed the commission a properly completed registration card If the commission finds the registration card not properly completed it shall reject it in the manner hereinafter provided

Section 4 Section twenty-three of the said act is hereby amended to read as follows

Section 23 Incomplete or Rejected Applications to Be Recorded The registrar commissioner or clerk shall record on registration cards the surname Christian name or names and street and number of residence of each person who applies for registration whether or not the application is accepted Whenever the applicant is rejected after a portion of the record has been filled in the registration card or cards shall be marked "Applicant Rejected" and the registrar commissioner or clerk shall note thereon the rejection and shall sign his name thereto The registrar commissioner or clerk shall forthwith personally notify the applicant if his application for registration is rejected Provided however That if the registration card was received by mail from a person in military service notice of rejection shall be by mail All such cards shall be returned to the commission and shall be preserved for a period of two years

Section 5 Subsection (a) of section twenty-nine of the said act as amended by the act approved the ninth day of June one thousand nine hundred thirty-nine (P. L. 279) is hereby further amended to read as follows

Section 29 Change of Enrollment of Political Party Cancellation of Party Enrollment Persons Suffering Disability After Registration to Have Fact Recorded Cancellation (a) At any time prior to the thirtieth day next preceding a primary or an election excepting the thirty days next following each election and the five days next following each primary any person who desires to change the enrollment of his political designation or who although registered has not hitherto enrolled as a member of a party may appear before a registrar commissioner or clerk and state in writing over his signature the political party in which he desires to be enrolled and the registrar commissioner or clerk shall cause the enrollment of the elector's political designation to be made or altered accordingly in the general and district registers In such cases the signature of the elector shall be verified by comparison with his signature on the general and district registers before the change of enrollment is made If any elector desiring to change his party enrollment is unable to sign his application he shall make his mark thereto in the presence of the registrar commissioner or clerk and shall produce such other evidence as may be necessary to establish his identity When an elector has applied for a change in the enrollment of his political designation as provided herein the registrar commissioner or clerk shall upon request stamp or mark the change so made on the elector's card attesting his registration Any person in military service who desires to change his party enrollment shall be permitted to do so by addressing to the commission a signed written application under oath taken and subscribed to before any commissioned officer of the military or naval forces either within or without the Commonwealth or before any officer of this or any other state or territory of the United States authorized to administer oaths The application shall be sent by the applicant by registered mail return receipt required and shall also contain a statement that such person is at the time of making the application absent from his residence in military service If upon examination the signature appears authentic and the application conform to the provisions of this section the enrollment shall be changed in accordance with the application

Section 6 Section thirty-one of the said act is hereby amended to read as follows

Section 31 Check-up of Registers

(a) At any time prior to the thirtieth day next preceding an election or primary the commission may send by mail to any elector whose name appears in any district register a notice setting forth the elector's name and address as it shall appear in the register and requesting him in case of any error to present the notice on or before the tenth day next ensuing at the office of the commission and secure the correction of the error and warning the elector that any discrepancy between his actual name and address and his name and address as recorded in the originl register will constitute ground for challenging his vote Such notice shall contain on

the outside a request to the postmaster to return it within five days if it cannot be delivered to the addressee at the address given thereon

(b) At any time prior to the thirtieth day next preceding an election or primary the commission may cause a check-up to be made by postmen of the United States Post Office of any elector whose name appears in any district register

(c) At least once in each four years the commission shall conduct a check-up of each registered elector in the city by either of the methods provided for in subsections (a) and (b) above

(d) Upon the return by the post office of any such notice which it has been unable to deliver at the given address because the addressee cannot be found there or upon report by the post office that any registered elector does not reside at the address given on his registration card the commission shall direct an authorized employe to visit in person the address of the elector and if he shall find that the elector does not reside at the address he shall leave at such address the notice prescribed by section [thirty-one] thirty-two of this act and the commission shall at the expiration of the time specified in such notice cancel the registration of such person unless he personally appears and proves his qualifications as an elector Provided however That the registration of any person in military service shall not be cancelled by reason of the failure of such person to reside at the address appearing upon the district register if such person did reside at such address on the date of entering military service

Section 7 Section thirty-seven of the said act is hereby amended by adding thereto subsection (h) to read as follows

(h) Persons in military service shall be entitled to vote if duly registered in a manner provided by this act Persons in military service and by reason thereof absent from their places of residence on the day of any election shall be entitled to vote in such manner as may now or hereafter be provided by law unaffected by the provisions of this section insofar as they relate to the manner of voting

Section 8 This act shall become effective immediately upon final enactment

On the question,

Will the House adopt the report of the Committee of Conference?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows, viz:

YEAS—204

Achterman,	French,	Malloy,	Royer,
Allmond,	Gallagher,	Marks,	Rush,
Auker,	Gates,	Maxwell,	Sarge,
Baker,	Gerard,	McClanaghan,	Sarraf,
Balthaser,	Gillan,	McClester,	Scanlon,
Bentley,	Gillette,	McDermott,	Schwab,
Bentzel,	Goodwin,	McDowell,	Serrill,
Boles,	Greenwood,	McFall,	Shaffer,
Boney,	Gross,	McIntosh,	Shaw,
Boorse,	Gryskewicz,	McKinney,	Sheppard,
Bower,	Gyger,	McLanahan,	Simons,
Bradley,	Habbyshaw,	McLane,	Skale,
Bretherick,	Haberlen,	McMillen,	Snyder,
Brown,	Haines,	McSurdy,	Sollenberger,
Brunner, C. H.,	Hall,	Melchiorre,	Sorg,
Brunner, P. A.,	Hamilton,	Mihm,	Stambaugh,
Burns,	Hare,	Modell,	Stank,
Burris,	Harkins,	Monks,	Stine,
Cadwalader,	Harmuth,	Mooney,	Stockham,
Chervenak,	Harris,	Moran,	Tarr,
Chudoff,	Heatherington,	Moul,	Tate,
Cochran,	Helm,	Muir,	Taylor,
Cohen, M. M.,	Hering,	Munley,	Thompson, E. F.,
Cohen, R. E.,	Herman,	Nagel,	Thompson, R. L.,
Cook,	Hersch,	Nunemacher,	Trout,
Cooper,	Hewitt,	O'Brien,	Turner,
Cordier,	Hirsch,	O'Connor,	Van Allsburg,
Corrigan,	Holland,	O'Dare,	Verona,
Croop,	Huntley,	O'Mullen,	Vincent,
Cullen,	Imbrie,	O'Neill,	Vogt,
Dalrymple,	James,	Owens,	Voldow,
Dennison,	Jefferson,	Petrosky,	Voorhees,
DiGenova,	Jones, G. E.,	Pettit,	Wagner,
Dix,	Jones, P. N.,	Polaski,	Watkins,
Dolon,	Keenan,	Polen,	Weingartner,
D'Ortona,	Kenehan,	Powers,	Weiss,
Duffy,	Kline,	Prosen,	Welsh, E. B.,
Early,	Knoble,	Rank,	Welsh, M. J.,
Eckels,	Kolankiewicz,	Rausch,	Wilkinson,
Elder,	Komorofski,	Readinger,	Williams,
Elliott,	Krise,	Reagan,	Winner,
Ely,	Lee, E. A.,	Reese, D. P.,	Wood, L. H.,
Falkenstein,	Lee, T. H.,	Reese, R. E.,	Wood, N.,
Finestone,	Leisey,	Regan,	Woodring,
Finnerty,	Leonard,	Reynolds,	Woodside,
Fisher,	Lesko,	Rhea,	Wright,
Fiss,	Levy,	Riley,	Yeakel,
Fleming,	Leydic,	Rooney,	Yester,
Fletcher,	Lichtenwalter,	Rose, S.,	Young,
Flynn,	Longo,	Rose, W. E.,	Kilroy,
Foer,	Lovett,	Rosenfeld,	Speaker.
	Lyons,		

NAYS—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative and the report of the Committee of Conference was adopted.

Ordered, That the Clerk inform the Senate accordingly.

REPORT OF THE COMMITTEE OF CONFERENCE ON HOUSE BILL No. 1526

To the Members of the Senate and House of Representatives:

We, the undersigned Committee of Conference on the part of the Senate and House of Representatives for the purpose of considering House Bill No. 1526, entitled:

"An Act to amend section two hundred seven of the act, approved the twenty-fourth day of June, one thousand nine hundred and thirty-one (P. L. 1206) entitled 'An act concerning townships of the firs' class; amending, revising, consolidating and changing the law relating thereto,' further prescribing method by which second class townships may be classified as first class townships, and providing for the costs and holding of special elections for that purpose."

Respectfully submit the following bill as our report:

Franklin S. Edmonds,
John M. Walker,
(Committee on the part of the Senate.)

Thomas J. Heatherington,
Clarence O. Williams,
Ronald L. Thompson,
(Committee on the part of the House of Representatives.)

An Act to amend section two hundred seven of the act approved the twenty-fourth day of June one thousand nine hundred and thirty-one (P. L. 1206) entitled "An act concerning townships of the first class amending revising consolidating and changing the law relating thereto" further prescribing method by which second class townships may be classified as first class townships and providing for the costs and holding of special elections for that purpose

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section two hundred seven of the act approved the twenty-fourth day of June one thousand nine hundred and thirty-one (P. L. 1206) entitled "An act concerning townships of the first class amending revising consolidating and changing the law relating thereto" is hereby amended to read as follows

Section 207 Submission of Question to Voters At the first general or municipal election occurring or at a spe-

cial election held at least ninety days after the ascertainment by special enrollment or from the United States census including the United States census of one thousand nine hundred and thirty and each subsequent census that any township of the second class has a population of at least three hundred inhabitants to the square mile and after the filing of a petition signed by at least five per centum of the registered voters of the township has been filed in the quarter sessions court the question whether such township of the second class shall become a township of the first class shall be submitted to the voters of the township and the county commissioners shall cause to be printed on separate ballots to be used in such township at such election a proper question framed in accordance with the election laws of the Commonwealth A special election for such purpose shall be held on a day to be fixed by the court of quarter sessions of the county upon petition signed by at least five per centum of the registered voters of the township The costs and expenses of such a special election shall be paid by the petitioners as the court may direct

Section 2 This act shall become effective immediately upon final enactment

On the question,

Will the House adopt the report of the Committee of Conference?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows, viz:

YEAS—204

Achterman,	French,	Malloy,	Royer,
Allmond,	Gallagher,	Marks,	Rush,
Auker,	Gates,	Maxwell,	Sarge,
Baker,	Gerard,	McClanaghan,	Sarraf,
Balthaser,	Gillan,	McClester,	Scanlon,
Bentley,	Gillette,	McDermott,	Schwab,
Bentzel,	Goodwin,	McDowell,	Serrill,
Boles,	Greenwood,	McFall,	Shaffer,
Boney,	Gross,	McIntosh,	Shaw,
Boorse,	Gryskewicz,	McKinney,	Shepard,
Bower,	Gyger,	McLanahan,	Simons,
Bradley,	Habbyshaw,	McLane,	Skale,
Bretherick,	Haberlen,	McMillen,	Snyder,
Brown,	Haines,	McSurdy,	Sollenberger,
Brunner, C. H.,	Hall,	Melchiorre,	Sorg,
Brunner, P. A.,	Hamilton,	Mihm,	Stambaugh,
Burns,	Hare,	Modell,	Stank,
Burris,	Harkins,	Monks,	Stine,
Cadwalader,	Harmuth,	Mooney,	Stockham,
Chervenak,	Harris,	Moran,	Tarr,
Chudoff,	Heatherington,	Moul,	Tate,
Cochran,	Helm,	Muir,	Taylor,
Cohen, M. M.,	Hering,	Munley,	Thompson, E. F.,
Cohen, R. E.,	Herman,	Nagel,	Thompson, R. L.,
Cook,	Hersch,	Nunemacher,	Trout,
Cooper,	Hewitt,	O'Brien,	Turner,
Cordier,	Hirsch,	O'Connor,	Van Allsburg,
Corrigan,	Holland,	O'Dare,	Verona,
Croop,	Huntley,	O'Mullen,	Vincent,
Cullen,	Imbrie,	O'Neill,	Vogt,
Dalrymple,	James,	Owens,	Voldow,
Dennison,	Jefferson,	Petrosky,	Voorhees,
DiGenova,	Jones, G. E.,	Pettit,	Wagner,
Dix,	Jones, P. N.,	Polaski,	Watkins
Dolon,	Keenan,	Polen,	Weingartner,
D'Ortona,	Kenehan,	Powers,	Weiss,
Duffy,	Kline,	Prosen,	Welsh, E. B.,
Early,	Knoble,	Rank,	Welsh, M. J.,
Eckels,	Kolankiewicz,	Rausch,	Wilkinson,
Elder,	Komorofski,	Readinger,	Williams,
Elliott,	Krise,	Reagan,	Winner,
Ely,	Lee, E. A.,	Reese, D. P.,	Wood, L. H.,
Falkenstein,	Lee, T. B.,	Reese, R. E.,	Wood, N.,
Finestone,	Leisey,	Regan,	Woodring,
Finnerty,	Leonard,	Reynolds,	Woodside,
Fisher,	Lesko,	Rhea,	Wright,
Fiss,	Levy,	Riley,	Yeakel,
Fleming,	Leydic,	Rooney,	Yester,
Fletcher,	Lichtenwalter,	Rose, S.,	Young,
Flynn,	Longo,	Rose, W. H.,	Kilroy,
Foor,	Lovett,	Rosenfeld,	Speaker.
	Lyons,		

NAYS—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative and the report of the Committee of Conference was adopted.

Ordered, That the Clerk inform the Senate accordingly.

BILL ON THIRD READING

Mr. SARRAF asked and obtained unanimous consent to call up out of order House Bill No. 1860, (Senate Bill No. 575), Printer's No. 608, on page 15, of today's calendar, bills on third reading.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1860, (Senate Bill No. 575), as follows:

An Act to further amend sections 1 2 7 and 13 of the act approved the third day of June one thousand nine hundred and eleven (P. L. 639) entitled as amended "An act relating to the right to practice medicine and surgery in the Commonwealth of Pennsylvania and providing a Bureau of Medical Education and Licensure as a bureau of the Department of Public Instruction and means and methods whereby the right to practice medicine and surgery and any of its branches may be obtained and exemptions therefrom and providing for an appropriation to carry out the provisions of said act and providing for revocation and suspension of licenses by said bureau and providing penalties for violations thereof and repealing all acts or parts of acts inconsistent therewith" by defining certain terms imposing certain additional duties upon the State Board of Medical Education and Licensure making provision for graduate students from other states territories and Canada providing for automatic suspension of registration in case of mental incompetency and exempting optometrists from the provisions of said act

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 That sections 1 2 7 and 13 of the act approved the third day of June one thousand nine hundred and eleven (P. L. 639) entitled as amended "An act relating to the right to practice medicine and surgery in the Commonwealth of Pennsylvania and providing a Bureau of Medical Education and Licensure as a Bureau of the Department of Public Instruction and means and methods whereby the right to practice medicine and surgery and any of its branches may be obtained and exemptions therefrom and providing for an appropriation to carry out the provisions of said act and providing for revocation and suspension of licenses by said bureau and providing penalties for violations thereof and repealing all acts or parts of acts inconsistent therewith" as variously amended are hereby further amended to read as follows

[Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That on and after January first] [nineteen hundred and twelve it shall not be lawful for any person in the State of Pennsylvania to engage in the practice of medicine and surgery or to hold himself or herself forth as a practitioner in medicine and surgery or to assume the title of doctor of medicine and surgery or doctor of any specific disease or to diagnose diseases or to treat diseases by the uses of medicine and surgery or to sign any death certificate or to hold himself or herself forth as able to do so excepting those hereinafter exempted, unless he or she has first fulfilled the requirements of this act and has received a certificate of licensure from the Bureau of Medical Education and Licensure created by this act which license shall be properly recorded in the office of the Superintendent of Public Instruction at Harrisburg]

[On first offense any person wilfully violating the provisions of this section of this act shall upon conviction be deemed guilty of a misdemeanor and shall be subject to a fine of not more than five hundred dollars or imprisonment for not more than six months in the county prison or both or either at the discretion of the court on second offense shall be subject to a fine of not less than five hundred or more than one thousand dollars and imprisonment for not less than six months or more than one year at the discretion of the court Provided That this section shall not apply to those persons who under the laws of the Commonwealth at the date of the passage of this act have been accorded the right by a] [licensing certificate to diagnose and treat disease medically and surgically and to sign the form of death certificate required by laws of this Commonwealth or who are exempt therefrom by further provisions of this act]

Section 1 Short Title and Definitions Be it enacted that (a) This act shall be known and may be cited as the "Medical Practice Act"

(b) The term "board" as used in this act shall mean the State Board of Medical Education and Licensure in the Department of Public Instruction originally known as the Bureau of Medical Education and Licensure but later created appointed and organized in accordance with the provisions of the Administrative Code

(c) The term "medicine and surgery" as used in this act shall mean the art and science having for their object the cure of diseases of and the preservation of the health of man including all practice of the healing art with or without drugs except healing by spiritual means or prayer

(d) The term "Healing Art" as used in this act shall mean the science of diagonsis and treatment in any manner whatsoever of disease or any ailment of the human body

[Section 2 For the purpose of carrying out and enforcing the provisions of this act there shall be established in this Commonwealth a Bureau of Medical Education and Licensure to be attached to the Department of Public Instruction The said bureau shall consist of seven members two of whom the Superintendent of Public Instruction and the Commissioner of Health shall be exofficio members thereof the five remaining members shall be appointed by the Governor of the Commonwealth who shall appointed the same on or before September first nineteen hundred and eleven The said five members so appointed shall be selected from and at present legally incorporated State medical societies of the State of Pennsylvania namely one from the Medical Society of the State of Pennsylvania one from the Homeopathic Medical Society of the State of Pennsylvania and one from the Eclectic Medical Society of the State of Pennsylvania and who at the time of their appointment are licensed and qualified under the existing laws of this Commonwealth to practice medicine and surgery and who shall have practiced the same in this Commonwealth for a period of not less than ten years prior to their respective appointments And provided That the two remaining members shall not be of the same school or system of practice Two members of the bureau first appointed under this act shall serve for one year two for two years and one for three years after which the successor of each member shall be appointed for the term of three years but no member of said bureau shall be a member of the faculty of any undergraduate school college or university teaching medicine and surgery The Governor shall furnish each person appointed with a certificate of appointment under the seal of this Commonwealth He shall fill any vacancies caused by death resignation or otherwise and shall have the power to remove any appointed member of the said bureau for continued neglect of the duties which he may be required to perform as a member of the bureau or for any unprofessional or dishonorable conduct upon receiving proper proof of the same Appointment to fill vacancies occurring through death resignation or otherwise shall be for the unexpired term of the deceased or retiring member]

Section 2 Practice of Medicine and Surgery Without License Prohibited Penalties It shall not be lawful for any person in the State of Pennsylvania to engage in the practice of medicine and surgery or pretend to a knowledge of any branch or branches of medicine and surgery or to hold himself or herself forth as a practitioner in medicine and surgery or to assume the title of doctor of medicine and surgery or doctor of any specific disease or to diagnose diseases or to treat diseases by the use of medicines and surgery as defined in Section 1 (c) of this act or by any other means or to sign any death certificate or to hold himself or herself forth as able to do so excepting those hereinafter exempted unless he or she has first fulfilled the requirements of this act and has received a certificate of licensure from the board which license shall be properly recorded in the office of the Superintendent of Public Instruction at Harrisburg

On first offense any person wilfully violating the provisions of this section of this act shall upon conviction be deemed guilty of a misdemeanor and shall be subject to a fine of not more than five hundred dollars or imprisonment for not more than six months in the county prison or both or either at the discretion of the court on second offense shall be subject to a fine of not less than five hundred nor more than one thousand dollars and imprisonment of not less than six months nor more than one year at the discretion of the court Provided That this section shall not apply to those persons who under the laws of the Commonwealth at the date of passage of this act have been accorded the right by a licensing certificate to diagnose and treat disease medically and surgically and to sign the form of death certificate required by the laws of this Commonwealth or who are exempt therefrom by further provisions of this act

Section 7 License Certificates Exemptions Nonresident Practitioners Graduate Students Annual Registration Automatic Suspension in Case of Mental Incompetency Unlawful Practice (a) All persons who have complied with the requirements of the rules and regulations of the board and who shall have passed a final examination and who have otherwise complied with the provisions of this act shall receive from the Department of Public Instruction acting for the said board a licensing certificate entitling them to the right to practice medicine and surgery or [special] branch or branches of medicine and surgery as provided for in section six of this act in this Commonwealth which said license certificate shall be duly [registered] recorded in the office of the Department of Public Instruction of this Commonwealth in a record book to be properly kept for that purpose and which shall be open to public inspection and a certified copy of said record shall be received as evidence in all courts in this Commonwealth in the trial of any case Provided That this section relating to certificates to practice medicine and surgery shall not apply to officers in the regular medical service of the United States Army and Navy or in the United States Public Health and Marine Hospital Service while in discharge of their official duties or to any one who may be a duly [registered] licensed practioner of medicine in any State or Commonwealth who may be called upon by a licensed and registered physician of this Commonwealth to consult with him in a case under treatment or to physicians of other jurisdictions who are in training for certification in special departments of medicine and surgery under clause (b) of this section or to any one while actually serving as a student intern under the supervision of the medical or surgical staff in any legally incorporated hospital or State hospital And provided further That any duly [registered] licensed practitioner of medicine residing in any State near the boundary line between said State and this Commonwealth whose practice extends into this State shall have the

right to practice in this Commonwealth at the discretion of the board provided he files with the [Secretary of the Board of Medical Education and Licensure] secretary of the board [of this Commonwealth] a certified copy of his [registration] license in the State where he resides and provided that the Board of Examiners of the adjoining State reciprocate by extending the same privilege to practitioners of medicine and surgery in this Commonwealth in which case he shall receive from the secretary of the board created by this act a licensing certificate [issued by the said board but] which shall be automatically revoked if he changes his said residence or office of practice A record of all persons so licensed shall be kept in the archives of the Department of Public Instruction at Harrisburg and shall have the standing before the law of any other license issued by the said department for the [Board of Medical Education and Licensure] board In these records shall be registered the names and addresses of each person duly qualified to conduct the practice of medicine and surgery or any of [the allied] its branch or branches of the healing art as provided for in this act in Pennsylvania

(b) Physicians who are legally authorized to practice medicine and surgery in other states and territories of the United States and the Dominion of Canada or physicians from such jurisdictions who have passed the examination of the National Board of Medical Examiners and who are in training for certification in special departments of medicine and surgery in institutions in this Commonwealth recognized either by the board or the various examining boards in medical specialties approved by the Council on Medical Education and Hospitals of the American Medical Association as proper for such training shall receive a special certificate that is limited to said training and for the period of time required for this training after the payment of a nominal fee established by the Department of Public Instruction and shall thereupon report annually to the board until the course is completed

If such a physician desires to remain in Pennsylvania and practice medicine and surgery after completion of the course a certificate to practice medicine and surgery under this act shall be issued provided the applicant shall have met all the requirements of this act and shall have paid a fee established by the Department of Public Instruction for such license

(c) And it shall be the duty of all persons now qualified and engaged in the practice of medicine and surgery or any [of the allied] branch or branches thereof [of the healing art] provided for in this act or who shall hereafter be licensed by the Department of Public Instruction for the [Board of Medical Education and Licensure] board to engage in such practice in the Commonwealth of Pennsylvania to be registered with the said [Board of Medical Education and Licensure in the Department of Public Instruction] board as practitioners on or before the first day of January one thousand nine hundred and twenty-six and thereafter to register in like manner annually on or before the first day of January of each succeeding year The form and method of such registration shall be provided for by the said [Board of Medical Education and Licensure] board in such manner as will enable the [Board of Medical Education and Licensure] board to carry into effect the purposes of this act

Each person so registering with the [Board of Medical Education and Licensure] board shall pay for each annual registration and for the certificate hereinafter provided for a fee of one dollar or such other sum as may be fixed by the Department of Public Instruction under authority of law which fee shall accompany the application for such registration The money thus received shall be paid into the State Treasury for the use of the Commonwealth

Upon receiving a proper application for such registration accompanied by the fee above provided for the Department of Public Instruction acting for said [Board of Medical Education and Licensure] board shall issue its certificate of registration to the applicant Said certificate together with its renewals shall be good and sufficient evidence of registration under the provisions of this act And the Department of Public Instruction shall be required to publish biennially a list of the persons so registered

(d) The registration to practice medicine and surgery shall be automatically suspended upon the legal commitment to an institution of a licensed physician because of mental incompetency from any cause upon filing with the Department of Public Instruction a certified copy of such commitment Restoration of such registration shall be made in accordance with section eight of this act as in the case of revocation or suspension of licensure

(e) Any person who shall practice medicine and surgery or any of [the allied] its branches [of the healing art] which come under the provisions of this act without having been registered in accordance with the provisions of this act shall on conviction thereof before any magistrate alderman or justice of the peace in the county where the offense shall have been committed be subject to a fine of not less than ten dollars and not more than one hundred dollars to be collected by summary conviction as like fines are now collected by law or in case of nonpayment of the fine to undergo an imprisonment in the county jail for a period not exceeding ten days Provided That any person so convicted shall have the right of appeal as in any other case of summary conviction

Section 13 The provisions of this act shall not apply either directly or indirectly by intent or purpose to affect the practcie of pharmacy as authorized by the act approved May twenty-fourth one thousand eight hundred and eighty-seven entitled "An act to regulate the practice of pharmacy and sale of poisons and prevent adulterations in drugs and medicinal preparations in the State of Pennsylvania" or the several amendments thereto nor to affect the practice of dentistry as authorized by the act approved July ninth one thousand eight hundred and ninety-seven entitled "An act to establish a Dental Council and a State Board of Dental Examiners to define the powers and duties of said Dental Council and said State Board of Dental Examiners to provide for the examination and licensing of practitioners of dentistry and to further regulate the practice of dentistry" or the several amendments thereto nor to affect the practice of osteopathy as authorized by the act approved March nineteenth one thousand nine hundred and nine entitled "An act to regulate the practice of osteopathy in the State of Pennsylvania to provide for the establishment of a State Board of Osteopathic Examiners to define the powers and duties of said Board of Osteopathic Examiners to provide for the examining and licensing of osteopaths in this State and to provide penalties for the violation of this act" nor to affect the practice of optometry as authorized by the act approved March thirtieth one thousand nine hundred seventeen (P. L. 21) entitled "An act defining optometry and relating to the right to practice optometry in the Commonwealth of Pennsylvania and making certain exceptions and providing a Board of Optometrical Education Examination and Licensure and means and methods whereby the right to practice optometry may be obtained and providing for the means to carry out the provisions of this act and providing for revocation or suspension of licenses given by said board and providing penalties for violations thereof and repealing all acts or parts of acts inconsistent therewith" or the several amendments thereto nor shall this act be so construed as to give to the Bureau of Medical Education and Licensure any jurisdiction over any of the schools or colleges of the methods herein exempted

Section 2 The provisions of this act shall become effective immediately upon final enactment

On the question,

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

Mr. NAGEL. Mr. Speaker, I feel I would be derelict in my duty to the people of this great Commonwealth did I not rise at this time in opposition to Senate Bill No. 575. Those of us who are familiar with the legislation of our state that has given the medical profession their status know that prior to the year 1911 all that one needed to do to become a medical doctor was practically to say he was a doctor and to think he was a doctor and hang out his shingle. There were practically no formalities whatever that he had to go through. In 1911 we had the law enacted that formed the foundation for the medical profession in Pennsylvania, and almost every year since there have been added to that law amendments and new laws from time to time, and some parts of these laws were repealed, until today we have our present law governing the medical profession in this great state.

Now I submit to you, Mr. Speaker, that at this time no new law is needed, no further power is needed in order that the physicians or medical doctors of our country can proceed with their work and perform this work efficiently.

I do not think at any time in my history here in this House have I ever tried to create a noise of any kind so that one may not be heard, and I ask that I be extended the same courtesy for a few moments,—I do not intend to talk long, I do not intend to talk loud, because I do not expect and I do not want to frighten anybody.

I contend Mr. Speaker that no further legislation is needed. I can think of no instance in which the medical doctor is hampered. When he is called by a patient he has the privilege of deciding whether the patient will need an operation, whether he will be put in some kind of a plaster cast, or whether he will give the patient some kind of tablets; nobody else can say anything, and the laws are so much in his favor today in this state that should he make a mistake it is almost impossible to call him to account for it.

I have another reason for opposing this bill at this time. I believe I am safe in saying that not ten per cent of the Members of this House have read this bill; not ten per cent of the Members of this House understand this bill. In this closing time of our legislation, when there is excitement and when we are not given much to deliberation, we should be very careful not to allow something to go through that is not needed, something that might prove injurious to the people of our state. I remember when I first came here I contacted an old lawyer, and he said to me, "I am going to give you a bit of advice; when you go down to the legislature, if ever there comes a time when you are in doubt upon any bill I am going to tell you just how to vote". I said, "I would be pleased to have such advice". He said, "Always vote 'no' ".

Let us examine this bill for just a moment. You will find definitions that I tried to amend yesterday. Our definitions were carried over verbatim from the 1937 law. Those definitions are all-inclusive. They go further than Webster's dictionary; they go further than any legal dictionary in defining medical practice and the healing arts. They have combined these two together in one definition and made them inseparable, when in reality they are two different terms.

Mr. Speaker, I quote from Bouvier's Law Dictionary of 1940, which defines the meaning of the word "Medicine" as follows:

> "The practice of medicine includes the application and use of medicines and drugs for the purpose of curing, mitigating or alleviating bodily diseases, while the practice of surgery is limited to manual operations usually performed by surgical instruments or appliances."

Mr. Speaker, I say we should give no further grounds for this powerful organization now is protected by law better than any other organization in the state of Pennsylvania. They can move in any direction now as far as they care to go, yet here they come asking for further leave and further license.

Mr. Speaker let us call attention to the bill and turn to page six and the amendment that we have there. I am quoting:

> "It shall not be lawful for any person in the state of Pennsylvania to engage in the practice of medicine or surgery".

I quite agree with that, Mr. Speaker. That is all right. Then it goes on further and says,

> "—or to pretend a knowledge of any branch or branches of medicine."

In other words Mr. Speaker it forbids you to think. You can use baking soda in making biscuits, but you don't know whether it is an acidifier or an alkalizer. You dare not know of the potentialities of Epsom Salts or castor oil; you are forbidden that, you dare not do that.

The bill goes on further and says,

> "the treatment of disease by the use of medicine or surgery".

It must be either one of those things; it makes no exception whatever. It would not be permissible under this law for a mother to give her child afflicted with croup a spoonful of molasses; it would not permit any person to trim the fingernails of another person.

Mr. Speaker, I submit this bill was designed with malice aforethought. This bill is selfish, and I can prove it to you from yesterday's activities. This bill was sent from the Senate into the House and referred to our committee. There was opposition to this bill by certain groups because the sponsors of this bill, seemingly purposely, intentionally and maliciously left it in such shape that our optometrists and our osteopaths and our dentists were left out in the cold. This bill was amended. It was not their intention to have this bill go through in any way other than in the form in which it was drafted, forgetting the interests and the welfare of all these other noble professions that we need.

I do not think evil of our medical profession; I think our medical doctors and our surgeons have a place in our country and we should accord them their right, but when it comes to the building of an organization of this type, and attempting to put the last rail on the fence, they are now in the trough with all four feet, and they want to begin now to lie down.

Under this bill, if it were enacted into law, that great Galilean Prince of Peace who came to our world some

two thousand years ago, Jesus Christ, if he would attempt curing as he did then, this law would require that he go behind bars and even pay a fine of five hundred to one thousand dollars.

I ask you to give this bill careful consideration. Consider the people of our state. You will not take from the medical profession anything if this bill fails to pass. You are simply keeping them where they are, where they are amply protected, where they have a right to do just as they please. There is no law in Pennsylvania today governing medicine higher than the Medical Board. Why should we give them more? I ask you to vote against this bill.

Mr. SARRAF. Mr. Speaker, I do not care to take up a great deal of time of the House. I know we have gone through a very strenuous afternoon in debate, but I do wish to point out what this bill really does.

In the first place, this bill was formulated as a result of the approval of the accepted hospitals, that is, approved hospitals of the State, as well as the unapproved hospitals of the State, along with the Department of Health of the State a member of the Attorney General's office and the medical societies.

In 1911, the original act was passed. In 1937 Act No. 232 was passed amending the 1911 act. The definition of medicine and surgery as it appears in this particular act, Senate Bill 575, is identical with that contained in the Act of 1937. It is put into this act as Section one. This act does not have anything to do with any other board that is established in this State. By that I mean the Dental Board, the Nurses' Board, the Optometrist Board, or any of the other boards under the statutes of the state. They are not affected one iota by this bill. When an interne has graduated after one year's service in a hospital, there comes a waiting period between the time that he takes his State Board Examination and the time he receives his license from the state. This bill will permit that interne, instead of being a nobody during that period, as the board has decreed, or as one of its members really has taken it upon himself to decree, to be a doctor the day he is through as an interne in the hospital, along with post-graduate work in one of the greatest schools in the state of Pennsylvania. Anybody who attacks this bill does not realize that we are the mecca of the world in the practice of medicine. If we do realize that, then we ought to boost it sky high and we ought to keep it that way. This bill will allow post-graduate work. Along with that, this bill does not touch any chiropractor, any chiropodist, or any of the practitioners of the healing arts. This bill, in fact, protects that individual; this bill will make for better enforcement in our state and reduce illegal practice in the state. If you want to pass laws to make illegitimate work in this State legitimate, then you vote against this bill.

I don't know what the former speaker was referring to when he spoke about baking soda. There is nothing in this bill referring to baking soda. If this bill should not pass, but be defeated, the law would remain as it is on the books. It was only yesterday that Mr. Nagel inserted or attempted to insert his own amendments. If by inserting those amendments it made the bill good, why is not the bill good without the insertion of those amendments?

Mr. Speaker, I do not care to take up any more time, and I ask the gentlemen of the House to vote in favor of this bill.

Mr. WOODRING. Mr. Speaker, I desire to interrogate the gentleman from Allegheny, Mr. Sarraf.

The SPEAKER. Will the gentleman from Allegheny permit himself to be interrogated?

Mr. SARRAF. I shall, Mr. Speaker.

Mr. WOODRING. Mr. Speaker, will this bill permit men who have graduated from a medical school to serve as internes during the period between their graduation and the time they are formally licensed?

Mr. SARRAF. Yes sir, Mr. Speaker, it will.

Mr. WOODRING. Mr. Speaker, is that provision a necessary one at the present time throughout the hospitals of our state?

Mr. SARRAF. Mr. Speaker, as I stated previously, this will limit the power of the Board because the Board today, under the law, can rule those individuals out, that is, they do not permit them to be internes after they are through their one year's interneship; they are not employable by recognized or non-recognized hospitals.

Mr. WOODRING. Mr. Speaker, from the gentleman's knowledge of the hospitals in Allegheny County or throughout the state, are hospitals at the present time experiencing difficulty in securing internes to serve in their institutions?

Mr. SARRAF. Mr. Speaker, there is dire need of internes, there is no doubt about that.

Mr. NAGEL. Mr. Speaker, I desire to interrogate the gentleman from Allegheny, Mr. Sarraf.

The SPEAKER. Will the gentleman from Allegheny permit himself to be interrogated?

Mr. SARRAF. I shall, Mr. Speaker.

Mr. NAGEL. Mr. Speaker, will the gentleman from Allegheny please tell us whether or not the graduates or those who have just graduated are not now permitted to act as internes?

Mr. SARRAF. Mr. Speaker, the gentleman from Beaver asks whether graduates are entitled to become internes, and I answer that graduates must be internes before they become doctors in our state.

Mr. NAGEL. Mr. Speaker is there not now power within the board to govern all of these things?

Mr. SARRAF. Mr. Speaker, there is discretionary power on the part of the board, there is no doubt about that. The chairman of that board has made this particular ruling, and his interpretation prevents that individual from being able to take advantage of an opportunity for service in a hospital. This law if passed will limit the board, in other words, it will confine their power to the extent that they must accept these gentlemen as they finish their interne year to be eligible for service in hospitals.

Mr. NAGEL. Mr. Speaker, I think this interneship business is just a thin veil spread over this thing to cover something that they do not want known. I think it is a dangerous bill and I repeat again, gentlemen, vote it down.

On the question recurring,
Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows, viz:

YEAS—136

Auker,	Gallagher,	McClanaghan,	Scanlon,
Baker,	Greenwood,	McClester,	Schwab,
Balthaser,	Gryskewicz,	McDermott,	Serrill,
Bentley,	Habbyshaw,	McFall,	Shaffer,
Bentzel,	Haines,	McGrath,	Shaw,
Boies,	Hall,	McIntosh,	Simons,
Boney,	Hamilton,	McLanahan,	Snyder,
Bower,	Hare,	McLane,	Sollenberger,
Bradley,	Harkins,	McMillen,	Sorg,
Brown,	Heatherington,	Melchiorre,	Stambaugh,
Brunner, C. H.,	Helm,	Mihm,	Stine,
Brunner, P. A.,	Hering,	Modell,	Stockham,
Burns,	Herman,	Monks,	Tarr,
Burris,	Hersch,	Moul,	Taylor,
Cadwalader,	Hewitt,	Munley,	Thompson, R. L.,
Chervenak,	Imbrie,	O'Brien,	Turner,
Chudoff,	Jones, G. E.,	O'Connor,	VanAllsburg,
Cordier,	Keenan,	O'Dare,	Verona,
Corrigan,	Kenehan,	O'Mullen,	Vincent,
Dennison,	Kline,	O'Neill,	Voldow,
DiGenova,	Kolankiewicz,	Owens,	Voorhees,
Dix,	Komorofski,	Petrosky,	Wagner,
Dolon,	Krise,	Pettit,	Watkins,
D'Ortona,	Lee, E. A.,	Polaski,	Weiss,
Duffy,	Lee, T. H.,	Powers,	Welsh, M. J.,
Early,	Leonard,	Prosen,	Winner,
Eckels,	Lesko,	Rank,	Wood, L. H.,
Elliott,	Leydic,	Readinger,	Wood, N.,
Finestone,	Lichtenwalter,	Reese, D. P.,	Woodring,
Fisher,	Longo,	Rhea,	Wright,
Fiss,	Lyons,	Rooney,	Yeakel,
Fleming,	Malloy,	Rose, S.,	Yester,
Fletcher,	Marks,	Sarge,	Young,
Flynn,	Maxwell,	Sarraf,	Kilroy, Speaker.

NAYS—6

Cullen,	Goodwin,	Nagel,	Rush,
Ely,	Moran,	Reese, R. E.,	

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return it to the Senate with information that the House has passed it with amendments in which the concurrence of the Senate is requested.

REPORT OF COMMITTEE OF CONFERENCE ON HOUSE BILL No. 1466

Mr. MIHM. Mr. Speaker, I desire to call up the report of the Committee of Conference on House Bill No. 1466, Printer's No. 1189.

The report was read by the Clerk as follows:

To the Members of the Senate and House of Representatives:

We, the undersigned, Committee of Conference on the part of the Senate and House of Representatives for the purpose of considering House Bill No. 1466, entitled:

"An act to amend the act, approved the third day of June, one thousand nine hundred and thirty-seven (P. L. 1333), entitled 'An act concerning elections, including general, municipal, special and primary elections, the nomination of candidates, primary and election expenses, and election contests; * * *' by changing the procedure for and regulating voting in elections by persons in actual military service; conferring powers and imposing duties upon the Secretary of the Commonwealth, courts, county boards of elections and county commissioners; providing for reimbursement of counties for actual expenses incurred for canvassing the vote of electors in actual military service."

Respectfully submit the following bill as our report:

Robert M. Miller,
Paul M. Crider,
J. K. McQuiddy,
(Committee on the Part of the Senate.)

H. J. Maxwell,
Martin C. Mihm,
George T. Weingartner.
(Committee on the part of the House of Representatives.)

An Act to amend the act approved the third day of June one thousand nine hundred and thirty-seven (P. L. 1333) entitled "An act concerning elections including general municipal special and primary elections the nomination of candidates primary and election expenses and election contests creating and defining membership of county boards of elections imposing duties upon the Secretary of the Commonwealth courts county boards of elections county commissioners imposing penalties for violation of the act and codifying revising and consolidating the laws relating thereto and repealing certain acts and parts of acts relating to elections" by changing the procedure for and regulating voting in elections by persons in actual military service conferring powers and imposing duties upon the Secretary of the Commonwealth courts county boards of elections and county commissioners providing for reimbursement of counties for actual expenses incurred for canvassing the vote of electors in actual military service

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section one hundred two of the act approved the third day of June one thousand nine hundred and thirty-seven (P. L. 1333) entitled "An act concerning elections including general municipal special and primary elections the nomination of candidates primary and election expenses and election contests creating and defining membership of county boards of elections imposing duties upon the Secretary of the Commonwealth courts county boards of elections county commissioners imposing penalties for violation of the act and codifying revising and consolidating the laws relating thereto and repealing certain acts and parts of acts relating to elections" is hereby amended to read as follows

Section 102 Definitions The following words when used in this act shall have the following meanings unless otherwise clearly apparent from the context

(a) The word "candidate" shall unless the context otherwise requires include both candidates for nomination and election

(b) The word "county" shall mean any county of this Commonwealth

(c) The words "county board" or "board" shall mean the county board of elections of any county herein provided for

(d) The words "district election board" or "election board" shall mean the election officers required to conduct primaries and elections in any election district in accordance with the provisions of this act

(e) The words "district register" shall mean the cards containing all or part of the registry list of qualified electors of the same election district as prepared by the registration commissions

(f) The word "election" shall mean any general municipal special or primary election unless otherwise specified

(g) The words "election district" shall mean a district division or precinct established in accordance with the provisions of this act within which all qualified electors vote at one polling place

(h) The words "general election" shall mean the election which the Constitution of this Commonwealth requires to be held in even-numbered years

(i) The words "independent nomination" shall mean the selection by an independent political body in ac-

cordance with the provisions of this act of a candidate for a public office authorized to be voted for at an election

(j) The words "municipal election" shall mean the election which the Constitution of this Commonwealth requires to be held in odd-numbered years

(k) The word "nomination" shall mean the selection in accordance with the provisions of this act of a candidate for a public office authorized to be voted for at an election

(l) The words "November election" shall mean either the general or municipal election or both according to the context

(m) The word "oath" shall include affirmation and the word "swear" shall include affirm

(n) The word "party" shall mean a political party as defined in section 801 of this act

(o) The words "party nomination" shall mean the selection by a political party in accordance with the provisions of this act of a candidate for a public office authorized to be voted for at an election

(p) The words "political body" shall mean an independent body of electors as defined in section 801 of this act

(q) The words "polling place" shall mean the room provided in each election district for voting at a primary or election

(r) The words "primary" or "primary election" shall mean any election held for the purpose of electing party officers and nominating candidates for public offices to be voted for at an election

(s) The words "public office" shall include every public office to which persons can be elected by a vote of the electors under the laws of this State

(t) The words "qualified elector" shall mean any person who shall possess all of the qualifications for voting now or hereafter prescribed by the Constitution of this Commonwealth or who being otherwise qualified by continued residence in his election district shall obtain such qualifications before the next ensuing election

(u) The words "registered and enrolled member of a political party" shall mean any qualified elector who shall be registered according to political designation in accordance with the provisions of the registration acts

(v) The words "special election" shall mean any election other than a regular general municipal or primary election

(w) "Electors in actual military service" shall mean qualified electors of this Commonwealth who are or may be by enlistment enrollment or draft in the military or naval service of the United States or any branch or unit thereof or in the military service of the Commonwealth

Section 2 Section three hundred and five of said act is hereby amended to read as follows

Section 305 Expenses of County Boards and of Primaries and Elections to Be Paid by County Expenses of Special Elections Boards to Be Provided with Offices

(a) The county commissioners or other appropriating authorities of the county shall appropriate annually and from time to time to the county board of elections of such county the funds that shall be necessary for the maintenance and operation of the board and for the conduct of primaries and elections in such county including the payment of the compensation of the employes of the board custodians election officers and other assistants and employes herein provided for and the fees of witnesses as herein provided for the purchase or printing under contracts made by the board of all ballots and other primary and election supplies required by this act or which the board shall consider necessary to carry out the provisions of this act for the purchase under contracts made by the board and maintenance of voting machines when adopted as herein provided and of all other primary and election equipment required by this act or which the board shall consider necessary to carry out the provisions of this act for the publication of notices authorized by this act under contracts made by the board and for all other necessary expenses hereunder Provided however That bonds or other evidences of indebtedness payable not later than ten years from their dates of issuance may be issued by the county commissioners or other appropriating authorities of the county in accordance with the provisions of law relating to the increase of indebtedness of such county to meet all or any part of the cost of voting machines

1 The county shall be liable for the expenses of holding special elections for any city borough township school district or other municipality or incorporated district contained therein which is held on the day of any general municipal or primary election and on any special question which is required by law to be or which is at the discretion of the county board as hereinafter provided printed on the regular ballot after the list of the candidates or on the same voting machine as the list of candidates

2 Any city borough township school district or other municipality or incorporated district contained in any county holding a special election as authorized by law on the question of increase of indebtedness or any other question to be voted on by the electors of such subdivision which special election is held on the day of any general municipal or primary election and which is required by law to be conducted or at the discretion of the county board as hereinafter provided is conducted by special ballots for such question shall be liable to the county for the expenses necessarily incurred in the printing of such special ballots

3 If any other day than the day of any general municipal or primary election be fixed by the corporate authorities of any municipality school district or incorporated district for the holding of a special election on the question of increase of indebtedness or any other question as authorized by law such municipality school district or incorporated district shall be liable for and pay the entire expense of holding such election including the cost of printing ballots and supplies pay of election officers the rental of polling places and the cost of canvassing and computing the votes cast

(b) The county commissioners or other appropriating authorities of the county shall provide the county board with suitable and adequate offices at the county seat properly furnished for keeping its records holding its public sessions and otherwise performing its public duties and shall also provide such branch offices for the board in cities other than the county seat as may be necessary

(c) The Commonwealth shall reimburse each county for election expenses incurred at every election for the preparation handling and mailing of ballots for electors in actual military service in the sum of forty-three cents for each ballot mailed to an elector in actual military service in such manner as is now or may hereafter be provided by law

Each county board of elections shall file in the Department of State not later than thirty days after every election on a form prescribed by the Department of State a statement of the number of ballots mailed in such manner as is now or may hereafter be provided by law to electors in actual military service upon the written application of each such elector Such applications shall be preserved by each county board of elections until reimbursement is made as herein provided subject to inspection or production in the Department of State if demanded by the Department of State

The Department of State shall ascertain and fix the amount due as herein provided to each county for election expenses incurred for the preparation handling and mailing of ballots to electors in actual military service and by requisition in the usual course shall provide for payment of such amounts so found due from moneys appropriated to the Department of State for such purpose or shall prorate the moneys so appropriated among the

several counties to be reimbursed if the amount so appropriated shall not be sufficient for the payment in full to each county of the amount found to be due

Section 3 Article thirteen of said act is hereby repealed absolutely

Section 4 Said act is hereby amended by adding thereto a new article thirteen to read as follows

Article XIII

Voting By Persons In Actual Military Service

Section 1301 Qualified Electors in Actual Military Service Whenever any of the qualified electors of this Commonwealth shall be in any actual military service and as such absent from their place of residence on the days appointed by law for holding any election within this State or on the days for holding special elections to fill vacancies such electors shall be entitled at such times to exercise the right of suffrage as fully as if they were present at their usual places of election in the manner prescribed in this article and whether at the time of voting such electors shall be within the limits of this State or not

Section 1302 Ballots Ballots for use by electors in actual military service under the provisions of this article shall be prepared sufficiently in advance by the county boards of election and shall be by such boards distributed as hereinafter provided to the electors in actual military service entitled to vote at any election Such ballots shall be in substantially the form prescribed by article ten of this act for ballots to be used at the same elections within this Commonwealth but in cases where there is not time in the opinion of the county boards of elections to print on said ballots the names of the various candidates for district county and local offices the ballots shall contain blank spaces only under the titles of such offices in which the voters may insert the names of the candidates for whom they desire to vote and in such cases the county boards of elections shall furnish to the elector in actual military service a sufficient number of printed lists containing the names of all the candidates who have been regularly nominated under the provisions of this act for the use of the elector in preparing his ballot

Section 1303 Duties of County Boards In the case of any election at which votes are cast by electors in actual military service under the provisions of this article it shall be the duty of each county board of elections to withhold the completion of the computation of the returns of the county until the second Friday after such election within which period all votes cast by electors of the county in actual military service as provided in this article shall be added to and included in its computation of the returns of such election but not afterwards

Section 1304 Manner of Voting by Electors in Actual Military Service Electors mentioned in section one thousand three hundred and one shall have the right to apply not less than thirty (30) days and not more than fifty (50) days before any election for a "military ballot" The application shall be in writing signed by the applicant in his own hand and addressed to the county board of elections of the county wherein the applicant is registered to vote and shall state the county and the city borough or township and the precise ward or election district in or the street and number at which the applicant is registered to vote If the application is for a ballot for a primary election it shall also state the political party in which the applicant is enrolled

Section 1305 Ballots and Envelopes for Electors in Actual Military Service The County boards of elections shall prepare and upon request deliver to the said electors in actual military service a ballot by registered mail with return receipt required in an envelope addressed to each such elector at the address furnished by the elector in his application for a military ballot Such ballots shall be prepared and printed in the same form as the ballots provided for by section one thousand three hundred and two of this act but shall have in addition printed stamped or endorsed thereon the words "Military Ballot" The county boards of elections shall also provide and deliver as aforesaid three envelopes for each military ballot of such size and shape that will permit the placing of one within the other On the first shall be printed stamped or endorsed only the words "Military Ballot" On the second shall be printed the affidavit of the elector together with the jurat of the officer in whose presence the ballot is marked and before whom the affidavit is made such affidavit and jurat to be in form prescribed by the Secretary of the Commonwealth On the third shall be placed the name and address of the county board of elections of the proper county All military ballots and envelopes shall be mailed at least fifteen (15) days before the election involved to the electors requesting them

Each county board of elections shall print and post in a conspicuous public place at its office a list setting forth the name present location and local voting district or ward of every elector to whom a military ballot has been sent This list shall be posted at least ten (10) days before the primary or election involved and shall also set forth the total number of military ballots prepared by the county board of elections Copies of such list shall be furnished upon request to the county chairman of each political party and political body

Section 1306 Voting by Electors in Actual Military Service Any such elector may make application within the time prescribed by section one thousand three hundred and four to the county boards of elections for a "Military Ballot" At any time after receiving such military ballot but on or before the day of the election such elector in actual military service may appear before any commissioned officer of the military or naval forces either within or without the Commonwealth or before any officer of this or or any other state or territory of the United States authorized to administer oaths and mark such ballot under the scrutiny of such officer in the following manner The voter shall first display the ballot to such officer as evidence that the same is unmarked and shall then proceed to mark the ballot in the presence of such officer but in such manner that such officer is unable to see how the same is marked and then fold the ballot enclose and securely seal the same in the envelope on which is printed stamped or endorsed "Military Ballot" This envelope shall then be placed in the one on which is printed the affidavit of the elector and the jurat of the officer before whom the elector appears and such envelope sealed in like manner by the elector The elector shall then make out subscribe and swear to the affidavit printed on the face of such envelope and the jurat shall be subscribed by the officer before whom the affidavit was taken Such ballot and envelope shall then be securely sealed in the third envelope which the elector shall send by mail to the county board of elections of the proper county with postage prepaid

Section 1307 Receipt and Counting of Military Ballots The county board of elections upon receipt of such third envelope shall safely keep the same in their office until they meet to canvass the vote of such election under the provisions of this act

At such time the members of the county board of elections may in person dispose of military ballots in the manner hereinafter set forth or they may designate a sufficient number of clerks to perform such duties When it is determined that clerks shall be appointed the total number shall in every case be in multiples of three each member of the county board of elections shall appoint an equal number thereof

Watchers appointed in the manner prescribed by and subject to the restrictions imposed by section four hundred and seventeen of this act insofar as applicable shall be permitted to be present whenever any of the envelopes containing military ballots are opened and whenever any such ballots are counted and recorded

In disposing of military ballots the county board of elections or the clerks designated as aforesaid shall first

examine the third envelope and set aside unopened all such envelopes which bear a post mark later than the date of the particular election day involved The envelopes thus set aside shall be retained for a period of one year and then destroyed unopened

They shall then open the third envelopes not thus set aside and after examining the affidavit and jurat shall compare the signature of such absent voter with his signature upon any register or other record in their possession If the county board is satisfied that the signatures correspond that the affidavit and jurat are sufficient and that the voter has been duly registered as provided by law they shall announce the name of the elector and shall give any person present an opportunity to challenge the same in like manner and for the same causes as such elector could have been challenged had he presented himself in his own district to cast his vote If there are no challenges they shall open the second envelope in such manner as not to destroy the affidavit and jurat printed thereon which envelope shall be kept in their office for a period of one year thereafter All envelopes on which are printed stamped or endorsed the words "Military Ballot" and containing the ballots shall be put into one depository at one time and said depository well shaken and the envelopes containing the ballots mixed before any ballot is taken therefrom The county board shall then break the seals of such envelopes and record the said ballots in the same manner as district election officers are required to record votes under the provisions of this act In like manner all military ballots received prior to completion of the computation of the returns of the county shall be counted and recorded and upon completion of the computation of the returns of the county the votes cast upon the military ballots shall then be added to the votes cast within the county city borough incorporated town township ward or election district as designated on each ballot Military ballots shall be safely kept by the county board of elections for a period of one year

Section 5 This act shall become effective immediately upon final enactment

On the question, will the House adopt the report of the Committee of Conference?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows, viz:

YEAS—204

Achterman,	Gallagher,	Malloy,	Royer,
Allmond,	Gates,	Marks,	Rush,
Auker,	Gerard,	Maxwell,	Sarge,
Baker	Gillan,	McClanaghan,	Sarraf,
Balthaser,	Gillette,	McClester,	Scanlon,
Bentley,	Goodwin,	McDermott,	Schwab,
Bentzel,	Greenwood,	McDowell,	Serrill,
Boles,	Gross,	McFall,	Shaffer,
Boney,	Gryskewicz,	McIntosh,	Shaw
Boorse,	Gyger,	McKinney,	Shepard,
Bower,	Habbyshaw,	McLanahan,	Simons,
Bradley	Haberlen,	McLane,	Skele,
Bretherick,	Haines,	McMillen,	Snyder,
Brown,	Hall,	McSurdy,	Sollenberger,
Brunner, C. H.,	Hamilton,	Melchiorre,	Sorg,
Brunner, P. A.,	Hare	Mihm,	Stambaugh,
Burns,	Harkins,	Modell,	Stank,
Burris,	Harmuth,	Monks,	Stine
Cadwalader,	Harris,	Mooney,	Stockham,
Chervenak,	Heatherington,	Moran,	Tarr,
Chudoff,	Helm,	Moul,	Tate,
Cochran,	Hering,	Muir,	Taylor,
Cohen, M. M.,	Herman,	Munley,	Thompson, E. F.,
Cohen, R. E.,	Hersch,	Nagel,	Thompson, R. L.,
Cook,	Hewitt,	Nunemacher,	Trout,
Cooper,	Hirsch,	O'Brien,	Turner,
Cordier,	Holland,	O'Connor	VanAllsburg,
Corrigan,	Huntley,	O'Dare,	Verona,
Croop	Imbrie,	O'Mullen,	Vincent,
Cullen,	James,	O'Neill,	Vogt,
Dalrymple,	Jefferson,	Owens,	Voldow,
Dennison,	Jones, G. E.,	Petrosky,	Voorhees,
DiGenova,	Jones, P. N.,	Pettit,	Wagner,
Dix,	Keenan,	Polaski,	Watkins,
Dolon,	Kenehan,	Polen,	Weingartner,
D'Ortona,	Kline,	Powers,	Weiss,
Duffy,	Knoble,	Prosen,	Welsh, E. B.,
Early,	Kolankiewicz,	Rank,	Welsh, M. J.,
Eckels,	Komorofski,	Rausch,	Wilkinson,
Elder,	Krise,	Readinger,	Williams,
Elliott,	Lee, E. A.,	Reagan,	Winner,
Ely,	Lee, T. H.,	Reese, D. P.,	Wood, L. H.,
Falkenstein,	Leisey,	Reese, R. E.,	Wood, N.,
Finestone,	Leonard,	Regan,	Woodring,
Finnerty,	Lesko,	Reynolds,	Woodside,
Fisher,	Levy,	Rhea,	Wright,
Fiss,	Leydic,	Riley,	Yeakel,
Fleming,	Lichtenwalter,	Rooney,	Yester,
Fletcher,	Longo,	Rose, S.,	Young,
Flynn,	Lovett,	Rose, W. E.,	Kilroy,
Foor	Lyons,	Rosenfeld,	Speaker.
French,			

NAYS—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative and the report of the Committee of Conference was adopted.

Ordered, That the Clerk inform the Senate accordingly.

BILL ON THIRD READING

Mr. ELY asked and obtained unanimous consent to call out of order House Bill No. 1620, (Senate Bill No. 714), Printer's No. 227, on page 6 of today's calendar, bills on third reading.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1620, (Senate Bill No. 714), entitled:

An Act to further amend section fifteen of the act, approved the eleventh day of May, one thousand nine hundred and twenty-one (P. L. 522) entitled "An act relating to dogs, and the protection of live stock and poultry from damage by dogs; providing for the licensing of dogs by the Secretary of Agriculture; providing for the enumeration of dogs by assessors; regulating the keeping of dogs, and authorizing their destruction in certain cases; providing for the protection of licensed dogs, and for dogs temporarily imported for trial, show, and breeding purposes; prescribing certain privileges for hunting dogs, and dogs owned or used by the Board of Game Commissioners; providing for the assessment of damages done to live stock and poultry by dogs, and for the illegal killing of licensed dogs, and the payment of such damages by the Commonwealth; imposing powers and duties on certain State, county, city, borough, town, and township officers and employes; directing the payment of all moneys collected into the State Treasury; and making an appropriation thereof; and providing penalties," by providing for the return of a portion of moneys received for licenses to the counties for use by Societies for the Prevention of Cruelty to Animals and specifically appropriating the same for such purpose

On the question,

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

Mr. ELY. Mr. Speaker, I want to call the attention of the House to what this bill does. This is an amendment to the act passed in 1921 in relation to dogs, and setting up a fund from which the damage done by dogs to live stock and poultry is paid. This bill would take fifteen per cent of that money and return it to the different counties for the use of the Society for the Prevention of

Cruelty to Animals. I think it is a dangerous precedent to tap this fund. If it should be returned to this society there are several others that could then with equal justice ask for a share of this money. I ask the Members of the House to vote this bill down.

Mr. WOODRING. Mr. Speaker, voicing the sentiment of the gentleman from Susquehanna Mr. Ely, I urge the membership to vote "no" on this bill. I think it is a bad precedent to divert these funds from their original purpose.

On the question recurring,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows, viz:

YEAS—22

Corrigan,	Hersch,	O'Brien,	Taylor,
Elder,	Jefferson,	O'Mullen,	Thompson R. L.
Finestone,	Kolankiewicz,	Melchiorre,	Turner,
Habbyshaw,	Lee, E. A.,	Reese, D. F.,	Weiss,
Haines,	McClanaghan,	Riley,	Welsh, E. B.,
Hering,	McFall,	Tate,	Kilroy, Speaker

NAYS—104

Auker,	Elliott,	Krise,	Rausch,
Baker,	Ely,	Lee, T. H.,	Readinger,
Balthaser,	Fleming,	Leisey,	Rhea,
Bentley,	Fletcher,	Leonard,	Rush,
Bentzel,	Flynn,	Levy,	Sarraf,
Boies,	Gallagher,	Longo,	Schwab,
Boney,	Gerard,	Lyons,	Serrill,
Boorse,	Gillan,	Malloy,	Shaw,
Bower,	Goodwin,	Marks,	Sollenberger,
Breth,	Greenwood,	Maxwell,	Sorg,
Bretherick,	Gryskewicz,	McDermott,	Stambaugh,
Brown,	Gyger,	McDowell,	Stank,
Brunner, P. A.	Hall,	McIntosh,	Stine,
Burns,	Hamilton,	McKinney,	Stockham,
Cook,	Hare,	McLanahan,	Tarr,
Cordier,	Harkins,	McMillen,	VanAllsburg,
Cullen,	Heatherington,	McSurdy,	Vincent,
Dennison,	Helm,	Moran,	Vogt,
DiGenova,	Hewitt,	Muir,	Wagner,
Dix,	Imbrie,	Nagel	Welsh, M. J.,
Dolon,	James,	Owens,	Williams,
D'Ortona,	Jones, G. E.,	Petrosky,	Wood, N.,
Duffy,	Jones, P. N.,	Pettit,	Woodring,
Early,	Keenan,	Polaski,	Wright,
Eckels,	Kenehar	Powers,	Yester,
	Komorofski,	Prosen,	Young,

Less than the majority required by the Constitution having voted in the affirmative, the question was determined in the negative and the bill falls.

Mr. TARR. Mr. Speaker, I think the vote by which this bill was defeated is a tribute to the gentleman from Susquehanna, Mr. Ely.

Mr. ELY. Mr. Speaker, I wish to thank the gentleman of the House and also the gentleman from Fayette, Mr. Tarr.

BILLS ON THIRD READING

Mr. READINGER asked and obtained unanimous consent to call up out of order House Bill No. 1942 (Senate No. 1096), Printer's No. 607, on page 14 of today's calendar, bills on third reading.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1942, (Senate Bill No. 1096), entitled:

An Act to further amend section one of the act, approved the thirteenth day of June, one thousand nine hundred and seven (P. L. 640), entitled "An act to provide revenue by levying a tax upon the shares of stock of companies incorporated under the provisions of section twenty-nine of an act, entitled 'An act to provide for the incorporation and regulation of certain corporations,' approved April twenty-ninth, one thousand eight hundred and seventy-four, and the supplements thereto; for the insurance of owners of real estate, mortgages, and others interested in real estate, from loss by reason of defective titles, liens and encumbrances; and of companies entitled to the benefits of, and of companies having any of the powers of, companies entitled to the benefits of an act, entitled 'An act conferring upon certain fidelity, insurance, safety deposit, trust, and savings companies the powers and privileges of companies incorporated under the provisions of section twenty-nine of an act, entitled "An act to provide for the incorporation and regulation of certain corporations," approved April twenty-ninth, Anno Domini one thousand eight hundred and seventy-four, and of the supplements thereto,' approved June twenty-seventh, one thousand eight hundred and ninety-five, commonly known as title insurance or trust companies," by basing the tax upon the book value of the shares; continuing the increased rate of tax for a further limited period of time and reducing the rate of tax after such limited period of time.

On the question,

Will the House agree to the bill on third reading?

BILL RECOMMITTED

Mr. READINGER. Mr. Speaker, I move that this bill be recommitted to the Committee on Ways and Means for further study.

The motion was agreed to.

Mr. READINGER asked and obtained unanimous consent to call up out of order House Bill No. 1943, (Senate Bill No. 1097), Printer's No. 606, on page 14 of today's calendar, bills on third reading.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1943, (Senate Bill No. 1097), as follows:

An Act to further amend section one of the act, approved the fifteenth day of July, one thousand eight hundred and ninety-seven (P. L. 292) entitled "An act to provide revenue by taxation," by redefining the base for taxation of shares of stock of banks and savings institutions, and by increasing the rate of tax for a further limited period of time.

On the question,

Will the House agree to the bill on third reading?

BILL RECOMMITTED

Mr. READINGER. Mr. Speaker, I move that this bill be recommitted to the Committee on Ways and Means for further study.

The motion was agreed to.

Agreeably to order,

The bill having been called up from the postponed calendar by Mr. ACHTERMAN.

The House resumed the consideration on third reading of House Bill No. 1746, (Senate Bill No. 559), as follows:

An Act prescribing additional powers and duties on the Joint State Government Commission to make a survey of the educational facilities of the Commonwealth conferring upon the commission full power to issue subpoenas to carry out such additional functions and duties and

conferring upon the courts of common pleas power to enforce obedience to subpoenas so issued imposing duties on departments and agencies of the State government and on colleges and universities and making an appropriation

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 It shall be the duty of the Joint State Government Commission to conduct such studies and investigations as it shall deem proper pertaining to the education facilities and needs of the people of Pennsylvania to collate and digest the results of studies made by private research agencies which are willing to place the results of their research activities at the disposal of the General Assembly to secure all available information as to the present cost and functioning of the school system in this Commonwealth to determine what funds are required for the proper support of the public schools to recommend how the cost of such support should be divided between the Commonwealth and the school districts and the proper distribution of State funds among the several school districts having due regard for the abilities of the several school districts to raise funds to determine the possibility and practicability of merging dividing and reorganizing school districts to study existing distribution of higher educational institutions in the Commonwealth of Pennsylvania public and private and the functions they perform together with the relation between their programs and the occupational and professional needs and trends within the Commonwealth to make recommendations for securing adequate provisions for higher education as well as for education in the common schools to make recommendations regarding the discontinuance or alteration of functions and facilities of the State teachers' colleges and the Cheyney Training School for Teachers and to make such other studies and to compile such other material as may be deemed necessary for the information of the General Assembly in order to enable it to provide for the proper and equitable support of the educational facilities of the Commonwealth

Section 2 For the purpose of this act the Joint State Government Commission is authorized to hold hearings and to sit at such times and places as it may deem advisable to require by subpoena or otherwise the attendance of such witnesses and the production of such books papers and documents as it deems advisable to administer oaths and take testimony and to make expenditures not exceeding the amount hereinafter specified to employ counsel if it deems such employment necessary stenographic assistance to report the testimony taken at the hearings to be held by the commission and such other assistance as it deems advisable

Section 3 If any person corporation partnership or association wilfully neglects or refuses to testify before the commission or to produce any books papers records or documents subpoenaed by the commission the Chairman of the Joint State Government Commission shall file a petition with a court of common pleas having competent jurisdiction over said person corporation partnership or association setting forth such facts The said court of common pleas or a judge thereof shall thereupon issue a rule upon said person corporation partnership or association returnable no less than five nor more than seven days from service thereof commanding said person corporation partnership or association to appear before said court and show cause why the subpoena subpoena duces tecum or similar order of said commission shall not be complied with

If said person corporation partnership or association upon the return day of said rule to show cause is or are unable to show legal cause why the subpoena subpoena duces tecum or order of the commission should not be complied with the said court of common pleas shall forthwith enter an order of court directing said person corporation partnership or association to comply with the terms of the said subpoena subpoena duces tecum or order of the commission If thereupon such person corporation partnership or association shall refuse or fail to comply with the said order of court the said court of common pleas shall forthwith adjudge said person corporation partnership or association to be in contempt of court and such person corporation partnership or association shall thereupon forthwith be subject to the penalties provided by the Commonwealth in such cases

Section 4 The commission shall make a report embodying its findings and recommendations together with such legislative proposals or drafts of legislation as it shall deem necessary to the General Assembly not later than the first day of February one thousand nine hundred and forty-three

Section 5 The sum of fifty thousand dollars ($50,000) or as much thereof as shall be necessary is hereby appropriated to the Joint State Government Commission in addition to any other appropriation for the payment of the expenses of its members for the payment of the compensation and expenses of persons employed by the commission for postage telephone and telegraph charges supplies and printing and for all other expenses deemed necessary and proper by the commission to carry out the provisions of this act

Section 6 The provisions of this act shall become effective immediately upon final enactment

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows, viz:

YEAS—204

Achterman,	Gallagher,	Malloy,	Royer,
Allmond,	Gates,	Marks,	Rush,
Auker,	Gerard,	Maxwell,	Sarge,
Baker,	Gillan,	McClanaghan,	Sarraf,
Balthaser,	Gillette,	McClester,	Scanlon,
Bentley,	Goodwin,	McDermott,	Schwab,
Bentzel,	Greenwood,	McDowell,	Serrill,
Boles,	Gross,	McFall,	Shaffer,
Boney,	Gryskewicz,	McIntosh,	Shaw,
Boorse,	Gyger,	McKinney,	Shepard,
Bower,	Habbyshaw,	McLanahan,	Simons,
Bradley,	Haberlen,	McLane,	Skale,
Bretherick,	Haines,	McMillen,	Snyder,
Brown,	Hall,	McSurdy,	Sollenberger,
Brunner, C. H.,	Hamilton,	Melchiorre,	Sorg,
Brunner, P. A.,	Hare,	Mihm,	Stambaugh,
Burns,	Harkins,	Modell,	Stank,
Burris,	Harmuth,	Monks,	Stine,
Cadwalader,	Harris,	Mooney,	Stockham,
Chervenak,	Heatherington,	Moran,	Tarr,
Chudoff,	Helm,	Moul,	Tate,
Cochran,	Hering,	Muir,	Taylor,
Cohen, M. M.,	Herman,	Munley,	Thompson, E. F.,
Cohen, R. E.,	Hersch,	Nagel,	Thompson, R. L.,
Cook,	Hewitt,	Nunemacher,	Trout,
Cooper,	Hirsch,	O'Brien,	Turner,
Cordier,	Holland,	O'Connor	VanAllsburg,
Corrigan,	Huntley,	O'Dare,	Verona,
Croop	Imbrie,	O'Mullen,	Vincent,
Cullen,	James,	O'Neill,	Vogt,
Dalrymple,	Jefferson,	Owens,	Voldow,
Dennison,	Jones, G. E.,	Petrosky,	Voorhees,
DiGenova,	Jones, P. N.,	Pettit,	Wagner,
Dix,	Keenan,	Polaski,	Watkins,
Dolon,	Kenehan,	Polen,	Weingartner,
D'Ortona,	Kline,	Powers,	Weiss,
Duffy,	Knoble,	Prosen,	Welsh, E. B.,
Early,	Kolankiewicz,	Rank,	Welsh, M. J.,
Eckels,	Komorofski,	Rausch,	Wilkinson,
Elder,	Krise,	Readinger,	Williams,
Elliott,	Lee, E. A.,	Reagan,	Winner,
Ely,	Lee, T. H.,	Reese, D. P.,	Wood, L. H.,
Falkenstein,	Leisey,	Reese, R. E.,	Wood, N.,
Finestone,	Leonard,	Regan,	Woodring,
Finnerty,	Lesko,	Reynolds,	Woodside,
Fisher,	Levy,	Rhea,	Wright,
Fiss,	Leydic,	Riley,	Yeakel,
Fleming,	Lichtenwalter,	Rooney,	Yester,
Fletcher,	Longo,	Rose, S.,	Young,
Flynn,	Lovett,	Rose, W. E.,	Kilroy,
Foor	Lyons,	Rosenfeld,	Speaker.
French,			

NAYS—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return it to the Senate with information that the House has passed it with amendments in which the concurrence of the Senate is requested.

QUESTION OF INQUIRY

Mr. WOODRING. Mr. Speaker I arise to a question of inquiry.

The SPEAKER. The gentleman from Northampton will state his question of inquiry.

Mr. WOODRING. Mr. Speaker, has the House taken action on Senate Bill 302 on page one of the calendar?

The SPEAKER. No, we have not.

Mr. WOODRING. Mr. Speaker, I would like that bill to be made a special order of business at this time.

The SPEAKER. It will not be necessary to do that. The Chair will lay the bill before the House.

BILL ON FINAL PASSAGE

Agreeably to order,

The House proceeded to the consideration on final passage of House Bill No. 1445, (Senate Bill No. 302), entitled:

An Act to further amend section one thousand four hundred sixteen of the act, approved the eighteenth day of May, one thousand nine hundred and eleven (P. L. 309), entitled "An act to establish a public school system in the Commonwealth of Pennsylvania, together with the provisions by which it shall be administered, and prescribing penalties for the violation thereof; providing revenue to establish and maintain the same, and the method of collecting such revenue, and repealing all laws general, special or local, or any parts thereof, that are or may be inconsistent therewith," changing the qualifications of certain children for exemption from compulsory attendance provisions.

On the question,

Shall the bill pass finally?

Mr. MAXWELL. Mr. Speaker, is there anyone in the House who can explain this bill?

PARLIAMENTARY INQUIRY

Mr. BROWN. Mr. Speaker, I arise to a question of parliamentary inquiry.

The SPEAKER. The gentleman from Allegheny will state his question of parliamentary inquiry.

Mr. BROWN. Mr. Speaker, is there any agreement on the part of the floor leaders to recess at any time in the near future?

The SPEAKER. The Chair hopes to be able to declare a recess at six thirty until nine o'clock standard time.

Mr. BROWN. Mr. Speaker, the title of the bill having been read and the vote now about to be taken, is it in order to ask that the bill go over?

The SPEAKER. If there is no objection the bill will go over.

Mr. BROWN. Mr. Speaker, I so request. I am fearful we are going to become involved in a real lengthy debate and we are just about worn out.

The SPEAKER. The Chair hears no objections and the bill will go over.

SENATE MESSAGE

RESOLUTION FOR CONCURRENCE

The Clerk of the Senate being introduced, presented an extract from the Journal of the Senate, which was read as follows:

In the Senate, July 12, 1941.

Resolved, (if the House of Representatives concur), That Senate Bill No. 618, Printer's No. 577, entitled:

An Act to further amend section two of the act approved the sixteenth day of June one thousand nine hundred thirty-three (P. L. 252 1933-34) entitled as amended "An act to regulate and restrain the traffic in malt and brewed beverages as herein defined providing for the licensing of the manufacture transportation sale and distribution of such beverages imposing license and permit fees and providing for collection and distribution thereof restricting ownership and interest in licensed places permitting municipalities and townships by vote of the electors to prevent the licensing therein of places where such beverages may be sold for consumption on the premises and regulating elections for this purpose imposing duties upon the Pennsylvania Liquor Control Board

be recalled from the Governor for the purpose of amendment.

Ordered, That the Clerk present the same to the House of Representatives for its concurrence.

On the question,

Will the House concur in the resolution of the Senate?

It was concurred in.

Ordered, That the Clerk inform the Senate accordingly.

REPORT OF COMMITTEE OF CONFERENCE ON SENATE BILL No. 51

Mr. BRADLEY presented the report of the Committee of Conference on the part of the House on Senate Bill No. 51.

The report was read by the Clerk.

The SPEAKER. This being a Senate Bill the report will be printed by the Senate, and placed in the files of the Members of the House.

REPORT OF COMMITTEE OF CONFERENCE ON SENATE BILL No. 561

Mr. ROSENFELD presented the report of the Committee of Conference on the part of the House on Senate Bill No. 561.

The report was read by the Clerk.

The SPEAKER. This being a Senate Bill the report will be printed by the Senate, and placed in the files of the Members of the House.

REPORT OF COMMITTEE OF CONFERENCE ON SENATE BILL No. 624

Mr. POLEN presented the report of the Committee of Conference on the part of the House on Senate Bill No. 624.

The report was read by the Clerk.

The SPEAKER. This being a Senate Bill the report will be printed by the Senate, and placed in the files of the Members of the House.

SENATE MESSAGES

SENATE ADOPTS CONFERENCE COMMITTEE REPORT ON SENATE BILL No. 24.

The Clerk of the Senate being introduced, informed that the Senate has adopted the report of the Committee of Conference on the subject of the difference existing between the two Houses on Senate Bills numbered and entitled as follows:

SENATE BILL No. 24.

An Act defining and prohibiting unfair sales providing remedies for violations thereof and establishing penalties therefor

SENATE ADOPTS CONFERENCE COMMITTEE REPORTS ON HOUSE BILL No. 1465.

The Clerk of the Senate being introduced, informed that the Senate has adopted the report of the Committee of Conference on the subject of the difference existing between the two Houses on House Bill numbered and entitled as follows:

HOUSE BILL No. 1465.

An Act to amend the act approved the twenty-ninth day of April one thousand nine hundred thirty-seven (P. L. 487) entitled "An act to provide for the permanent personal registration of electors in boroughs towns and townships as a condition of their right to vote at elections and primaries and their enrollment as members of political parties as a further condition of their right to vote at primaries prescribing certain procedure for the conduct of elections and primaries and the challenge and proof of qualications of electors requiring the county commissioners of the various counties to act as a registration commission therefor and prescribing the powers and duties of citizens parties political bodies registration commissions commissioners registrars inspectors of registration and other appointees of registration commissions county election boards election officers municipal officers departments and bureaus police officers courts judges prothonotaries sheriffs county commissioners peace officers county treasurers county controllers registrars of vital statistics certain public utility corporations real estate brokers rental agents and boards of school directors and imposing penalties" as amended by requiring and providing for the registration of persons in military service before they shall be entitled to vote at any election.

HOUSE BILL No. 1466.

An Act to amend the act approved the third day of June one thousand nine hundred and thirty-seven (P. L. 1333) entitled "An act concerning elections including general municipal special and primary elections the nomination of candidates primary and election expenses and election contests creating and defining membership of county boards of elections imposing duties upon the Secretary of the Commonwealth courts county boards of elections county commissioners imposing penalties for violation of the act and codifying revising and consolidating the laws relating thereto and repealing certain acts and parts of acts relating to elections" by changing the procedure for and regulating voting in elections by persons in actual military service conferring powers and imposing duties upon the Secretary of the Commonwealth courts county boards of elections and county commissioners providing for reimbursement of counties for actual expenses incurred for canvassing the vote of electors in actual military service.

HOUSE BILL No. 1469.

An Act to amend the act approved the twenty-fifth day of May one thousand nine hundred thirty-seven (P. L. 849) entitled "An act to provide for the permanent personal registration of electors in cities of the third class as a condition of their right to vote at elections and primaries and their enrollment as members of political parties as a further condition of their right to vote at primaries prescribing certain procedure for the conduct of elections and primaries and the challenge and proof of qualifications of electors and prescribing the powers and duties of citizens parties political bodies registration commissions commissioners registrars inspectors of registration and other appointees of registration commissions county election boards election officers municipal officers departments and bureaus police officers courts judges prothonotaries sheriffs county commissioners peace officers county treasurers county controllers registrars of vital statistics certain public utility corporations real estate brokers rental agents and boards of school directors imposing penalties and repealing existing legislation" as amended by requiring and providing for the registration of persons in military service to entitle them to vote at any election.

HOUSE BILL No. 1468.

An Act to amend the act approved the twenty-fifth day of May one thousand nine hundred thirty-seven (P. L. 814) entitled "An act to provide for the permanent personal registration of electors in cities of the second class as a condition of their right to vote at elections and primaries and their enrollment as members of political parties as a further condition of their right to vote at primaries prescribing certain procedure for the conduct of elections and primaries and the challenge and proof of qualifications of electors and prescribing the powers and duties of citizens parties political bodies registration commissions commissioners registrars inspectors of registration and other appointees of registration commissions county election boards election officers municipal officers departments and bureaus police officers courts judges prothonotaries sheriffs county commissioners peace officers county treasurers county controllers registrars of vital statistics certain public utility corporations real estate brokers rental agents and boards of school directors and imposing penalties" as amended by requiring and providing for the registration of persons in military service to entitle them to vote at any election.

HOUSE BILL No. 1467.

An Act to amend the act approved the first day of June one thousand nine hundred thirty-seven (P. L. 1132) entitled "An act to provide for the permanent personal registration of electors in cities of the second class A as a condition of their right to vote at elections and primaries and their enrollment as members of political parties as a further condition of their right to vote at primaries prescibing certain procedure for the conduct of elections and primaries and the challenge and proof of qualifications of electors and prescribing the powers and duties of citizens parties political bodies registration commissions commissioners registrars inspectors of registration and other appointees of registration commission county election boards election officers municipal officers departments and bureaus police officers courts judges prothonotaries sheriffs county commissioners peace officers county treasurers county controllers registrars of vital statistics certain public utility corporations real estate brokers rental agents and boards of school directors and imposing penalties" as amended by requiring and providing for the registration of persons in military service to entitle them to vote at any election.

HOUSE BILL No. 1526.

An Act to amend section two hundred seven of the act approved the twenty-fourth day of June, one thousand nine hundred and thirty-one (P. L. 1206), entitled "An act concerning townships of the first class; amending, re-

vising, consolidating and changing the law relating thereto," further prescribing method by which second class townships may be classified as first class townships; and providing for the costs and holding of special elections for that purpose.

AMENDED HOUSE BILL RECALLED FROM THE GOVERNOR CONCURRED IN BY SENATE

The Clerk of the Senate being introduced, returned bill from the House of Representatives numbered and entitled as follows:

HOUSE BILL No. 892.

An Act authorizing a commission to study recreational facilities available in first class cities; imposing powers and duties on said commission.

Said bill having been recalled from the Governor for the purpose of amendment, the vote had on final passage and third reading reconsidered in the House and the bill amended, in amendments the Senate has concurred.

RESOLUTION

HIGHWAY BRIDGE

Mr. MATTHEW J. WELSH offered the following resolution and asked and obtained unanimous consent for its immediate consideration.

The resolution was read, considered and adopted:

In the House of Representatives, July 12, 1941.

Whereas, In the City of Connellsville, Fayette County, there is a bridge over the Youghiogheny River, which is a connecting link between important and heavily traveled Federal and State highways; and

Whereas, Such bridge is at present inadequate to carry the traffic which must necessarily pass over it, being too narrow and in a poor state of repair; and

Whereas, Great increase of highway traffic resulting from the National Defense Program and general business improvement has even further overtaxed the facilities of this bridge; now therefore be it

Resolved, That the House of Representatives hereby urge the Department of Highways to make an immediate investigation of the present condition of the aforesaid bridge with a view to determining what changes or repairs should be made; and be it further

Resolved, That the Department of Highways is urged upon the conclusion of such investigation, to promptly undertake and complete the construction of an adequate bridge, sufficient to handle the present and future traffic requirements; and be it further

Resolved, That a certified copy of this resolution be transmitted to the Governor and to the Secretary of Highways.

CONGRATULATORY RESOLUTION

Messrs. O'NEILL and KENEHAN offered the following resolution and asked and obtained unanimous consent for its immediate consideration.

The resolution was read, considered and adopted:

In the House of Representatives, July 12, 1941.

Whereas, The House of Representatives often pauses in its deliberations to pay homage to the distinguished citizens of this Commonwealth; and

Whereas, The younger citizens of this Commonwealth sometimes bring distinction to the Commonwealth, as well as do its adult citizens; and

Whereas, Gerald (Chick) Robinson has just won the National Marble Tournament in Wildwood, New Jersey thereby bringing distinction to Pennsylvania and to his home City of Scranton; and

Whereas, Young "Chick" Robinson has shown himself to be a true sportsman, and a worthy representative of young America, and a true representative of the traditions of this Commonwealth; be it therefore

Resolved, That the House of Representatives congratulates "Chick" Robinson and his parents on this, a singular achievement of their son; and be it further

Resolved, That the Chief Clerk of the House forward a copy of this resolution to Mr. and Mrs. Robinson.

REPORT OF COMMITTEE OF CONFERENCE ON SENATE BILL No. 24.

Mr. ACHTERMAN. Mr. Speaker, I desire to call up the report of the Committee of Conference on Senate Bill No. 24, Printer's No. 602.

The report was read by the Clerk as follows:

To the Members of the Senate and House of Representatives:

We, the undersigned, Committee of Conference on the part of the Senate and House of Representatives for the purpose of considering Senate Bill No. 24, entitled:

"An Act defining and prohibiting unfair sales; providing remedies for violations thereof; and establishing penalties therefor."

Respectfully submit the following bill as our report:

John M. Walker
J. Fred Thomas
John H. Dent
(Committee on the Part of the Senate.)

Reuben E. Cohen
George J. Sarraf
David P. Reese, Jr.
(Committee on the part of the House of Representatives.)

An Act defining and prohibiting unfair sales providing remedies for violations thereof and establishing penalties therefor

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Whereas The practice of selling certain items of merchandise at cost or less than cost in order to attract patronage is generally a form of deceptive advertising and an unfair method of competition in commerce and

Whereas Such practice causes commercial dislocation misleads the consumer works back against the farmer directly burdens and obstructs commerce and diverts business from dealers who maintain a fair price policy and

Whereas Bankruptcies among merchants who fail because of the competition of those who use such method result in unemployment disruption of leases and nonpayment of taxes and loans and contribute to the inevitable train of undesirable consequences including economic depression now therefore

Section 1 This act shall be known and designated and may be cited as the "Unfair Sales Act"

Section 2 (1) When used in this act the term "cost to the retailer" shall mean the invoice cost of the merchandise to the retailer or the replacement cost of the merchandise to the retailer whichever is lower less all trade discounts except customary discounts for cash advertising allowances promotional allowances display allowances and any other allowances for services rendered and any other commission or remuneration received for services performed on behalf of any governmental agencies to which shall be added (a) freight charges not otherwise included in the invoice or the replacement cost of the merchandise (b) a mark-up to cover in part the

cost of doing business which mark-up in the absence of proof of a lesser cost shall be not less than four per cent of the total cost at retail outlet

(2) When used in this act the term "cost to the wholesaler" shall mean the invoice cost of the merchandise to the wholesaler or the replacement cost of the merchandise to the wholesale whichever is lower less all trade discounts except customary discounts for cash advertising allowances promotional allowances display allowances and any other allowances for services rendered and any other commission or remuneration received for services performed on behalf of any governmental agencies to which shall be added (a) freight charges not otherwise included in the invoice or the replacement cost of the merchandise and (b) a mark-up to cover in part the cost of doing business which mark-up in the absence of proof of a lesser cost shall be not less than two per cent of the total cost at the wholesale establishment

(3) Where two or more items are advertised offered for sale or sold at a combined price the price of each item named shall be governed by the provisions of subsection (1) or (2) of section two respectively

(5) The terms "sell at retail" "sales at retail" and "retail sale" shall mean and include any transfer for a valuable consideration made in the ordinary course of trade or in the usual prosecution of the seller's business of title to merchandise to the purchaser for consumption or use other than resale or further processing or manufacturing The above terms shall include any transfer of such merchandise where title is retained by the seller as security for the payment of such purchase price

(6) The terms "sell at wholesale" "sale at wholesale" and "wholesale sales" shall mean and include any transfer for a valuable consideration made in the ordinary course of trade or the usual prosecution of the seller's business of title to merchandise to the purchaser for purposes of resale or further processing or manufacturing The above terms shall include any such transfer of merchandise where title is retained by the seller as security for the payment of the purchase price

(7) The term "retailer" shall mean and include every person partnership corporation or association other than a manufacturer (not operating a retail business or trade) engaged in the business of making sales at retail or performing the retail function within this state Provided That in the case of a person partnership corporation or association other than a manufacturer (not operating a retail business or trade) engaged in the business of making sales both at retail and at wholesale such terms shall be applied only to the retail portion of such business

(8) The term "wholesaler" shall mean and include every person partnership corporation or association other than a manufacturer (not operating a retail business or trade) engaged in the business of making sales at wholesale or performing the wholesale function of supplying any retailer or retail outlet with merchandise for retail sale within this state Provided That in the case of a person partnership corporation or association other than a manufacturer (not operating a retail business or trade) engaged in the business of making sales both at wholesale and retail such terms shall be applied only to the wholesale portion of such business

(9) Every person partnership corporation or association other than a manufacturer (not operating a retail business or trade) engaged in the business of making sales at retail as defined in this act within this state which in addition to such business shall purchase merchandise for sale at retail from manufacturers packers processors growers or producers thereof without resort to a wholesaler as such shall be taken deemed and construed for the purpose of this act to be engaged in business both as a wholesaler and retailer as defined in this act and as such shall be subject to both the retail and wholesale mark-up provisions of this act

Section 3 It is hereby declared that advertisement offer to sell or sale of any merchandise either by retailers or wholesalers at less than cost as defined in this act with the intent of unfairly diverting trade from or otherwise injuring a competitor or with the result of deceiving any purchaser or prospective purchaser substantially lessening competition unreasonably restraining trade or tending to create a monopoly in any line of commerce is an unfair method of competition contrary to public policy and in contravention of the policy of this act

Section 4 Any retailer who shall in contravention of the policy of this act advertise offer to sell or sell at retail any item of merchandise at less than cost to the retailer as defined in this act or any wholesaler who shall in contravention of the policy of this act advertise offer to sell or sell at wholesale any item of merchandise at less than cost to the wholesaler as defined in this act or any person partnership corporation or association engaged in business both as a wholesaler and retailer as defined in this act who shall in contravention of the policy of this act advertise offer to sell or sell any item of merchandise at less than cost subject to both the retail and wholesale mark-ups provided by this act shall be guilty of a misdemeanor and upon conviction thereof be sentenced to pay a fine of not less than fifty dollars ($50) nor more than two hundred dollars ($200) and costs of prosecution and in default thereof shall undergo imprisonment for not more than thirty (30) days Each advertisement offer to sell or sale shall constitute a separate violation of the provisions of this act and shall subject the offender to the penalties hereby prescribed Proof of any such advertisement offer to sell or sale by any retailer or wholesaler in contravention of the policy of this act shall be prima facie evidence of a violation of this act

Section 5 In addition to the penalties provided in this act the courts of this state are hereby invested with jurisdiction to prevent and restrain violations of this act and any person partnership corporation or association shall be entitled to sue for and have injunctive relief in any court of competent jurisdiction against any loss or injury by reason of a violation of this act

Section 6 The provisions of this act shall not apply to sales at retail or sales at wholesale (a) where merchandise is sold in bona fide clearance sales if advertised marked and sold as such (b) where perishable merchandise must be sold promptly in order to forestall loss (c) where merchandise is imperfect or damaged or is being discontinued and is advertised marked and sold as such (d) where merchandise is sold upon the final liquidation of any business (e) where merchandise is sold for charitable purposes or to relief agencies (f) where merchandise is sold on contract to departments of the government or governmental institutions (g) when the price of merchandise is made in good faith to meet competition (h) where merchandise is sold by any officer acting under the order or direction of a court (i) tools equipment and materials used by employees in their trade or business or appliances and products which are used therein and are or may be beneficial to the safety health and working conditions of such employees are sold to employes of the seller

Section 7 If any section sentence clause or provision of this act shall for any reason be held invalid or unconstitutional the validity of the remaining parts hereof shall not be affected thereby

Section 8 All acts and parts of acts inconsistent with the provisions of this act are hereby repealed

Section 9 The provisions of this act shall become effective sixty (60) days after final enactment

On the question,

Will the House adopt the report of the Committee of Conference?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows, viz:

YEAS—204

Achterman, Gallagher, Malloy, Royer,

Allmond,	Gates,	Marks,	Rush,
Auker,	Gerard,	Maxwell,	Sarge,
Baker,	Gillan,	McClanaghan,	Sarraf,
Balthaser,	Gillette,	McClester,	Scanlon,
Bentley,	Goodwin,	McDermott,	Schwab,
Bentzel,	Greenwood,	McDowell,	Serrill,
Boles,	Gross,	McFall,	Shaffer,
Boney,	Gryskewicz,	McIntosh,	Shaw
Boorse,	Gyger,	McKinney,	Shepard,
Bower,	Habbyshaw,	McLanahan,	Simons,
Bradley,	Haberlen,	McLane,	Skale,
Bretherick,	Haines,	McMillen,	Snyder,
Brown,	Hall,	McSurdy,	Sollenberger,
Brunner, C. H.,	Hamilton,	Melchiorre,	Sorg,
Brunner, P. A.,	Hare,	Mihm,	Stambaugh,
Burns,	Harkins,	Modell,	Stank,
Burris,	Harmuth,	Monks,	Stine,
Cadwalader,	Harris,	Mooney,	Stockham,
Chervenak,	Heatherington,	Moran,	Tarr,
Chudoff,	Helm,	Moul,	Tate,
Cochran,	Hering,	Muir,	Taylor,
Cohen, M. M.,	Herman,	Munley,	Thompson, E. F.,
Cohen, R. E.,	Hersch,	Nagel,	Thompson, R. L.,
Cook,	Hewitt,	Nunemacher,	Trout,
Cooper,	Hirsch,	O'Brien,	Turner,
Cordier,	Holland,	O'Connor	VanAllsburg,
Corrigan,	Huntley,	O'Dare,	Verona,
Croop,	Imbrie,	O'Mullen,	Vincent,
Cullen,	James,	O'Neill,	Vogt,
Dalrymple,	Jefferson,	Owens,	Voldow,
Dennison,	Jones, G. E.,	Petrosky,	Voorhees,
DiGenova,	Jones, P. N.,	Pettit,	Wagner,
Dix,	Keenan,	Polaski,	Watkins,
Dolon,	Kenehan,	Polen,	Weingartner,
D'Ortona,	Kline,	Powers,	Weiss,
Duffy,	Knoble,	Prosen,	Welsh, E. B.,
Early,	Kolankiewicz,	Rank,	Welsh, M. J.,
Eckels,	Komorofski,	Rausch,	Wilkinson,
Elder,	Krise,	Readinger,	Williams,
Elliott,	Lee, E. A.,	Reagan,	Winner,
Ely,	Lee, T. H.,	Reese, D. P.,	Wood, L. H.,
Falkenstein,	Leisey,	Reese R. E.,	Wood, N.,
Finestone,	Leonard,	Regan,	Woodring,
Finnerty,	Lesko,	Reynolds,	Woodside,
Fisher,	Levy,	Rhea,	Wright,
Fiss,	Leydic,	Riley,	Yeakel,
Fleming,	Lichtenwalter,	Rooney,	Yester,
Fletcher,	Longo,	Rose, S.,	Young,
Flynn,	Lovett,	Rose, W. E.,	Kilroy,
Foor,	Lyons,	Rosenfeld,	Speaker.
French,			

NAYS—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative and the report of the Committee of Conference was adopted.

Ordered, That the Clerk inform the Senate accordingly.

SENATE MESSAGES

AMENDED HOUSE BILL RECALLED FROM THE GOVERNOR CONCURRED IN BY SENATE

The Clerk of the Senate being introduced, returned bill from the House of Representatives numbered and entitled as follows:

HOUSE BILL No. 1513.

An Act to further amend section three of the act approved the twenty-second day of June one thousand nine hundred forty-five (P. L. 414) entitled as amended "An act to provide revenue for State purposes imposing taxes upon certain classes of personal property providing for the assessment collection and lien of the same and the distribution of the proceeds thereof imposing duties on executors administrators registers of wills recorders of deeds prothonotaries and court clerks and on persons copartnerships associations banks national banks trust companies and other corporations receiving deposits of money and on certain corporations and limited partnerships conferring powers and imposing duties on certain State officers and departments imposing penalties and making an appropriation" by exempting assets held by liquidating trustees exempting casualty insurance corporations not having capital stock imposing the tax upon personal property held and managed in this Commonwealth owned held or possessed by residents as trustees agents or attorneys-in-fact jointly with one or more trustees agents or attorneys-in-fact domiciled in another state and imposing the tax upon equitable interests of residents in personal property held and managed in another state where the legal title to such personal property is held by more than one trustee agent or attorney-in-fact one or more of whom are domiciled in another state and one or more of whom are domiciled within this Commonwealth

Said bill having been recalled from the Governor for the purpose of amendment, the vote had on final passage and third reading reconsidered in the House and the bill amended, in amendments the Senate has concurred.

AMENDED HOUSE BILL RETURNED FOR CONCURRENCE

The Clerk of the Senate being introduced, returned bill from the House of Representatives numbered and entitled as follows:

HOUSE BILL No. 571

An Act making an appropriation to the Department of Public Assistance for the purpose of carrying out the Public Assistance Law for the two fiscal years beginning June first one thousand nine hundred forty-one and for the payment of assistance and expenses accrued or incurred prior to and remaining unpaid on May thirty-first one thousand nine hundred forty-one and providing for certain allocations from such appropriation by the Department of Public Assistance and also by the Governor the Auditor General and the State Treasurer or the majority thereof.

With the information that the Senate has passed the same with amendments, in which the concurrence of the House of Representatives is requested.

The SPEAKER. The Clerk will read the amendments.

The Clerk read the amendments as follows:

Amend the title, page 1, at the beginning of line 2, by inserting after the part-word "sistance" the words "and providing for certain allocations therefrom"; also same page, by striking out in lines 8 to 12 inclusive of the title the words "and providing for certain allocations from such appropriation by the Department of Public Assistance and also by the Governor the Auditor General and the State Treasurer or the majority thereof."

Amend Section 3, page 2, by striking out all of lines 26 to 29 inclusive and on page 3, by striking out all of lines 1 to 6 inclusive as follows:

"Section 3 Out of the moneys appropriated by section one of this act the Governor the Auditor General and the State Treasurer or the majority thereof shall from time to time allocate to the Department of the Auditor General and the Treasury Department respectively such sums as may be deemed necessary to pay the administrative expenses of the Department of the Auditor General and the Treasury Department in auditing and disbursing appropriations for or relating to public assistance including any Federal funds supplementing such appropriations"; and inserting in lieu thereof the following new section:

"Section 3 Out of the moneys appropriated by section one of this act quarterly allocations shall be made to the Department of the Auditor General and the Treasury Department respectively in such amounts as may be deemed necessary to pay the administrative expenses of such departments in auditing and disbursing appropriations for or relating to public assistance including any Federal sums supplementing such appropriations In the case of the Department of the Auditor General said allocations shall be made by the Governor President pro tempore of the

Senate Speaker of the House of Representatives and the Auditor General or a majority thereof and in the case of allocations made to the Treasury Department such allocations shall be made by the Governor President pro tempore of the Senate Speaker of the House of Representatives and the State Treasurer or a majority thereof."

On the question,

Will the House concur in the amendments made by the Senate?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows, viz:

YEAS—204

Achterman,	French,	Malloy,	Royer,
Allmond,	Gallagher,	Marks,	Rush,
Auker,	Gates,	Maxwell,	Sarge,
Baker,	Gerard,	McClanaghan,	Sarraf,
Balthaser,	Gillan,	McClester,	Scanlon,
Bentley,	Gillette,	McDermott,	Schwab,
Bentzel,	Goodwin,	McDowell,	Serrill,
Boies,	Greenwood,	McFall,	Shaffer,
Boney,	Gross,	McIntosh,	Shaw,
Boorse,	Gryskewicz,	McKinney,	Shepard,
Bower,	Gyger,	McLanahan,	Simons,
Bradley,	Habbyshaw,	McLane,	Skale,
Bretherick,	Haberlen,	McMillen,	Snyder,
Brown,	Haines,	McSurdy,	Sollenberger,
Brunner, C. H.,	Hall,	Melchiorre,	Sorg,
Brunner, P. A.,	Hamilton,	Mihm,	Stambaugh,
Burns,	Hare,	Modell,	Stank,
Burris,	Harkins,	Monks,	Stine,
Cadwalader,	Harmuth,	Mooney,	Stockham,
Chervenak,	Harris,	Moran,	Tarr,
Chudoff,	Heatherington,	Moul,	Tate,
Cochran,	Helm,	Muir,	Taylor,
Cohen, M. M.,	Hering,	Munley,	Thompson, E. F.,
Cohen, R. E.,	Herman,	Nagel,	Thompson, R. L.,
Cook,	Hersch,	Nunemacher,	Trout,
Cooper,	Hewitt,	O'Brien,	Turner,
Cordier,	Hirsch,	O'Connor,	Van Allsburg,
Corrigan,	Holland,	O'Dare,	Verona,
Croop,	Huntley,	O'Mullen,	Vincent,
Cullen,	Imbrie,	O'Neill,	Vogt,
Dalrymple,	James,	Owens,	Voldow,
Dennison,	Jefferson,	Petrosky,	Voorhees,
DiGenova,	Jones, G. E.,	Pettit,	Wagner,
Dix,	Jones, P. N.,	Polaski,	Watkins,
Dolon,	Keenan,	Polen,	Weingartner,
D'Ortona,	Kenehan,	Powers,	Weiss,
Duffy,	Kline,	Prosen,	Welsh, E. B.,
Early,	Knoble,	Rank,	Welsh, M. J.,
Eckels,	Kolankiewicz,	Rausch,	Wilkinson,
Elder,	Komorofski,	Readinger,	Williams,
Elliott,	Krise,	Reagan,	Winner,
Ely,	Lee, E. A.,	Reese, D. P.,	Wood, L. H.,
Falkenstein,	Lee, T. H.,	Reese, R. E.,	Wood, N.,
Finestone,	Leisey,	Regan,	Woodring,
Finnerty,	Leonard,	Reynolds,	Woodside,
Fisher,	Lesko,	Rhea,	Wright,
Fiss,	Levy,	Riley,	Yeakel,
Fleming,	Leydic,	Rooney,	Yester,
Fletcher,	Lichtenwalter,	Rose, S.,	Young,
Flynn,	Longo,	Rose, W. E.,	Kilroy,
Foor,	Lovett,	Rosenfeld,	Speaker.
	Lyons,		

NAYS—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative, and the amendments were concurred in.

Ordered, That the Clerk inform the Senate accordingly.

RECESS

The SPEAKER. If there is no objection the Chair is about to declare a recess until 9 p.m. Is there objection? The Chair hears none and a recess is declared.

AFTER RECESS

The House reconvened at 9 p.m.

The SPEAKER (Elmer Kilroy) in the Chair.

MINORITY REPORT OF COMMITTEE TO INVESTIGATE WESTERN PENNSYLVANIA HOSPITAL

Mr. MORAN. Mr. Speaker, I desire at this time to submit the minority report of the committee to investigate the Western Pennsylvania Hospital in Allegheny County.

The SPEAKER. The report will be noted in the Journals of the House and printed in the Appendix to the Legislative Journal.

SENATE MESSAGES

RESOLUTIONS CONCURRED IN BY SENATE

The Clerk of the Senate being introduced, informed that the Senate has concurred in the resolution from the House of Representatives, as follows:

In the House of Representatives, July 12, 1941.

Resolved, (if the Senate concur), That House Bill No. 107, Printer's No. 742, entitled "An act to amend section eleven of the act approved the twenty-seventh day of April, one thousand nine hundred and twenty-seven, (P. L. 395), entitled 'An act empowering the Department of Highways to acquire certain toll bridges within the Commonwealth; providing the procedure therefor; providing for the reimbursement of the Commonwealth from tolls and charges, and making an appropriation,' as amended; by providing that such toll bridges heretofore or hereafter acquired by the Department of Highways shall be free bridges from the effective date of this act, or from the date they are so acquired." which was recalled from the Governor on July 1st for amendment, be returned to the Governor without amendment.

The Clerk of the Senate being introduced, informed that the Senate has concurred in the resolution from the House of Representatives, as follows:

In the House of Representatives, July 12, 1941.

Resolved, (if the Senate concur), That House Bill No. 267, Printer's No. 713, entitled "An act making an appropriation to aid certain school districts," which was recalled from the Governor on July 1st for amendment.

be returned to the Governor without amendment.

The Clerk of the Senate being introduced, informed that the Senate has concurred in the resolution from the House of Representatives, as follows:

In the House of Representatives, July 12, 1941.

Resolved, (if the Senate concur), That House Bill No. 280, Printer's No. 583, entitled "An act making an appropriation to the Trustees of the College of Lincoln University, Chester County," which was recalled from the Governor on July 1st for amendment.

be returned to the Governor without amendment.

The Clerk of the Senate being introduced, informed that the Senate has concurred in the resolution from the House of Representatives, as follows:

In the House of Representatives, July 12, 1941.

Resolved, (if the Senate concur), That House Bill No. 281, Printer's No. 586, entitled "An Act making an appropriation to the Department of Labor and Industry, for the rehabilitation of the deaf and hard of hearing and for the purpose of matching additional federal funds," which was recalled from the Governor on July 1st for amendment.

be returned to the Governor without amendment.

The Clerk of the Senate being introduced, informed that the Senate has concurred in the resolution from the House of Representatives, as follows:

In the House of Representatives, July 12, 1941.

Resolved, (if the Senate concur), That House Bill No. 291, Printer's No. 1047, entitled "An Act making appropriations for aid to free public non-sectarian county libraries, and for the purchase and transportation of books," which was recalled from the Governor on July 8th for amendment.

be returned to the Governor without amendment.

The Clerk of the Senate being introduced, informed that the Senate has concurred in the resolution from the House of Representatives, as follows:

In the House of Representatives, July 12, 1941.

Resolved, (if the Senate concur), That House Bill No. 305, Printer's No. 737, entitled "An Act making an appropriation to the Elwyn Training School, at Elwyn, in The County of Delaware, Commonwealth of Pennsylvania; and prescribing certain conditions upon which the appropriation will be available to the school" which was recalled from the Governor on July 1st for amendment.

be returned to the Governor without amendment.

The Clerk of the Senate being introduced, informed that the Senate has concurred in the resolution from the House of Representatives, as follows:

In the House of Representatives, July 12, 1941.

Resolved, (if the Senate concur), That House Bill No. 351, Printer's No. 600, entitled "An Act making an appropriation to the Johnson Industrial School of Scranton, Pennsylvania," which was recalled from the Governor on July 1st for amendment.

be returned to the Governor without amendment.

The Clerk of the Senate being introduced, informed that the Senate has concurred in the resolution from the House of Representatives, as follows:

In the House of Representatives, July 12, 1941.

Resolved, (if the Senate concur), That House Bill No. 389, Printer's No. 339, entitled "An Act authorizing the Department of Property and Supplies with the approval of the Governor and the Board of Trustees of the Farview State Hospital, to acquire a certain tract of land for the use of said hospital; and making an appropriation therefor," which was recalled from the Governor on July 8th for amendment.

be returned to the Governor without amendment.

The Clerk of the Senate being introduced, informed that the Senate has concurred in the resolution from the House of Representatives, as follows:

In the House of Representatives, July 12, 1941.

Resolved, (if the Senate concur), That House Bill No. 404, Printer's No. 1059, entitled "An Act relating to marriage; and amending, revising, consolidating and changing the law relating thereto," which was recalled from the Governor on July 1st for amendment.

be returned to the Governor without amendment.

The Clerk of the Senate being introduced, informed that the Senate has concurred in the resolution from the House of Representatives, as follows:

In the House of Representatives, July 12, 1941.

Resolved, (if the Senate concur), That House Bill No. 502, Printer's No. 783, entitled "An Act authorizing the Department of Property and Supplies with advice and approval of the Pennsylvania Historical Commission to acquire on behalf of the Commonwealth of Pennsylvania, certain land which is the site of an old fortress known as Old Garrison in the City of Franklin, Venango County, or so much thereof as may be necessary as a historical memorial; providing for the control, management, supervision and improvement thereof; authorizing the Pennsylvania Historical Commission in cooperation with other agencies to make and enforce rules and regulations for the preservation and visitation thereof; authorzing the Pennsylvania Historical Commission to cooperate with the Daughters of the American Revolution and interested patriotic societies in providing funds for a restoration of Old Garrison; and making an appropriation," which was recalled from the Governor on July 1st for amendment.

be returned to the Governor without amendment.

The Clerk of the Senate being introduced, informed that the Senate has concurred in the resolution from the House of Representatives, as follows:

In the House of Representatives, July 12, 1941.

Resolved, (if the Senate concur), That House Bill No. 581, Printer's No. 976, entitled "An act making an appropriation to the Department of Agriculture for laboratory research in the prevention of the transmission and in the cure of mastitis in cattle," which was recalled from the Governor on July 8th for amendment.

be returned to the Governor without amendment.

The Clerk of the Senate being introduced, informed that the Senate has concurred in the resolution from the House of Representatives, as follows:

In the House of Representatives, July 12, 1941.

Resolved, (if the Senate concur), That House Bill No. 611, Printer's No. 773, entitled "An Act providing for the acquisition by the Department of Forests and Waters, in the name of the Commonwealth, of certain lands in Luzerne, Sullivan, and Wyoming Counties, for use of as a State Park; making an appropriation for said acquisition; providing for the management of said property by said department and defining the uses to which the property shall be put," which was recalled from the Governor on July 1st for amendment.

be returned to the Governor without amendment.

The Clerk of the Senate being introduced, informed that the Senate has concurred in the resolution from the House of Representatives, as follows:

In the House of Representatives, July 12, 1941.

Resolved, (if the Senate concur), That House Bill No. 614, Printer's No. 616, entitled "An Act making an appropriation to the Downingtown Industrial and Agricultural School, Downingtown, Pennsylvania," which was recalled from the Governor on July 1st for amendment.

be returned to the Governor without amendment.

The Clerk of the Senate being introduced, informed that the Senate has concurred in the resolution from the House of Representatives, as follows:

In the House of Representatives, July 12, 1941.

Resolved, (if the Senate concur), That House Bill No. 650, Printer's No. 164, entitled "An Act to amend section seven of the act approved the twenty-second day of June, one thousand nine hundred and thirty-one, (P. L. 720) entitled 'An Act providing for the taking over by the Commonwealth under certain terms, conditions and limitations, of certain streets in cities of the second class, second class A, and third class as State highways, and for the improve-

ment, construction, reconstruction, resurfacing and maintenance by the Commonwealth of certain defined widths of said streets; imposing duties on such cities and on public utility companies using such streets; providing that no assessment shall be made upon the Commonwealth in the elimination of any grade crossing thereon; * * *,' as last amended, by providing for the changing of width, lines, location or grades of streets in cities of the second class, second class A and third class by the Department of Highways without the consent of the city in which said street is located; relieving the city from liability for damages in such cases; and imposing liability for damages upon the Commonwealth of Pennsylvania, which was recalled from the Governor on July 1st, for amendment,

be returned to the Governor without amendment.

The Clerk of the Senate being introduced, informed that the Senate has concurred in the resolution from the House of Representatives, as follows:

In the House of Representatives, July 10, 1941.

Resolved, (if the Senate concur), That House Bill No. 727, Printer's No. 821, entitled "An Act establishing certain public roads in the counties of Union and Northumberland as a State highway and providing for their construction and maintenance by the Commonwealth, subject to certain terms and conditions" which was recalled from the Governor on June 12, 1941.

be returned to the Governor without amendment.

The Clerk of the Senate being introduced, informed that the Senate has concurred in the resolution from the House of Representatives, as follows:

In the House of Representatives, July 12, 1941.

Resolved, (if the Senate concur), That House Bill No. 1003, Printer's No. 591, entitled "An Act making an appropriation to the Moore Institute of Art, Science and Industry formerly Philadelphia School of Design for Women at Philadelphia, Pennsylvania," which was recalled from the Governor on July 1st for amendment.

be returned to the Governor without amendment.

The Clerk of the Senate being introduced, informed that the Senate has concurred in the resolution from the House of Representatives, as follows:

In the House of Representatives, July 12, 1941.

Resolved, (if the Senate concur), That House Bill No. 1065, Printer's No. 599, entitled "An Act making an appropriation to the National Farm School, at Doylestown, Pennsylvania," which was recalled from the Governor on July 1st for amendment.

be returned to the Governor without amendment.

The Clerk of the Senate being introduced, informed that the Senate has concurred in the resolution from the House of Representatives, as follows:

In the House of Representatives, July 12, 1941.

Resolved, (if the Senate concur), That House Bill No. 1066, Printer's No. 978, entitled "An Act making an appropriation to the Trustees of the Hahnemann Medical College and Hospital, of Philadelphia, Pennsylvania," which was recalled from the Governor on July 8th for amendment.

be returned to the Governor without amendment.

The Clerk of the Senate being introduced, informed that the Senate has concurred in the resolution from the House of Representatives, as follows:

In the House of Representatives, July 12, 1941.

Resolved, (if the Senate concur), That House Bill No. 1068, Printer's No. 592, entitled "An Act making an appropriation to the Trustees of the University of Pennsylvania," which was recalled from the Governor on July 1st for amendment.

be returned to the Governor without amendment.

The Clerk of the Senate being introduced, informed that the Senate has concurred in the resolution from the House of Representatives, as follows:

In the House of Representatives, July 12, 1941.

Resolved, (if the Senate concur), That House Bill No. 1083, Printer's No. 614, entitled "An Act making an appropriation to the Trustees of Temple University at Philadelphia, Pennsylvania," which was recalled from the Governor on July 8th for amendment.

be returned to the Governor without amendment.

The Clerk of the Senate being introduced, informed that the Senate has concurred in the resolution from the House of Representatives, as follows:

In the House of Representatives, July 12, 1941.

Resolved, (if the Senate concur), That House Bill No. 1106, Printer's No. 1046, entitled "An Act making an appropriation to the Women's Medical College of Pennsylvania, located at East Falls, Philadelphia, Pennsylvania," which was recalled from the Governor on July 8th for amendment.

be returned to the Governor without amendment.

The Clerk of the Senate being introduced, informed that the Senate has concurred in the resolution from the House of Representatives, as follows:

In the House of Representatives, July 12, 1941.

Resolved, (if the Senate concur), That House Bill No. 1203, Printer's No. 612, entitled "An Act making an appropriation to the Jefferson Medical College, of Philadelphia, Pennsylvania for medical education," which was recalled from the Governor on July 8th for amendment.

be returned to the Governor without amendment.

The Clerk of the Senate being introduced, informed that the Senate has concurred in the resolution from the House of Representatives, as follows:

In the House of Representatives, July 12, 1941.

Resolved, (if the Senate concur), That House Bill No. 1321, Printer's No. 602, entitled 'An Act making an appropriation to the Department of Property and Supplies for payment of balances due certain contractors for additions and alterations at the Harrisburg State Hospital," which was recalled from the Governor on July 1st for amendment.

be returned to the Governor without amendment.

The Clerk of the Senate being introduced, informed that the Senate has concurred in the resolution from the House of Representatives, as follows:

In the House of Representatives, July 12, 1941.

Resolved, (if the Senate concur), That House Bill No. 1334, Printer's No. 588, entitled "An Act making an appropriation to the Department of Property and Supplies for the payment of claims arising in connection with the erection and construction of the Eastern State Penitentiary at Graterford," which was recalled from the Governor on July 1st for amendment.

be returned to the Governor without amendment.

The Clerk of the Senate being introduced, informed that the Senate has concurred in the resolution from the House of Representatives, as follows:

In the House of Representatives, July 12, 1941.

Resolved, (if the Senate concur), That House Bill No. 1590, Printer's No. 572, entitled "An Act making an appropriation to the Board of Trustees of the Philadelphia Museum, Philadelphia," which was recalled from the Governor on July 1st for amendment.

be returned to the Governor without amendment.

The Clerk of the Senate being introduced, informed that the Senate has concurred in the resolution from the House of Representatives, as follows:

In the House of Representatives, July 12, 1941.

Resolved, (if the Senate concur), That House Bill No. 1591, Printer's No. 634, entitled "An Act making an appropriation to the Pennsylvania Museum and School of Industrial Art, Philadelphia," which was recalled from the Governor on July 1st for amendment.

be returned to the Governor without amendment.

The Clerk of the Senate being introduced, informed that the Senate has concurred in the resolution from the House of Representatives, as follows:

In the House of Representatives, July 12, 1941.

Resolved, (if the Senate concur), That House Bill No. 1659, Printer's No. 775, entitled "An Act making an appropriation to the Department of Revenue for the payment of accounts settled against the Commonwealth and that department in favor of certain persons, associations and corporations," which was recalled from the Governor on July 1st for amendment.

be returned to the Governor without amendment.

The Clerk of the Senate being introduced, informed that the Senate has concurred in the resolution from the House of Representatives, as follows:

In the House of Representatives, July 12, 1941.

Resolved, (if the Senate concur), That House Bill No. 1722, Printer's No. 836, entitled "An Act authorizing the Department of Property and Supplies, with the approval of the Governor and the Board of Trustees of Warren State Hospital, to acquire a certain tract of land for the use of said hospital, and making an appropriation therefor," which was recalled from the Governor on July 1st for amendment.

be returned to the Governor without amendment.

SENATE MESSAGES

RESOLUTIONS FOR CONCURRENCE

The Clerk of the Senate being introduced, presented an extract from the Journal of the Senate, which was read as follows:

In the Senate July 12, 1941.

Resolved, (if the House of Representatives concur), That Senate Bill No. 419, (House Bill No. 1691), Printer's No. 268, entitled:

"An Act providing for the reconnaissance survey of a State highway between the city of Harrisburg in the county of Dauphin and the borough of New Hope in the county of Bucks."

which was recalled from the Governor on July first and returned to the Senate, be returned to the Governor without amendment.

Ordered, That the Clerk present the same to the House of Representatives for its concurrence.

On the question,

Will the House concur in the resolution of the Senate?

It was concurred in.

Ordered, That the Clerk inform the Senate accordingly.

The Clerk of the Senate being introduced, presented an extract from the Journal of the Senate, which was read as follows:

In the Senate July 12, 1941.

Resolved, (if the House of Representatives concur), That Senate Bill No. 213, (House Bill No. 1751), printer's No. 297, entitled:

"An Act authorizing the Department of Property and Supplies acting for the Commonwealth of Pennsylvania, to acquire by gift from the owner thereof Pottsgrove Mansion with tract of land situate in the Ninth ward of the Borough of Pottstown, Montgomery County, Pennsylvania; providing for the control, management, supervision, improvement and maintenance thereof by the Pennsylvania Historical Commission; authorizing the Pennsylvania Historical Commission to make and enforce rules and regulations for the preservation, maintenance and visitation thereof; and creating an advisory board to assist in such functions."

which was recalled from the Governor on July first and returned to the Senate, be returned to the Governor without amendment.

Ordered, That the Clerk present the same to the House of Representatives for its concurrence.

On the question,

Will the House concur in the resolution of the Senate?

It was concurred in.

Ordered, That the Clerk inform the Senate accordingly.

The Clerk of the Senate being introduced, presented an extract from the Journal of the Senate, which was read as follows:

In the Senate July 12, 1941.

Resolved, (if the House of Representatives concur), That Senate Bill No. 303, (House Bill No. 1695), Printer's No. 264, entitled:

"An Act authorizing the Department of Highways to cooperate with agencies of the Federal Government in designing and installing modern illuminating systems on certain State highways in cities of the first class."

which was recalled from the Governor on July first and returned to the Senate, be returned to the Governor without amendment.

Ordered, That the Clerk present the same to the House of Representatives for its concurrence.

On the question,

Will the House concur in the resolution of the Senate?

It was concurred in.

Ordered, That the Clerk inform the Senate accordingly.

APPOINTMENT OF CONFERENCE COMMITTEE ON SENATE BILL No. 653

The Clerk of the Senate being introduced, informed that the Senate insists on its nonconcurrence in the amendments made and insisted upon by the House of Representatives to Senate Bill No. 653, entitled:

An Act regulating and improving the civil service of

certain departments and agencies of the Commonwealth vesting in the State Civil Service Commission and a Personnel Director certain powers and duties providing for classification of positions adoption of compensation schedules and certification of payrolls imposing duties upon certain officers and employes of the Commonwealth authorizing service to other State departments or agencies and political sub-divisions of the Commonwealth in matters relating to civil service defining certain crimes and misdemeanors imposing penalties making certain appropriations and repealing certain acts and parts thereof

And has appointed Messrs. Tallman, Walker and Ruth a committee of conference to confer with a similar committee of the House of Representatives (already appointed) on the subject of the differences existing between the two Houses in relation to said bill.

HOUSE BILLS CONCURRED IN BY SENATE

The Clerk of the Senate being introduced, returned bills from the House of Representatives numbered and entitled as follows:

HOUSE BILL No. 656.

An Act to amend the third paragraph of article seven of the act approved the seventh day of March one thousand nine hundred and one (P. L. 20) entitled "An act for the government of cities of the second class" permitting the city treasurer to collect delinquent taxes under the act approved the thirtieth day of March one thousand nine hundred and three (P. L. 106)

HOUSE BILL No. 1156.

An Act to add section one thousand six hundred and seven and one-tenth to article sixteen of the act approved the eighteenth day of May one thousand nine hundred and eleven (P. L. 309) entitled "An act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith" requiring teaching in the public and private schools of principles of democratic government and patriotism and imposing certain duties on the Superintendent of Public Instruction

With the information that the Senate has passed the same without amendment.

APPOINTMENT OF CONFERENCE COMMITTEE ON HOUSE BILL No. 957

The Clerk of the Senate being introduced, informed that the Senate has insisted upon its amendments, nonconcurred in by the House of Representatives, to House Bill No. 957, entitled:

An Act to amend the act approved the fourth day of June one thousand nine hundred and thirty-seven (P. L. 1625) entitled "An act providing for the creation maintenance and operation of a county employes' retirement system in counties of the third class and imposing certain charges on counties" extending and further regulating such retirement systems.

And has appointed Messrs. Heyburn, Miller and Cox a committee of conference to confer with a similar committee of the House of Representatives (already appointed) on the subject of the differences existing between the two houses in relation to said bill.

RESOLUTION

75TH ANNIVERSARY OF BOROUGH OF PLYMOUTH

Mr. BONEY offered the following resolution and asked and obtained unanimous consent for its immediate consideration.

The resolution was read, considered and adopted:

In the House of Representatives, July 12, 1941.

Whereas, during the second week of October of this year the Borough of Plymouth, Pennsylvania, will celebrate the seventy-fifth anniversary of its founding; and

Whereas, this community has long maintained its position as the pulsating heart of the anthracite region of Pennsylvania, representing the progress, advancement and achievement of the hard coal territory; and

Whereas, Old Shawnee has contributed to the government of this Commonwealth and of this nation to a greater degree than any other community of its size in America, by sending loyal sons and daughters to positions of high place in the nation and in the state; and

Whereas, this community, through its sons and daughters, has in a large measure guided the destinies of the County of Luzerne, has sent one of its citizens to the Governor's chair at Harrisburg, and has sent another to the Postmaster Generalship of the United States; and

Whereas, the legend of "Shawnee against the World," through the accomplishments and cooperative attitude of the municipality, has become "The World for Shawnee"; Now, Therefore, Be It

Resolved, that the House of Representatives join with the rest of the Commonwealth in extending to the officials and citizens of this great borough, congratulations and best wishes on the occasion of its seventy-fifth anniversary; and Be It Further

Resolved, that a copy of this resolution be transmitted to the burgess, president of the borough council, president of the Chamber of Commerce and the chairman of the Seventy-five Anniversary Celebration.

Mr. BONEY. Mr. Speaker, on behalf of the committee making ready for this great celebration I am extending to each and every Member of this House an invitation to attend this great celebration. I thank you.

REPORT OF THE COMMITTEE OF CONFERENCE ON HOUSE BILL No. 692

Mr. REUBEN E. COHEN. Mr. Speaker, I desire to submit the report of the Committee of Conference on House Bill No. 692.

The SPEAKER. The report will lie over for printing under the rules.

REPORT OF COMMITTEE OF CONFERENCE ON SENATE BILL No. 561

Mr. ROSENFELD presented the report of the Committee of Conference on the part of the House on Senate Bill No. 561.

The report was read by the Clerk.

The SPEAKER. This being a Senate Bill the report will be printed by the Senate, and placed in the files of the Members of the House.

SENATE MESSAGES

APPOINTMENT OF CONFERENCE COMMITTEE ON SENATE BILL No. 594

The Clerk of the Senate being introduced, informed that

the Senate insists on its nonconcurrence in the amendments made and insisted upon by the House of Representatives to Senate Bill No 594, entitled:

An Act to amend the act approved the twenty-fourth day of June one thousand nine hundred and thirty-seven (P. L. 2051) entitled "An act relating to public assistance providing for and regulating assistance to certain classes of persons designated and defined as dependent children aged persons blind persons and other persons requiring relief providing for the administration of this act by the Department of Public Assistance and county boards of assistance hereby created for this purpose authorizing the Department of Public Assistance to cooperate with and to accept and disburse moneys received from the United States Government for assistance to such persons providing for the liquidation of the State Emergency Relief Board Boards of Trustees of the Mothers' Assistance Fund and Boards of Trustees of Pension Fund for the Blind and repealing laws relating to mothers' assistance pensions for the blind old age assistance and the State Emergency Relief Board" as amended by redefining assistance to include work relief providing for the establishment of a Board of Review and Appeal to supervise and regulate work relief projects authorizing the Department of Public Assistance with the approval of the Board of Review and Appeal to administer work relief projects subject to certain provisions and conditions making certain acts unlawful and inposing penalties

And has appointed Messrs. Heyburn, Geltz and Shapiro a Committee of Conference to confer with a similar committee of the House of Representatives (if the House of Representatives shall appoint such committee) on the subject of the differences existing between the two Houses in relation to said bill.

Mr. ACHTERMAN. Mr. Speaker, I move that the House insist upon its amendments non-concurred in by the Senate to Senate Bill No. 594 and that a Committee of Conference be appointed.

The motion was agreed to.

APPOINTMENT OF COMMITTEE OF CONFERENCE ON SENATE BILL No. 594

The SPEAKER. The Chair appoints as a Committee of Conference on said bill, Messrs. ACHTERMAN, SHAW and WOODSIDE.

Ordered, That the Clerk inform the Senate accordingly.

APPOINTMENT OF CONFERENCE COMMITTEE ON HOUSE BILL No. 803

The Clerk of the Senate being introduced, informed that the Senate insists on its nonconcurrence in the amendments made and insisted upon by the House of Representatives to House Bill No. 803, entitled:

An Act to amend section six hundred and forty-three of the act approved the twenty-fourth day of June one thousand nine hundred and thirty-nine (P. L. 872) entitled "An act to consolidate amend and revise the penal laws of the Commonwealth" by prohibiting certain persons from permitting or employing minors under eighteen years of age to sing dance act or exhibit in any place where wines or spirituous or malt liquors are sold or given away or any place connected therewith and prohibiting certain persons from permitting or employing minors under eighteen years of age to sing dance act or exhibit in any dance hall or dance house prohibiting the misrepresentation of age by the aforesaid minors and providing penalties for the violation of the provisions of this act

And has appointed Messrs. Setzler, Kephart and DiSilvestro a Committee of Conference to confer with a similar committee of the House of Representatives (if the House of Representatives shall appoint such committee) on the subject of the differences existing between the two Houses in relation to said bill.

Mr. ACHTERMAN. Mr. Speaker, I move that the House insist upon its amendments non-concurred in by the Senate to House Bill No. 803 and that a Committee of Conference be appointed.

The motion was agreed to.

APPOINTMENT OF COMMITTEE OF CONFERENCE ON HOUSE BILL No. 803

The SPEAKER. The Chair appoints as a Committee of Conference on said bill, Messrs. TATE, CHUDOFF and FLETCHER.

Ordered, That the Clerk inform the Senate accordingly.

APPOINTMENT OF CONFERENCE COMMITTEE ON SENATE BILL No. 298

The Clerk of the Senate being introduced, informed that the Senate insists on its nonconcurrence in the amendments made and insisted upon by the House of Representatives to Senate Bill No. 298, entitled:

An Act making an appropriation out of the Motor Licnese Fund to the Department of Highways for allocation to and expenditure in cities boroughs towns and townships of the first class of the Commonwealth for maintenance construction reconstruction resurfacing or improvement of municipal roads highways and bridges during the calendar years one thousand nine hundred forty-two and one thousand nine hundred forty-three permitting the use of the funds for maintenance and repair of municipal roads highways and bridges under certain conditions and providing for the method of payment to such political subdivisions

And has appointed Messrs. Mallery, Snowden and Coleman a Committee of Conference to confer with a similar committee of the House of Representatives (if the House of Representatives shall appoint such committee) on the subject of the differences existing between the two Houses in relation to said bill.

Mr. ACHTERMAN. Mr. Speaker, I move that the House insist upon its amendments non-concurred in by the Senate to Senate Bill No. 298 and that a Committee of Conference be appointed.

The motion was agreed to.

APPOINTMENT OF COMMITTEE OF CONFERENCE ON SENATE BILL No. 298

The SPEAKER. The Chair appoints as a Committee of Conference on said bill, Messrs. ACHTERMAN, READINGER and FISS.

Ordered, That the Clerk inform the Senate accordingly.

AMENDED HOUSE BILL RETURNED FOR CONCURRENCE

The Clerk of the Senate being introduced, returned bill from the House of Representatives numbered and entitled as follows:

HOUSE BILL No. 1127.

An Act defining regulating and providing for the licensing and registration of employment agents and their representatives including private employment agents theatrical employment agencies and nurses' registries

providing for revocation and suspension of licenses and registrations subject to appeal and for their reinstatement defining the powers and duties of the Department of Labor and Industry and the Department of Public Instruction providing penalties and repealing existing laws

With the information that the Senate has passed the same with amendments, in which the concurrence of the House of Representatives is requested.

The SPEAKER. The Clerk will read the amendments.

The Clerk read the amendments as follows:

Amend Section 2, page 3, at the end of line 8, by inserting after the part word "ployment" the following: "Provided however That nothing contained in this act shall be construed to apply to any agent agency or department of any firm copartnership corporation or association intended and established for the purpose of procuring or attempting to procure help employment or engagement for persons seeking employment or engagement with said firm copartnership corporation or association where no fee is charged either directly or indirectly"; also on page 4, by striking out in lines 17 and 18 the words "interviews counsels or advises applicants or employers clients or both and"; also same page, at the beginning of line 19, by inserting after the part word "ranges" the words "or becomes a party to."

Amend Section 5, page 6, by striking out in lines 18 and 19 the words "together with such other information as the department shall require"; also on page 7, by striking out in lines 13 and 14 the words "city borough town or township wherein such applicant intends to operate" and inserting in lieu thereof the words "Commonwealth of Pennsylvania."

Amend Section 7, page 9, line 13, by inserting after the word "investigation" the words "and hearing by the department"; also same page, line 16, by inserting after the word "unfair" the words "under the terms of this act."

Amend Section 12, page 12, line 27, by striking out after the word "suspended" the words "or revoked"; also on page 13, by striking out in lines 4 and 5 the words "or revocation"; also at the end of line 5, by inserting after the word "department" the following:

"The department shall institute proceedings in the court of common pleas of the county wherein such business is located asking for the revocation of such license for the causes enumerated hereinafter All matters remaining in abeyance until final hearing upon it appearing from the inspection or investigation of the department or upon sworn complaint filed with it that the licensee

(a) Was guilty of fraud or misrepresentation in the securing of the license

(b) Had not met or was not meeting the requirements under which the license was granted

(c) Was violating or failing to observe any provisions of this act or committed such acts inconsistent therewith as would entitle departments to refuse license."

Amend Section 14, page 13, line 20, by striking out after the word "induce" the word "supply."

Amend Section 15, page 14, line 16, by striking out after the word "representative" the words "or agent."

Amend Section 21, page 20, line 20, by striking out after the word "days" the following: "and within six (6) months."

Amend Section 22, page 21, at the end of line 15, by striking out the word "monthly" and inserting in lieu thereof the words "upon request"; also same page, line 17, by inserting after the word "made" the words "and such information is to be used by the department only when investigating a sworn complaint."

Amend Section 25, page 25, by striking out in lines 1 and 2 the words "to whom a position is offered" and inserting in lieu thereof the words "at the time of registration"; also same page, at the end of line 4, by striking out the words "the position" and inserting in lieu thereof the word "employment"; also same page, at the end of line 5, by striking out the words "for employment."

Amend Section 26, page 27, line 11, by striking out the word "Whoever" and inserting in lieu thereof the words "Any person who"; also same page by striking out in lines 16 and 17 the words "in the case of individuals or the responsible offers or agents of associations and corporations"; also same page, at the beginning of line 21, by striking out the word "Whoever" and inserting in lieu thereof the words "Any person who"; also same page, by striking out in lines 26 to 28 inclusive the words "in the case of individuals and the responsible officers and agents of associations and corporations."

Amend Section 27, page 28, line 9, by inserting after the word "Inspectors" the words "who shall have no other occupation or business and."

Amend Section 28, page 29, by striking out in lines 5 to 8 inclusive the words "Every employment agent shall file with the department the schedule of fees which he charges for any services rendered to employers seeking employes or persons seeking employment."

On the question,

Will the House concur in the amendments made by the Senate?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows, viz:

YEAS—204

Ac...	Gallagher,	Malloy,	Royer,
Allmond,	Gates,	Marks,	Rush,
Auker,	Gerard,	Maxwell,	Sarge,
Baker,	Gillan,	McClanaghan,	Sarraf,
Balthaser,	Gillette,	McClester,	Scanlon,
Bentley,	Goodwin,	McDermott,	Schwab,
Bentzel,	Greenwood,	McDowell,	Serrill,
Boles,	Gross,	McFall,	Shaffer,
Boney,	Gryskewicz,	McIntosh,	Shaw,
Boorse,	Gyger,	McKinney,	Shepard,
Bower,	Habbyshaw,	McLanahan,	Simons,
Bradley,	Haberlen,	McLane,	Skale,
Bretherick,	Haines,	McMillen,	Snyder,
Brown,	Hall,	McSurdy,	Sollenberger,
Brunner, C. H.,	Hamilton,	Melchiorre,	Sorg,
Brunner, P. A.,	Hare,	Mihm,	Stambaugh,
Burns,	Harkins,	Modell,	Stank,
Burris,	Harmuth,	Monks,	Stine,
Cadwalader,	Harris,	Mooney,	Stockham,
Chervenak,	Heatherington,	Moran,	Tarr,
Chudoff	Helm,	Moul,	Tate,
Cochran,	Hering,	Muir,	Taylor,
Cohen, M. M.,	Herman,	Munley,	Thompson, E. P.,
Cohen, R. E.,	Hersch,	Nagel,	Thompson, R. L.,
Cook,	Hewitt,	Nunemacher,	Trout,
Cooper,	Hirsch,	O'Brien,	Turner,
Cordier,	Holland,	O'Connor	VanAllsburg,
Corrigan,	Huntley,	O'Dare,	Verona,
Croop,	Imbrie,	O'Mullen,	Vincent,
Cullen,	James,	O'Neill,	Vogt,
Dalrymple,	Jefferson,	Owens,	Voldow,
Dennison,	Jones, G. E.,	Petrosky,	Voorhees,
DiGenova,	Jones, P. N.,	Pettit,	Wagner,
Dix,	Keenan,	Polaski,	Watkins,
Dolon,	Kenehan,	Polen,	Weingartner,
D'Ortona,	Kline,	Powers,	Weiss,
Duffy,	Knoble,	Prosen,	Welsh, E. B.,
Early,	Kolankiewicz,	Rank,	Welsh, M. J.,
Eckels,	Komorofski,	Rausch,	Wilkinson,
Elder,	Krise,	Readinger,	Williams,
Elliott,	Lee, E. A.,	Reagan,	Winner,
Ely,	Lee, T. H.,	Reese, D. P.,	Wood, L. H.,
Falkenstein,	Leisey,	Reese, R. E.,	Wood, N.,
Finestone,	Leonard,	Regan,	Woodring,
Finnerty,	Lesko,	Reynolds,	Woodside,
Fisher,	Levy,	Rhea,	Wright,
Fiss,	Leydic,	Riley,	Yeakel,
Fleming,	Lichtenwalter,	Rooney,	Yester,
Fletcher,	Longo,	Rose, S.,	Young,
Flynn,	Lovett,	Rose, W. E.,	Kilroy,
Foor,	Lyons,	Rosenfeld,	Speaker.
French,			

NAYS—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative, and the amendments were concurred in.

Ordered, That the Clerk inform the Senate accordingly.

REPORT OF COMMITTEE OF CONFERENCE ON HOUSE BILL No. 803

Mr. TATE. Mr. Speaker, I desire to submit the report of the Committee of Conference on House Bill No. 803.

The SPEAKER. The report will lie over for printing under the rules.

SENATE INSISTS ON NONCONCURRENCE IN HOUSE AMENDMENTS

The Clerk of the Senate being introduced, informed that the Senate insists on its nonconcurrence in the amendments made and insisted upon by the House of Representatives to Senate Bill No. 51, entitled:

An Act authorizing and empowering school districts with the consent and approval of the Superintendent of Public Instruction to furnish food including milk to undernourished and poor school children in their districts and providing that the acceptance and distribution of surplus commodities furnished by the Federal Government shall not be affected or limited thereby

And has appointed Messrs. Kephart, Watkins and Lanius a committee of conference to confer with a similar committee of the House of Representatives already appointed on the subject of the differences existing between the two Houses in relation to said bill.

APPOINTMENT OF CONFERENCE COMMITTEE ON SENATE BILL No. 654

The Clerk of the Senate being introduced, informed that the Senate insists on its nonconcurrence in the amendments made and insisted upon by the House of Representatives to Senate Bill No. 654, entitled:

An Act to amend sections two hundred two and four hundred fifty-two of the act approved the ninth day of April one thousand nine hundred and twenty-nine (P. L. 177), entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments, boards, commissions and officers thereof, including the boards of trustees of State Normal Schools or Teachers Colleges, abolishing, creating, reorganizing or authorizing the reorganization of certain administrative departments, boards and commissions, defining the powers and duties of the Governor and other executive and administrative officers and of the several administrative departments, boards, commissions and officers fixing the salaries of the Governor, Lieutenant-Governor and certain other executive and administrative officers, providing for the appointment of certain administrative officers and of all deputies and other assistants and employes in certain departments, boards and commissions and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments, boards and commissions shall be determined," as amended, in order to establish the State Civil Service Commission as a departmental administrative commission in the Executive Department

And has appointed Messrs. Tallman, Walker and Ruth, a committee of conference to confer with a similar committee of the House of Representatives (if the House of Representatives shall appoint such committee) (already appointed) on the subject of the differences existing between the two Houses in relation to said bill.

Mr. ACHTERMAN. Mr. Speaker, I move that the House insist upon its amendments non-concurred in by the Senate to Senate Bill No. 654 and that a Committee of Conference be appointed.

The motion was agreed to.

APPOINTMENT OF COMMITTEE OF CONFERENCE ON SENATE BILL No. 654

The SPEAKER. The Chair appoints as a Committee of Conference on said bill, Messrs. READINGER, PETROSKY and VAN ALLSBURG.

Ordered, That the Clerk inform the Senate accordingly.

APPOINTMENT OF COMMITTEE OF CONFERENCE ON SENATE BILL No. 1308

The Clerk of the Senate being introduced, informed that the Senate insists on its nonconcurrence in the amendments made and insisted upon by the House of Representatives to Senate Bill No. 1308, entitled:

An Act to amend the act approved the twenty-second day of May one thousand nine hundred thirty-three (P. L. 912) entitled "An act to protect the public health defining and providing for the licensing of bakeries and regulating the inspection maintenance and operation of bakeries and premises stores and shops connected therewith defining and regulating the manfacture sale and offering for sale of bakery products conferring powers on the Department of Agriculture and providing penalties" by redefining "bakery" removing the exception from registration and licensing requirements requiring registered bakery products to show the fact of such registration making it unlawful for any person to sell offer for sale or have in possession with intent to sell unregistered bakery products or to import bakery products from bakeries not licensed hereunder and making possession prima facie evidence of intention to sell and imposing additional duties and powers on the Department of Agriculture to establish reasonable trade practices in the operation of bakeries and in the sale of bakery products by bread dealers and licensing bread dealers

And has appointed Messrs. Heyburn, Homsher and Cox, a committee of conference to confer with a similar committee of the House of Representatives (if the House of Representatives shall appoint such committee) on the subject of the differences existing between the two Houses in relation to said bill.

Mr. ACHTERMAN. Mr. Speaker, I move that the House insist upon its amendments non-concurred in by the Senate to Senate Bill No. 1308 and that a Committee of Conference be appointed.

The motion was agreed to.

APPOINTMENT OF COMMITTEE OF CONFERENCE ON SENATE BILL No. 1308

The SPEAKER. The Chair appoints as a Committee of Conference on said bill, Messrs. SARRAF, MELCHIORRE, and EDWIN A. LEE.

Ordered, That the Clerk inform the Senate accordingly.

AMENDED SENATE BILLS NONCONCURRED IN BY SENATE

The Clerk of the Senate being introduced, informed that the Senate has nonconcurred in the amendments made by the House of Representatives to Senate Bill numbered and entitled as follows:

SENATE BILL No. 236.

An Act to amend section six hundred fifty-four of article six of the act, approved the seventeenth day of May, one thousand nine hundred and twenty-one (P. L. 682), entitled "An act relating to insurance; amending, revising, and consolidating the law; providing for the incorporation of insurance companies, and the regulation. supervision, and protection of home and foreign insurance companies, Lloyds associations, reciprocal and inter-insurance exchanges, and fire insurance rating bureaus, and the regulation and supervision of insurance carried by such companies, associations, and exchanges, including insurance carried by the State Workmen's Insurance Fund; providing penalties; and repealing existing laws," providing for appeals from any classification, rule, rate, or schedule of the Insurance Commissioner affecting insurance of employes and employers under the Workmen's Compensation Act of one thousand nine hundred and fifteen and the supplements and amendments thereto and exempting the State Workmen's Insurance Fund from the control of the Rating Bureau and the Insurance Commissioner

Mr. ACHTERMAN. Mr. Speaker, I move that the House insist upon its amendments non-concurred in by the Senate to Senate Bill No. 236 and that a Committee of Conference be appointed.

The motion was agreed to.

APPOINTMENT OF COMMITTEE OF CONFERENCE ON SENATE BILL No. 236

The SPEAKER. The Chair appoints as a Committee of Conference on said bill, Messrs. LOVETT, LEVY and DAVID P. REESE.

Ordered, That the Clerk inform the Senate accordingly.

The Clerk of the Senate being introduced, informed that the Senate has nonconcurred in the amendments made by the House of Representatives to Senate bill numbered and entitled as follows:

SENATE BILL No. 1029.

An Act authorizing the Joint State Government Commission to make a thorough study and investigation of the State Employes' Retirement System providing for the employment of necessary clerks and assistants authorizing the subpoenaing of witnesses and records and making an appropriation

Mr. ACHTERMAN. Mr. Speaker, I move that the House insist upon its amendments non-concurred in by the Senate to Senate Bill No. 1029 and that a Committee of Conference be appointed.

The motion was agreed to.

APPOINTMENT OF COMMITTEE OF CONFERENCE ON SENATE BILL No. 1029

The SPEAKER. The Chair appoints as a Committee of Conference on said bill, Messrs. MELCHIORRE, BOIES and HALL.

Ordered, That the Clerk inform the Senate accordingly.

FORMER MEMBER WELCOMED

The SPEAKER. The Chair welcomes to the House a former member from Allegheny County, Mr. Frank A. Coolahan.

SENATE MESSAGES

APPOINTMENT OF CONFERENCE COMMITTEE ON HOUSE BILL No. 1176

The Clerk of the Senate being introduced, informed that the Senate has insisted upon its amendments, non-concurred in by the House of Representatives, to House Bill No. 1176, entitled:

An Act making an appropriation out of the Motor License Fund to the Department of Highways for allocation to and expenditure in the second class townships of the Commonwealth for maintenance, construction, reconstruction, resurfacing or improvement of township roads and bridges during the calendar years one thousand nine hundred forty-two and one thousand nine hundred forty-three; permitting the use of the funds for maintenance and repair of township roads and bridges under certain conditions; and providing for the method of payment to townships.

And has appointed Messrs. Mallery, Snowden and Coleman a committee of conference to confer with a similar committee of the House of Representatives (already appointed) on the subject of the differences existing between the two houses in relation to said bill.

AMENDED SENATE BILLS CONCURRED IN BY SENATE

The Clerk of the Senate being introduced informed that the Senate has concurred in the amendments made by the House of Representatives to Senate Bills numbered and entitled as follows, viz:

SENATE BILL No. 205.

An Act making an appropriation to the Trustees of the Pennsylvania State College for the use of the School of Mineral Industries for research and investigation of problems affecting mineral industries.

SENATE BILL No. 1047.

An Act to further amend the act approved the seventh day of May one thousand nine hundred twenty-three (P. L. 151) entitled "An act defining and regulating the business of dry cleaning and dyeing providing for the maintenance construction and inspection of dry cleaning and dyeing buildings and establishments providing for enforcing the act and penalties for violation thereof" providing for the administration and enforcement of said act by the Department of Labor and Industry exempting from certain provisions of said act certain plants and system exclusively using a petroleum solvent having a flash point of one hundred and forty degrees Fahrenheit and empowering the Department of Labor and Industry and empowering said department to make alter amend and repeal rules and regulations.

SENATE BILL No. 1091.

An Act to amend the act approved the thirtieth day of March one thousand nine hundred thirty-seven (P. L. 115) entitled "An act to provide for the permanent personal registration of electors in cities of the first class as a condition of their right to vote at elections and primaries and their enrollment as members of political parties as a further condition of their right to vote at primaries prescribing procedure for the conduct of elections and primaries and the challenge and proof of qualifications of electors and prescribing the powers and duties of citizens parties bodies of electors registration commissions commissioners registrars inspectors of registration and other appointees of registration commission election officers municipals officers departments and bureaus police officers courts judges prothonotaries sheriffs county commissioners peace officers county treasurers county controllers registrars of vital statistics real estate brokers rental agents certain public service companies persons firms and corporations operating vehicles for moving furniture and household goods and boards of school directors and imposing penalties" as amended by requiring and pro-

viding for the registration of persons in military service to entitle them to vote at any election.

APPOINTMENT OF CONFERENCE COMMITTEE ON SENATE BILL No. 1044

The Clerk of the Senate being introduced, informed that the Senate insists on its concurrence in the amendments made and insisted upon by the House of Representatives to Senate Bill No. 1044, entitled:

An Act to further amend section eleven and section seventeen of the act approved the twenty-seventh day of June one thousand nine hundred twenty-three (P. L. 858) entitled "An act establishing a State employes' retirement system and creating a retirement board for the administration thereof establishing certain funds from contributions by the Commonwealth and contributing State employes defining the uses and purposes thereof and the manner of payments therefrom and providing for the guaranty by the Commonwealth of certain of said funds imposing powers and duties upon the heads of departments in which State employes serve excepting annuities allowances returns benefits and rights from taxation and judicial process and providing penalties" by permitting a member to borrow from his or her funds under certain provisions and regulating exempting from execution

And has appointed Messrs. Tallman, Wade and Cavalcante a committee of conference to confer with a similar committee of the House of Representatives (if the House of Representativs shall appoint such committee) on the subject of the differences existing between the two Houses in relation to said bill.

Mr. ACHTERMAN. Mr. Speaker, I move that the House insist upon its amendments non-concurred in by the Senate to Senate Bill No. 1044 and that a Committee of Conference be appointed.

The motion was agreed to.

APPOINTMENT OF COMMITTEE OF CONFERENCE ON SENATE BILL No. 1044

The SPEAKER. The Chair appoints as a Committee of Conference on said bill, Messrs. WOODRING, McDERMOTT and CHARLES H. BRUNNER.

Ordered, That the Clerk inform the Senate accordingly.

AMENDED SENATE BILLS CONCURRED IN BY SENATE

The Clerk of the Senate being introduced informed that the Senate has concurred in the amendments made by the House of Representatives to Senate Bills numbered and entitled as follows, viz:

SENATE BILL No. 1313.

A Supplement to the act approved the twenty-seventh day of June one thousand nine hundred thirty-nine (Appropriation Acts page 60) entitled "An act to provide for the ordinary expenses of the Executive Legislative and Judicial Departments of the Commonwealth interest on the public debt and the support of the public schools for two years beginning June first one thousand nine hundred and thirty-nine and for the payment of bills incurred and remaining unpaid at the close of the fiscal year ending May thirty-first one thousand nine hundred and thirty-nine" providing for deficiencies in certain appropriations made by the act for the fiscal biennium ending May thirty-first one thousand nine hundred forty-one.

SENATE BILL No. 145.

An Act to amend further section fourteen of an act, approved the seventh day of August, one thousand nine hundred thirty-six (P. L. 106), entitled "An act relating to flood control; prescribing the powers and duties of the Water and Power Resources Board of the Department of Forests and Waters in relation to the creation of flood control districts, adoption of plans for flood control works and improvements, carrying into effect of such plans, assistance, aid and cooperation with public and private agencies and the Federal Government in Federal flood control works and improvements, and entering into compacts and agreements with other states for flood control works and improvements; conferring the power of eminent domain; providing for the setting off of benefits; imposing certain charges upon the Commonwealth; providing for appeals; and conferring certain powers on municipalities, counties, and townships, and the Department of Highways," as reenacted and amended, by conferring additional powers on the Department of Highways.

SENATE BILL No. 399.

An Act making an appropriation to the Treasury Department for the use of the Board of Finance and Revenue in granting refunds of "store and theatre" tax.

SENATE BILL No. 545.

An Act relating to the summoning and service of jurors (except grand jurors) in the civil and criminal courts of the several counties of the Commonwealth except counties of the first and second class.

SENATE BILL No. 1098.

An Act relating to the sale transfer assignment and pledge of accounts receivable.

REPORT FROM COMMITTEE ON RULES

Mr. ACHTERMAN from the Committee on Rules offered the following report:

In the House of Representatives, July 12, 1941.

Resolved (if the Senate concur), that this Regular Session of the General Assembly adjourn sine die, Saturday, July 12, at 11:45 p. m.

Signed by the Committee on Rules

Leo A. Achterman
Anthony J. Gerard
Albert S. Readinger
James E. Lovett
Chas. Melchiorre
Elmer Kilroy

On the question,

Will the House adopt the resolution?

Mr. BROWN. Mr. Speaker, I desire to interrogate the gentleman from Monroe, Mr. Achterman.

The SPEAKER. Will the gentleman from Monroe permit himself to be interrogated?

Mr. ACHTERMAN. I shall, Mr. Speaker, so long as it does not interfere with adjournment.

Mr. BROWN. Mr. Speaker, I just want the gentleman from Monroe to give some of us who are exhausted an assurance as to just when we will adjourn, notwithstanding the resolution.

The SPEAKER. The gentleman from Monroe said 11:45.

Mr. BROWN. I understand that, Mr. Speaker, but I mean truthfully speaking, not by way of resolution, but

by way of actual fact, according to the days of the week as we know them in our ordinary course of life.

The SPEAKER. The Chair would like to inquire from the gentleman from Allegheny whether he is speaking off the record. It is very important.

Mr. BROWN. Well, Mr. Speaker, it may be off or on. If the answer does not conflict with the resolution, we will keep it off the record, as it may perhaps hearten some of us by keeping it off the record.

Mr. ACHTERMAN. Mr. Speaker, either off or on the record, it will be 11:45 p. m. today.

On the question recurring,

Will the House adopt the resolution?

It was adopted.

Ordered, That the Clerk present the same to the Senate for concurrence.

CONFERENCE REPORT ON SENATE BILL No. 51

Mr. BRADLEY presented the report of the Committee of Conference on the part of the House on Senate Bill No. 51.

The report was read by the Clerk.

The SPEAKER. This being a Senate bill the report will be printed by the Senate, and placed in the files of the members of the House.

SENATE MESSAGE

SENATE INSISTS ON NON-CONCURRENCE IN HOUSE AMENDMENTS

The Clerk of the Senate being introduced, informed that the Senate insists on its non-concurrence in the amendments made and insisted upon by the House of Representatives to Senate Bill No. 169, entitled:

An Act to amend the act approved the twenty-fifth day of May, one thousand nine hundred and thirty-seven (P. L. 814), entitled "An act to provide for the permanent personal registration of electors in cities of the second class as a condition of their right to vote at elections and primaries, and their enrollment as members of political parties as a further condition of their right to vote at primaries; prescribing certain procedure for the conduct of elections and primaries and the challenge and proof of qualifications of electors; and prescribing the powers and duties of citizens, parties, political bodies, registration commissions, commissioners, registrars, inspectors of registration and other appointees of registration commissions, county election boards, election officers, municipal officers, departments and bureaus, police officers, courts, judges, prothonotaries, sheriffs, county commissioners, peace officers, county treasurers, county controllers registrars of vital statistics, certain public utility corporations, real estate brokers, rental agents, and boards of school directors; and imposing penalties," abolishing the existing registration commission for cities of the second class and providing that the county commissioners of each county in which any such city is located shall act as a registration commission therefor further regulating the appointment of employes and assistants by the registration commission and removing the present appointees providing for the consolidation of the second class city general register with the general register of cities of the third class and boroughs towns and townships of the county providing for the transfer of the registration of electors upon change of residence from a third class city borough town or township in the same county changing the period during which changes of enrollment of political party may be made eliminating preparation and distribution of preliminary street lists and permitting the destruction of certain records

Mr. ACHTERMAN. Mr. Speaker, I move that the House insist upon its amendments non-concurred in by the Senate to Senate Bill No. 169 and that a Committee of Conference be appointed.

The motion was agreed to.

APPOINTMENT OF COMMITTEE OF CONFERENCE ON SENATE BILL No. 169

The SPEAKER. The Chair appoints as a Committee of Conference on said bill, Messrs. MIHM, BAKER and RHEA.

Ordered, That the Clerk inform the Senate accordingly.

INTERROGATION

Mr. WOODSIDE. Mr. Speaker, I desire to interrogate the gentleman from Monroe, Mr. Achterman.

The SPEAKER. Will the gentleman from Monroe permit himself to be interrogated?

Mr. ACHTERMAN. I shall, Mr. Speaker.

Mr. WOODSIDE. Mr. Speaker, I made reference to two bills on page fourteen of the Calendar, Senate Bill No. 1096 and Senate Bill No. 1097. When the gentleman from Monroe and I went over the calendar together, these bills were marked to be recommitted because of an agreement made in the Ways and Means Committee at the time they were reported to the floor of the House, that they would be recommitted after two readings. I can make no objection to the recommission of those bills on account of that agreement, but I was not present when the bills were recommitted, because the gentleman from Monroe and I were attending a conference with the Governor. Since this is the last day of the session, or at least apparently so, and these bills will be dead if they are not brought out again and passed, I am going to ask the gentleman from Monroe whether he will agree to have the Committee on Ways and Means have a meeting, so that these bills can be considered by that committee, with the hope that they may be reported out on the floor of the House for final passage today.

Mr. ACHTERMAN. Mr. Speaker, the Chairman of the Ways and Means Committee advises me he is going to hold a meeting of his committee to consider these bills. Of course, we will interpose no objection to the holding of such a meeting. As to any action that the committee might take, of course, I am making no commitment.

Mr. WOODSIDE. I thank the gentleman from Monroe.

BILLS SIGNED BY SPEAKER

Bills numbered and entitled as follows having been prepared for presentation to the Governor, and the same being correct, the titles were publicly read as follows:

SENATE BILL No. 145.

An Act to amend further section fourteen of an act approved the seventh day of August one thousand nine hundred thirty-six (P. L. 106) entitled "An act relating to flood control prescribing the powers and duties of the Water and Power Resources Board of the Department of Forests and Waters in relation to the creation of flood control districts adoption of plans for flood control works and improvements carrying into effect of such plans assistance aid and cooperation with public and private agencies and the Federal Government in Federal flood control works and improvements and entering into compacts and agreements with other states for flood control works and

improvements conferring the power of eminent domain providing for the setting off of benefits imposing certain charges upon the Commonwealth providing for appeals and conferring certain powers on municipalities counties and townships and the Department of Highways" as reenacted and amended by conferring additional powers on the Department of Highways.

SENATE BILL No. 399.

An Act making an appropriation to the Treasury Department for the use of the Board of Finance and Revenue in granting refunds of "store and theatre" tax.

SENATE BILL No. 545.

An Act relating to the summoning and service of jurors (except grand jurors) in the civil and criminal courts of the several counties of the Commonwealth except counties of the first and second class

SENATE BILL No. 599.

An Act to amend section three of the act approved the twenty-third day of March, one thousand eight hundred and sixty-five (P. L. 607), entitled "An act for the better management of the Allegheny county prison" by requiring all contracts involving an expenditure exceeding one hundred dollars to be in writing and filed with the county controller and prohibiting the making of any contract involving the expenditure of over five hundred dollars unless made with the lowest and best bidder after due advertising and requiring all purchases to be made through the purchasing department of the county and providing for the opening of bids and the award of contracts

SENATE BILL No. 1041.

An Act to amend the title and section one of the act, approved the twenty-first day of May, one thousand nine hundred and twenty-three (P. L. 295), entitled "An act authorizing and empowering counties of the second class in this Commonwealth to acquire by lease, purchase, or condemnation proceedings any land within the county for the purpose of establishing and maintaining airdromes or aviation landing fields; providing for the procedure in case of condemnation, and the extent of title acquired; authorizing the lease by the county of portions of said land to individuals or corporations upon such terms as may be fixed, and the lease thereof to the Government of the United States upon nominal rental; authorizing and empowering the county to use land now owned by it for such purposes; and authorizing joint operation by said county and any city within the county of airdromes or aviation landing fields, where such city is authorized to establish and maintain the same," by extending the provisions of such act to all counties of this Commonwealth except counties of the eighth class

SENATE BILL No. 1054.

An Act to amend sections four, five, twenty-six, thirty, thirty-one, and thirty-eight of the act, approved the twenty-ninth day of April, one thousand nine hundred thirty-seven (P. L. 487), entitled "An act to provide for the permanent personal registration of electors in boroughs, towns, and townships as a condition of their right to vote at elections and primaries, and their enrollment as members of political parties as a further condition of their right to vote at primaries; prescribing certain procedure for the conduct of elections and primaries and the challenge and proof of qualifications of electors; requiring the county commissioners of the various counties to act as a registration commission therefor; and prescribing the powers and duties of citizens, parties, political bodies, registration commissions, commissioners, registrars, inspectors of registration and other appointees of registration commissions county election boards, election officers, municipal officers, departments and bureaus, police officers, courts, judges, prothonotaries, sheriffs, county commissioners, peace officers, county treasurers, county controllers, registrars of vital statistics, certain public utility corporations, real estate brokers, rental agents, and boards of school directors; and imposing penalties," extending the powers and duties of the registration commission and further regulating the check-up of electors and the cancellation of their registrations by the commission.

SENATE BILL No. 1055.

An Act to amend sections five, six, twenty-seven, thirty-one, thirty-two and thirty-nine of the act, approved the twenty-fifth day of May, one thousand nine hundred and thirty-seven (P. L. 849) entitled "An act to provide for the permanent personal registration of electors in cities of the third class as a condition of their right to vote at elections and primaries, and their enrollment as members of political parties as a further condition of their right to vote at primaries; prescribing certain procedure for the conduct of elections and primaries and the challenge and proof of qualifications of electors; and prescribing the powers and duties of citizens, parties, political bodies, registration commissions, commissioners, registrars, inspectors of registration and other appointees of registration commissions, county election boards, election officers, municipal officers, departments and bureaus, police officers, courts, judges, prothonotaries, sheriffs, county commissioners, peace officers, county treasurers, county controllers, registrars of vital statistics, certain public utility corporations, real estate brokers, rental agents, and boards of school directors; imposing penalties; and repealing existing legislation," extending the powers and duties of the registration commission and further regulating the check-up of electors and the cancellation of their registrations by the commission.

SENATE BILL No. 1098.

An Act relating to the sale transfer assignment and pledge of accounts receivable

SENATE BILL No. 1283.

A Supplement to the act, approved the twenty-second day of June, one thousand nine hundred and thirty-one (P. L. 594) entitled "An act establishing certain township roads as State highways; authorizing their construction, maintenance and improvement under certain conditions and restrictions; limiting the obligation of the Commonwealth in the construction of certain structures located on such highways; conferring certain powers upon the Department of Highways and local authorities, persons, associations and corporations for sharing the cost of the maintenance and construction of such highways and making an appropriation to carry out the provisions of said act," establishing an additional route in the County of Warren.

SENATE BILL No. 1300.

An Act to amend sections 410 and 411 of the act approved the third day of June, one thousand nine hundred and thirty-seven (P. L. 1225) entitled "An act concerning game and other wild birds and wild animals and amending revising consolidating and changing the law relating thereto" by eliminating the requirement that owners make available open public hunting areas contiguous to regulated shooting grounds and changing shooting restrictions on regulated shooting grounds.

Whereupon,

The SPEAKER, in the presence of the House, signed the same.

PERMISSION TO ADDRESS HOUSE

Mr. TROUT asked and obtained unanimous consent to address the House.

Mr. Speaker, I wish to call your attention to the fact that in these closing hours of the Legislative session of 1941, we are greatly honored in having with us a very distinguished gentleman, a man who formerly attended the sessions of the Legislature very regularly, but of late has been absent most of the time. The reason for this was intimated on the floor of the house some time ago. However, tonight we have with us the well known columnist, John M. Cummings.

Mr. Speaker, the coming of Mr. Cummings was sensed by a number of beautiful blondes in Harrisburg, and a reception committee has been appointed to do him honor, but to their very great chagrin it was discovered that Mrs. Cummings came with him, as she was advised to do some time ago. I suggest that we welcome Mrs. Cummings.

PERMISSION TO ADDRESS HOUSE

Mr. BRETHERICK asked and obtained unanimous consent to address the House.

Mr. Speaker, is the gentleman from Lancaster referring to Mr. Cummings as a columnist or a calumnist?

The SPEAKER. He is referring to the gentleman as a Communist.

PERMISSION TO ADDRESS HOUSE

Mr. SARGE asked and obtained unanimous consent to address the House.

Mr. Speaker, since one of America's most prominent columnists, Mr. John M. Cummings is in the House tonight I wish to make a brief and belated statement about the altercation he and Ellwood Turner had about a shad dinner several weeks ago.

Herr Schwetzer, pour wocha surick hut der Cummings und de Turner un dialogue cota uf de butta fun de Haus volfa un shad Midtaugh easa. De Cummings hut sakt as de Turner spote vor. Sis un sposicha ding as de Turner spote vor fer easa. Ich denk es vor der airsht mohl Whas wissa se fun goota esa? Won se guta esa hava wella, se setta noch Lebanon cooma und seta fun unsa Lebanon Balogna, unsa snitz und knepp und unsa pissabet essa. No data se wissa whas goot esa is.

The SPEAKER. The Chair does not believe anything the gentleman said.

Mr. TAYLOR. Mr. Speaker, I move you that the remarks of the gentleman from Lebanon be spread upon the Journal just as they were made.

The SPEAKER. Impossible.

Mr. TAYLOR. Mr. Speaker, possibly we ought to have an interpreter to interpret his remarks. I suggest that Mr. Trout from Lancaster County be appointed.

RECESS

The SPEAKER. If there is no objection the Chair is about to declare a recess for thirty minutes. Is there objection? The Chair hears none and a recess is declared.

AFTER RECESS

The SPEAKER. The time of recess having expired the House was called to order.

The SPEAKER (Elmer Kilroy) in the Chair.

SENATE MESSAGES

APPOINTMENT OF CONFERENCE COMMITTEE ON HOUSE BILL No. 943

The Clerk of the Senate being introduced, informed that the Senate has insisted upon its amendments, nonconcurred in by the House of Representatives, to House Bill No. 943, entitled:

An Act to reenact and amend section 441 of the act approved the second day of May, one thousand nine hundred twenty-nine (P. L. 1278) entitled, "An act relating to counties of the second, third, fourth, fifth, sixth, seventh and eighth classes; and revising, amending and consolidating the laws relating thereto;" by authorizing boards of county commissioners to appropriate county moneys for the support of charitable hospitals

And has appointed Messrs. Dietrick, Becker and Haluska a committee of conference to confer with a similar committee of the House of Representatives (already appointed) on the subject of the differences existing between the two houses in relation to said bill.

APPOINTMENT OF CONFERENCE COMMITTEE ON HOUSE BILL No. 1365

The Clerk of the Senate being introduced, informed that the Senate has insisted upon its amendments, nonconcurred in by the House of Representatives, to House Bill No. 1365, entitled:

An Act to amend the act approved the first day of May one thousand nine hundred and twenty-nine (P. L. 905) entitled "An act for the protection of the public safety regulating the use of highways and the operation of vehicles tractors street cars trackless trolley omnibuses bicycles pedestrians and the riding of animals upon the highways of this Commonwealth providing for the titling including liens encumbrances and legal claims registration of certain vehicles and licensing the operators thereof upon payment of prescribed fees prescribing and limiting the powers of local authorities to deal with the subject matter of this act conferring powers and imposing duties upon the Department of Revenue the Department of Highways peace officers mayors burgesses magistrates aldermen justices of the peace the courts and the clerks thereof owners of vehicles and garage keepers providing that records are admissible as evidence imposing upon owners counties cities boroughs incorporated towns townships within the Commonwealth liability for damages caused by the negligent operation of their motor vehicles imposing penalties imposing certain costs upon counties providing for the disposition of fines forfeitures fees and miscellaneous receipts making an appropriation and providing for refunds" as variously amended authorizing the Secretary of Revenue to establish a system of permanent registration of vehicles providing for the issuance of limited operator's licenses in certain cases and further regulating the operation of vehicles and the suspension of registrations and operating privileges giving the Pennsylvania Turnpike Commission power to regulate traffic on turnpikes extending the time limit for cities of the second class A to make certain changes in traffic signals extending the liability of political subdivisions to include negligent operation of their vehicles drawn by animal power amplifying and changing provisions of said act relating to lighting signal and warning devices and the transportation of vehicles redefining the term dealer further regulating dealers in junked vehicles permits for oversize and overweight vehicles use of school buses registration plates and cards maximum size of vehicles and medical examinations by physicians providing for payment of certain fees by counties limiting and providing new exemptions from the

various provisions of said act giving additional authority to peace officers and department employes in the matter of investigations further regulating prosecutions giving certain powers to local authorities for the regulation of traffic and the establishment of traffic courts changing and fixing additional fees changing and imposing new penalties giving the secretary additional powers and duties imposing additional duties on keepers and employers of garages and repair shops providing refunds to certain persons entering Federal services making it a misdemeanor for committing malicious mischief to motor vehicles parts or accessories thereof and establishing penalties therefor and making an appropriation

And has appointed Messrs. Snowden, Kephart and Dent a committee of conference to confer with a similar committee of the House of Representatives (If the House of Representatives shall appoint such committee) on the subject of the differences existing between the two houses in relation to said bill.

Mr. ACHTERMAN. Mr. Speaker, I move that the House insist upon its non-concurrence in the amendments made and insisted upon by the Senate and that a Committee of Conference be appointed.

The motion was agreed to.

APPOINTMENT OF COMMITTEE OF CONFERENCE ON HOUSE BILL No. 1365

The SPEAKER. The Chair appoints as a Committee of Conference on said bill, Messrs. CORRIGAN, O'BRIEN and LICHTENWALTER.

Ordered, That the Clerk inform the Senate accordingly.

REPORT OF COMMITTEE OF CONFERENCE ON HOUSE BILL No. 1365

Mr. CORRIGAN. Mr. Speaker, I desire to submit the report of the Committee of Conference on House Bill No. 1365.

The SPEAKER. The report will lie over for printing under the rules.

PERMISSION TO ADDRESS HOUSE

Mr. PRESLEY N. JONES asked and obtained unanimous consent to address the House.

Mr. Speaker, in presenting the following privileged resolution, I want it distinctly understood that even though the thought has been in the minds of the second, third, fourth and fifth term Members of the House, and those who have been here longer, yet the resolution came into being through the untiring efforts of the first term Members of the House. Many of us came here with vim and vigor, aspiring to do great things. Yet again we found but one man who became our leader on the floor, a gentleman who, at no time in his experience in the past six and a half months has shown any qualities of trepidation nor has he shown any qualities of being contumelious, but he is a man who has been straightforward and of the utmost value to the first term members of this House. We deeply appreciate that fact. He is a man we have heard ejaculate most vociferously, and yet again we have heard his voice in the most gripping sarcasm that can be acquired by man.

Mr. Speaker, it is only on an occasion of this kind, just a few days prior to a very historical occasion, that we take this opportunity of showing our deep respect for the majority floor-leader of this House from the first term members, and those of the second, third, fourth, fifth, and longer terms, to our dear friend and fine leader, Leo A. Achterman.

CONGRATULATORY RESOLUTION

Mr. PRESLEY N. JONES offered a privileged resolution which was read, considered and adopted as follows:

In the House of Representatives, July 12, 1941.

Whereas, In these closing moments of the Legislature, we believe we may be pardoned if we take certain liberties with that dimension known to the physicist as time, particularly in view of the fact that we are always turning back the clock to suit our own individual purposes; and

Whereas, On July 15th of this year, one of the most outstanding, if not the outstanding Member of the House, will celebrate his birthday; and

Whereas, It is our fervent wish that we shall not be here in person to present this resolution for the edification of the House on July 15th, although the present indications seem to make that highly improbable; and

Whereas, Since this session has been particularly marked by the efficient and diplomatic activities of Leo A. Achterman, it is most appropriate that the day of final adjournment marking another milestone in the history of the General Assembly should closely coincide with Leo Achterman's birthday; therefore be it

Resolved, That the House of Representatives congratulates the Honorable Leo A. Achterman on this, his retroactive birthday, and wishes him many happy returns in the capacity of Majority Floor Leader of the day.

The SPEAKER. The Chair recognizes the gentleman from Monroe, Mr. Achterman.

Mr. ACHTERMAN. Mr. Speaker, some time ago, I think about three or four months ago, the newspapermen wanted to know when we were going to adjourn. I told them that it would be on the 15th of July, and gave them my reasons. They assured me that they would be happy if the House adjourned before that time and they would be very glad to send me a card. Now with all the Members knowing that the adjournment is going to be before that time I can understand their happiness, and, Mr. Speaker, I want to thank you for the sentiments, expressed in this resolution.

BILL ON FINAL PASSAGE

The SPEAKER. The Chair lays before the House, House Bill No. 1445 (Senate Bill No. 302), Printer's No. 464, on page 1 of today's Calendar, bill on final passage, which was passed over earlier in the day.

Agreeably to order,

The House proceeded to the consideration on final passage of House Bill No. 1445, (Senate Bill No. 302), as follows:

An Act to further amend section one thousand four hundred sixteen of the act approved the eighteenth day of May one thousand nine hundred and eleven (Pamphlet Laws 309) entitled "An act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repeal-

ing all laws general special or local or any parts thereof that are or may be inconsistent therewith" changing the qualifications of certain children for exemption from compulsory attendance provisions

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section one thousand four hundred sixteen of the act approved the eighteenth day of May one thousand nine hundred and eleven (Pamphlet Laws 309) entitled "An act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith" as last amended by section four of the act approved the twenty-fourth day of June one thousand nine hundred and thirty-nine (Pamphlet Laws 786) is hereby further amended to read as follows

Section 1416 The provisions of this act requiring regular attendance shall not apply to any child who has attained the age of sixteen years and who is regularly engaged in any useful and lawful employment or service during the time the public schools are in session and who holds an employment certificate issued according to law nor to any child who has been examined by an approved mental clinic or by a person certified as a public school psychologist or psychological examiner and has been found to be unable to profit from further public school attendance and who has been reported to the board of school directors and excused in accordance with regulations prescribed by the State Council of Education nor shall the said provisions apply to any child who has attained the age of [fifteen years] fourteen years has satisfactorily completed either in public or private schools the sixth grade or the equivalent thereof and is engaged in farm work or domestic service in a private home on a permit issued by the school board or the designated school official of the school district of the child's residence in accordance with regulations which the Superintendent of Public Instruction is hereby authorized to prescribe [Provided That such a permit may be issued to any child who is at least fourteen (14) years of age and has satisfactorily completed either in public or private schools the equivalent of the highest grade of the elementary school organization prevailing in the public schools of the district in which he resides if the issuance of such a] Provided That such permit has first been recommended by the county or district superintendent of schools having supervision of the schools of the district where such child resides or by the principal of the private school where such child is enrolled and [such reason] the reason for the issuance of such permit has been approved by the Superintendent of Public Instruction

Section 2 The provisions of this act shall become effective immediately upon final enactment

On the question recurring,

Shall the bill pass finally?

QUESTION OF INFORMATION

Mr. NAGEL. Mr. Speaker, I rise to a question of information.

The SPEAKER. The gentleman from Beaver will state his question of information.

Mr. NAGEL. Mr. Speaker, is this the last bill on our calendar upon which we will vote during this session?

The SPEAKER. It is not. There are other bills on the calendar to be considered.

Mr. NAGEL. Mr. Speaker, it was my impression that it was the last bill. I am not going to ask anyone else to vote for it, and I am not going to talk for any length of time on this bill but my thought was that it was the last bill on the calendar on which we were going to vote. We have voted on the conference agreements.

I know many times during the roll call you have had to rap this House down. You have felt no doubt, Mr. Speaker, like throwing that gavel back into this audience and striking some recalcitrant Member. I want to say as we are about to reach the close of this session that our Speaker has been long suffering and patient with us during the roll calls. Let us during this particular bill preserve quietness and order, as we have done during our devotional exercises in the mornings when our sessions were opened, and show our leader that we still respect him notwithstanding our past conduct, and regard him as our leader; we are obeying his commands. Let us demonstrate to ourselves even though we have this closing time of hilarity that there still remains in us something of statesmanship and something of good order.

Mr. DIX. Mr. Speaker, it has been some time since I stood here before the microphone to say anything.

The SPEAKER. The Chair has missed the gentleman.

Mr. DIX. Mr. Speaker if the Members will bear with me in what I have to say I will take only about three minutes. I wish to pay a tribute to the Plain people of Pennsylvania.

Mr. Speaker, had this bill come up earlier in the session, when it should, I was prepared to talk on it and for it for five hours, but at this late date in the session, I do not propose to talk over five minutes and I hope other Members of the House will be as brief.

This bill is aimed primarily to aid the Amish and similar agricultural groups, but it is so worded that all agriculturalists will benefit by its enactment. Farm boys and girls, if this bill is enacted, will be able to leave school at age of fourteen years instead of sixteen, as is now the law. It is my opinion that very few farmers except those of the Amish and similar groups, will make use of this liberalized law.

I was born and brought up on a farm when there was no compulsory school law, and farm boys could quit, if their parents so desired, at almost any age, but did farmers keep their boys and girls out of school in those days because the law permitted them? They did not.

The Amish are our best type of agricultural people, our best type of citizens. Few if any criminals among them. None of them on relief dole, none of them asking for alms. None of them filling our courts with county or Commonwealth cases, none of them filling our jails. They don't cost our county or Commonwealth a cent, yet they pay their just share of taxes, and it is simple justice to give them this small measure of home rule and parental rights.

These plain people have kept to their quiet life, their simple ways of living, their agricultural vocation over several centuries, with the quaint customs and picturesque costumes, with their deep and abiding faith in their right to worship their Creator according to the dictates of their conscience.

Shall we by our votes aid in destroying this agricultural people; shall we by our votes help to drive these plain people from the farms to the crowded cities? Heaven forbid!

Let us be just to a just people, let us be honest to on honest people, let us be fair to the squarest citizenry of the Commonwealth of Pennsylvania.

Mr. GALLAGHER. Mr. Speaker, I possibly could stand here for five hours talking on this bill but I am not

going to do so. However, I am going to ask the membership of this House to vote down this bill, because as I understand it covers all the fourth class districts and we have many of those districts in the mining communities, and as one who had to work when he was thirteen years of age in the mines I do not think we should now change the child labor law in the state of Pennsylvania to allow any child at fourteen or fifteen years of age to go into the mines or any other industry. I thank you.

Mr. DIX. Mr. Speaker, I just want to correct a wrong impression that the former speaker has given. This bill does not affect anyone except agricultural people.

Mr. GALLAGHER. Mr. Speaker, I don't know as I could agree with Mr. Dix. I have read the bill and I believe the impression and understanding that I have of the bill is that the bill applied to all fourth class school districts.

Mr. TROUT. Mr. Speaker this bill has been sponsored by the Amish people of Lancaster County, and it does refer only to those engaged in farm work or domestic service in private home on a permit issued by the school board and the state school officials. Further it is provided that such permit be recommended by the county or district superintendent of schools, or the supervisor of schools of the district where such child resides, or by the principal of a private school where such child is enrolled.

Mr. Speaker I want to say to the Members of the House that these people have been up here, they have talked to a great many Members of the House. This is definitely a bill for agricultural people and does not extend farther. As far as the Members from Lancaster County are concerned we have asked and urged that the bill be brought before the House that the Members be given the opportunity of voting thereon. Your judgment will determine the result of this bill.

On the question recurring,

Shall the bill pass finally?

The SPEAKER. The Clerk will call the roll.

Mr. HEWITT. Mr. Speaker, for a number of months these Amish people have spent a lot of time in this House. They are not lobbyists, they are perfect gentlemen — — —

POINT OF ORDER

Mr. MAXWELL. Mr. Speaker, I rise to a point of order.

The SPEAKER. The gentleman will state his point of order.

Mr. MAXWELL. Mr. Speaker, there is nothing in order but the calling of the roll.

The SPEAKER. The point of order is well taken.

Mr. HEWITT. Mr. Speaker, that is what I am speaking about. I think the Amish people have had no recognition here at all tonight. I believe they deserve the respect of the Members. However, I am satisfied with the Chair's ruling to the effect that there is nothing in order but the calling of the roll.

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows, viz.

YEAS—60

Balthaser,	Gross,	McClanaghan,	Serrill,
Boorse,	Gyger,	McClester,	Snyder,
Bower,	Habbyshaw,	McDowell,	Sollenberger,
Breth,	Haines,	McKinney,	Sorg,
Brunner, C. H.,	Hall,	McLanahan,	Stambaugh,
Cadwalader,	Hewitt,	Monks,	Stockham,
Chervenak,	James,	Muir,	Trout,
Cohen, M. M.,	Jones, G. E.,	Nagel,	Turner,
Dix,	Kline,	O'Connor	Wagner,
Elder,	Lee, T. H.,	O'Dare,	Weingartner,
Elliott,	Leisey,	Owens,	Winner,
Ely,	Leydic,	Prosen,	Wood, L. H.,
Fiss,	Lichtenwalter,	Reagan,	Wood, N.,
French,	Lyons,	Reese, D. P.,	Yeakel,
Greenwood,	Marks,	Royer,	Kilroy, Speaker

NAYS—76

Auker,	Early,	Lesko,	Rhea,
Baker,	Finestone,	Malloy,	Rooney,
Baugher,	Fleming,	Maxwell,	Rose, S.,
Bentzel,	Fletcher,	McDermott,	Rosenfeld,
Boies,	Gallagher,	McFall,	Schwab,
Boney,	Gryskewicz,	McIntosh,	Shaffer,
Bradley,	Hamilton,	McSurdy,	Shepard,
Brown,	Harkins,	Mihm,	Stank,
Brunner, P A.,	Hestherington,	Modell,	Tarr,
Burns	Hering,	Mooney,	Tate,
Chudoff,	Herman,	Moul,	Thompson, R. L.,
Cohen, R. E.,	Hirsch,	Munley,	Vincent,
Cook,	Holland,	O'Brien,	Vogt,
Cooper,	Jefferson,	O'Mullen,	Voldow,
Cordier,	Jones, P. N.,	Pettit,	Watkins,
Cullen,	Kenehan	Polaski,	Welsh, M. J.,
Dalrymple,	Kolankiewicz,	Polen,	Woodring,
DiGenova,	Krise,	Powers,	Wright,
Dolon,	Leonard,	Reynolds,	Young,
D'Ortona,			

Less than the majority required by the Constitution having voted in the affirmative, the question was determined in the negative and the bill falls.

BILL ON THIRD READING

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1957, (Senate Bill No. 783), as follows:

An Act to further amend the act approved the twenty-eighth day of June one thousand nine hundred and thirty-five (P. L. 463) entitled as amended "An act providing for the incorporation as bodies corporate and politic of 'Authorities' for municipalities counties and townships defining the same prescribing the rights powers and duties of such Authorities authorizing such Authorities to acquire construct improve maintain and operate projects and to borrow money and issue bonds therefor providing for the payment of such bonds and prescribing the rights of the holders thereof conferring the right of eminent domain on such Authorities authorizing such Authorities to enter into contracts with and to accept grants from the Federal Government or any agency thereof and for other purposes" by changing the method by which notice of the formation of a municipal authority shall be made public further regulating incorporation purposes and existence of the authority defining procedure whereby an authority can enter into contracts and dispose of its bonds imposing additional qualifications and duties on members of the authority imposing civil liability on members of the board and officers of an authority in certain cases requiring annual audits imposing additional duties on the court of common pleas giving authorities right of eminent domain in certain cases extending with certain limitations the power of Authorities to make certain purchases

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section two of the act approved the twenty-

eighth day of June one thousand nine hundred and thirty-five (P. L. 463) entitled as amended "An act providing for the incorporation as bodies corporate and politic of 'Authorities' for municipalities counties and townships defining the same prescribing the rights powers and duties of such Authorities authorizing such Authorities to acquire construct improve maintain and operate projects and to borrow money and issue bonds therefor providing for the payment of such bonds and prescribing the rights of the holders thereof conferring the right of eminent domain on such Authorities authorizing such Authorities to enter into contracts with and to accept grants from the Federal Government or any agency thereof and for other purposes" is hereby amended to read as follows

Section 2 Definitions The following terms whenever used or referred to in this act shall have the following meanings except in those instances where the context clearly indicates otherwise

(a) The term "Authority" shall mean a body politic and corporate created pursuant to this act

(b) The term "Board" shall mean the governing body of an authority

(c) The term "bonds" shall mean and include the notes bonds and other evidence of indebtedness or obligations which each authority is authorized to issue pursuant to section 4 (i) of this act

(d) The term "municipal authority" shall mean the body or board authorized by law to enact ordinances or resolutions for the particular municipality

(e) The term "construction" shall mean and include acquisition and construction and the term "to construct" shall mean and include to acquire and to construct all in such manner as may be deemed desirable

(f) The term "municipality" shall mean any county city town borough or township of the Commonwealth of Pennsylvania

(g) The term "Federal agency" shall mean and include the United States of America the President of the United States of America the Federal Emergency Administrator of Public Works and any department of or corporation agency or instrumentality heretofore or hereafter created designated or established by the United States of America

(h) The term "improvement" shall mean and include extension enlargement and improvement and the term "to improve" shall mean and include to extend to enlarge and to improve all in such manner as may be deemed desirable

(i) The term "persons" shall mean and include natural persons

(j) The term "project" shall mean any structure facility or undertaking which an authority is authorized to construct improve maintain or operate under the provisions of this act

(k) The term "resolution" shall refer only to actions by a board of county commissioners a board of commissioners of townships of the first class a board of supervisors of townships of the second class and the authority board of directors

Section 2 Sections three four and five of said act as last amended by the act approved the seventeenth day of May one thousand nine hundred and thirty-nine (P. L. 167) are hereby further amended to read as follows

Section 3 Method of Incorporation Whenever the municipal authorities of any municipality singly or of one or more municipalities jointly shall desire to organize an Authority under this act they shall adopt a resolution or an ordinance signifying their intention to do so and setting forth in full the proposed articles of incorporation thereof

[In the event that such resolution or ordinance sets forth the proposed articles of incorporation in full it shall not be required (any law to the contrary notwithstanding) in publishing such resolution or ordinance under the provisions of existing law to publish such proposed articles of incorporation in full but it shall be sufficient compliance with such law in such publication to set forth briefly the substance of such proposed articles of incorporation and to refer to the provisions of this act] Thereafter the municipal authorities of such municipality or municipalities shall cause a notice of such ordinance to be personally served on all members of the governing body of the municipality or municipalities which are affected by such project or projects and if more than one county on all county commissioners of the counties which are affected by such project or projects and to be published at least one time in the legal periodical and in a newspaper of general circulation of the county in which such Authority is to be organized and if more than one municipality is involved at least one time in a newspaper published and of general circulation in such county or counties and in such municipalities Said notice shall contain a brief statement of the substance of said ordinance including the substance of such articles making reference to this act and shall state that on a day certain not less than [three] seven days after publication of said notice articles of incorporation of the proposed Authority will be filed with the Secretary of the Commonwealth of Pennsylvania

On or before the day specified in said notice the municipal authorities shall file with the Secretary of the Commonwealth articles of incorporation together with proof of publication of the notice as aforesaid Said articles of incorporation shall set forth

(a) The name of the "Authority"

(b) A statement that such Authority is formed under this act

(c) A statement that no other Authority organized under this act or under the act approved December twenty-seven one thousand nine hundred and thirty-three (Special Session one thousand nine hundred and thirty-three Pamphlet Laws 114) is in existence in or for the incorporating municipality or municipalities except that where any one or more of the municipalities have already joined with other municipalities not composing the same group in organizing a joint Authority the application shall set forth the name of the Authority theretofore created together with the names of the municipalities joining therein

(d) The name of the incorporating municipality or municipalities together with the names and addresses of its municipal authorities and

(e) The names addresses and terms of office of the first members of the board of said Authority

(f) A statement completely and specifically describing the project or projects and municipalities to be included in the service area for which such authority is created

All of which matter shall be determined in accordance with the provisions of this act Said articles of incorporation shall be executed by each incorporating municipality by its proper officers and under its municipal seal

If the Secretary of the Commonwealth finds that the articles of incorporation conform to law he shall forthwith but not prior to the day specified in the aforesaid notice endorse his approval thereon and when all proper fees and charges have been paid shall file the articles and issue a certificate of incorporation to which shall be attached a copy of the approved articles

Upon the issuance of such certificate of incorporation by the Secretary of the Commonwealth the corporate existence of said Authority shall begin Said certificate of incorporation shall be conclusive evidence of the fact that such Authority has been incorporated but proceedings may be instituted by the Commonwealth to dissolve any Authority which shall have been formed without substantial compliance with the provisions of this section

Any Authority heretofore created under the laws of the Commonwealth of Pennsylvania in addition to powers granted or conferred upon said Authority shall possess all the powers provided in this act

Section 4 Purposes and Powers General Every Au-

thority incorporated under this act shall be a body corporate and politic and shall be for the purpose of acquiring holding constructing improving maintaining and operating owning leasing either in the capacity of lessor or lessee buildings to be devoted wholly or partially for public uses and for revenue-producing purposes transportation marketing shopping terminal bridges tunnels streets highways parkways traffic distribution centers traffic circles parking spaces airports hangars projects parks recreation grounds and facilities sewers sewer systems or parts thereof sewage treatment works incinerators for rubbish and garbage waterworks water supply works water distribution systems swimming pools playgrounds lakes low head dams hospitals motor buses for public use when such motor buses are to be used within any municipality and subways (any and all the foregoing being herein called "projects") The purpose and intent of this act being to benefit the people of the Commonwealth by among other things increasing their commerce and prosperity and not to unnecessarily burden or interfere with existing business by the establishment of competitive enterprises none of the powers granted by this act shall be exercised in the construction improvement maintenance extension or operation of any project or projects which in whole or in part shall duplicate or compete with existing enterprises serving substantially the same purposes [Provided however That the municipality or municipalities organizing such an Authority may in the resolution or ordinance signifying their intention so to do or from time to time by subsequent resolution or ordinance specify the project or projects to be undertaken by the said Authority and no other projects shall be undertaken by the said Authority than those so specified] Every Authority is hereby granted and shall have and may exercise all powers necessary or convenient for the carrying out of the aforesaid purposes including but without limiting the generality of the foregoing the following rights and powers

(a) To have existence for a term of fifty years as a corporation as qualified in section three hereof

(b) To sue and be sued implead and be impleaded complain and defend in all courts

(c) To adopt use and alter at will a corporate seal

(d) To acquire purchase hold lease as lessee and use any franchise property real personal or mixed tangible or intangible or any interest therein necessary or desirable for carrying out the purposes of the Authority and to sell lease as lessor transfer and dispose of any property or interest therein at any time acquired by it

(e) To acquire by purchase lease or otherwise and to construct improve maintain repair and operate projects

(f) To make by-laws for the management and regulation of its affairs

(g) To appoint officers agents employes and servants to prescribe their duties and to fix their compensation

(h) To fix alter charge and collect rates and other charges for the use of the facilities of or for the services rendered by the Authority or projects thereof at reasonable rates to be determined by it [for] limited to the purpose of providing for the payment of the expenses of the Authority the construction improvement repair maintenance and operation of its facilities and properties the payment of the principal of and interest on its obligations and to fulfil the terms and provisions of any agreements made with the purchasers or holders of any such obligations Provided That the Revenues from any project shall not be expended directly or indirectly on any other project

(i) To borrow money make and issue negotiable notes bonds and other evidences of indebtedness or obligations (herein called "bonds") of the Authority said bonds to have a maturity date not longer than forty years from the date of issue and to secure the payment of such bonds or any part thereof by pledge or deed of trust of all or any of its revenues and receipts and to make such agreements with the purchasers or holders of such bonds or with others in connection with any such bonds whether issued or to be issued as the Authority shall deem advisable and in general to provide for the security for said bonds and the rights of the holders thereof and in respect to any project constructed and operated under agreement with any public Authority of any adjoining state to borrow money and issue such notes bonds and other evidences of indebtedness and obligations jointly with any such Authority

(j) To make contracts of every name and nature and to execute all instruments necessary or convenient for the carrying on of its business Provided however That

(1) All construction reconstruction repairs or work of any nature made by any authority where the entire cost value or amount of such construction reconstruction repairs or work including labor and materials shall exceed five hundred dollars ($500) except construction reconstruction repairs or work done by employes of said Authority with supplies and materials purchased in accordance with the provisions of paragraph 2 of this subsection shall be done only under contract or contracts to be entered into by the authority with the lowest responsible bidder upon proper terms after due public notice has been given asking for competitive bids

(2) All supplies and materials costing five hundred dollars ($500) or more shall be purchased only after ten days' notice has been given by advertisement in not less than one newspaper of general circulation in all counties and municipalities affected and the Authority shall accept the lowest bid or bids kind quality and material being equal but the Authority shall have the right to reject any or all bids or select a single item from any bid Provided That such notice may be waived where an emergency exists and such supplies and materials must be immediately purchased by the said Authority

(3) No member of the Authority or officer or employe thereof shall either directly or indirectly be a party to or be in any manner interested in any contract or agreement with the Authority for any matter cause or thing whatsoever by reason whereof any liability or indebtedness is in any way created against such Authority If any contract or agreement shall be made in violation of the provisions of this section the same shall be null and void and no action shall be maintained thereon against such Authority

(4) Any member of the Authority voting for or any officer approving an order for the payment of Authority funds for any other purpose or drawn in any other manner than that provided in this act shall be individually liable to the Authority for the amount thereof

(k) Without limitation of the foregoing to borrow money and accept grants from and to enter into contracts leases or other transactions with any Federal agency

(l) To have the power of eminent domain

(m) To pledge hypothecate or otherwise encumber all or any of the revenues or receipts of the Authority as security for all or any of the obligations of the Authority Provided That revenues from any project shall not be pledged hypothecated or otherwise encumbered directly or indirectly for the benefit of any other project or projects

(n) To do all acts and things necessary or convenient to carry out the powers granted to it by this act or any other acts

(o) To contract with any corporation or any public Authority of any adjoining state on such terms as the said Authority shall deem proper for the construction and operation of any project which is partly in this Commonwealth and partly in such adjoining state

Provided however That the Authority shall have no power at any time or in any manner to pledge the credits or taxing power of the Commonwealth of Pennsylvania or any political subdivisions nor shall any of its obligations be deemed to be obligations of the Commonwealth of Pennsylvania or of any of its political subdivisions nor shall the Commonwealth of Pennsylvania or any political subdivision thereof be liable for the payment of principal of or interest on such obligations

Section 5 Purposes and Powers Bonds The bonds of any Authority hereinabove referred to and authorized to be issued shall be authorized by resolution of the board thereof and shall be of such series bear such date or dates mature at such time or times not exceeding forty years from their respective dates bear interest at such rate or rates not exceeding six per cent per annum payable semi-annually be in such denominations be in such form either coupon or fully registered without coupons carry such registration exchangeability and interchangeability privileges be payable in such medium of payment and at such place or places be subject to such terms of redemption not exceeding one hundred five per cent of the principal amount thereof and be entitled to such priorities in the revenues or receipts of such Authority as such resolution or resolutions may provide The bonds shall be signed by such officers as the Authority shall determine and coupon bonds shall have attached thereto interest coupons bearing the facsimile signature of the treasurer of the Authority all as may be prescribed in such resolution or resolutions Any such bonds may be issued and delivered notwithstanding that one or more of the officers signing such bonds or the treasurer whose facsimile signature shall be upon the coupon or any thereof shall have ceased to be such officer or officers at the time when such bonds shall actually be delivered

Said bonds except such bonds as are purchased or acquired by any agency of the Commonwealth of Pennsylvania or the United States of America [may] shall be sold [at public or private sale for such price or prices as the Authority shall determine] to the highest responsible bidder after public notice by advertisement once a week for three weeks in at least one newspaper of general circulation in the municipality or municipalities involved and the county or counties involved Provided That no bid for such bonds at less than their par value shall be accepted And provided further That where bonds have been advertised for sale as provided in this act and no bids have been received then it shall be lawful to sell the same at private sale for not less than par and accrued interest provided that the interest cost to maturity of the money received for any issue of said bonds shall not exceed six per centum per annum Pending the preparation of the definitive bonds interim receipts may be issued to the purchaser or purchasers of such bonds and may contain such terms and conditions as the Authority may determine

Any resolution or resolutions authorizing any bonds may contain provisions which shall be part of the contract with the holders thereof as to (a) pledging the full faith and credit of the Authority (but not of the Commonwealth of Pennsylvania or any political subdivision thereof) for such obligations or restricting the same to all or any of the revenues of the Authority from all or any projects or properties (b) the construction improvement operation extension enlargement maintenance and repair of the project and the duties of the Authority with reference thereto (c) the terms and provisions of the bonds (d) limitations on the purposes to which the proceeds of the bonds then or thereafter to be issued or of any loan or grant by the United States may be applied (e) the rate of tolls and other charges for use of the facilities of or for the services rendered by the Authority (f) the setting aside of reserves or sinking funds and the regulation and disposition thereof (g) limitations on the issuance of additional bonds (h) the terms and provisions of any deed or trust [or] of indenture securing the bonds or under which the same may be issued and (i) any other or additional agreements with the holders of the bonds

Any Authority may enter into any deeds of trust indentures or other agreements with any bank or trust company or other person or persons in the United States having power to enter into the same including any Federal agency as security for such bonds and may assign and pledge all or any of the revenues or receipts of the Authority thereunder Such deed of trust indenture or other agreement may contain such provisions as may be customary in such instruments or as the Authority may authorize including (but without limitation) provisions as to (1) the construction improvement operation maintenance and repair of any project and the duties of the Authority with reference thereto (2) the application of funds and the safeguarding of funds on hand or on deposit (3) the rights and remedies of said trustees and the holders of the bonds (which may include restrictions upon the individual right of action of such bondholders) and (4) the terms and provisions of the bonds or the resolutions authorizing the issuance of the same

Said bonds shall have all the qualities of negotiable instruments under the law merchant and the negotiable instruments law of the Commonwealth of Pennsylvania Provided however That no resolution deed of trust indenture or any agreement shall be made by an Authority under the terms of which revenues from any project are to be expended pledged hypothecated or otherwise encumbered directly or indirectly for the benefit of any other project or projects

Section 3 Sections seven and eight of said act as amended by the act approved the twentieth day of May one thousand nine hundred and thirty-seven (P. L. 739) are hereby further amended to read as follows

Section 7 Governing Body The powers of each Authority shall be exercised by a governing body (herein called the "Board") composed as follows

(a) If the Authority is incorporated by one municipality the board shall consist of five members each of whom shall be a citizen of such municipality The governing body of such municipality shall appoint the members of the board one of whom shall serve for a year one for two years one for three years one for four years and one for five years from the January first next succeeding the date of incorporation Thereafter the said governing body shall at a meeting held not later than one month prior to January first in each year in which a vacancy occurs appoint as a member of the board a citizen of the municipality for which the Authority is created for a term of five years to succeed the member whose term expires on the January first next succeeding

If the Authority is incorporated by two or more municipalities the board shall consist of a number of members at least equal to the number of municipalities incorporating the Authority but in no event less than five

(b) The members of the board shall be appointed their terms staggered and vacancies filled and where the number of municipalities joining is less than five shall be apportioned in such manner as the articles of incorporation shall provide No member shall be appointed for a term longer than five years

(c) Members shall hold office until their successors have been appointed and may succeed themselves and shall receive such salaries as may be determined by the governing body or bodies of the municipality or municipalities but none of such salaries shall be increased or diminished during the term for which the member receiving the same shall have been appointed A member may be removed for cause by the court of quarter sessions of the county in which the Authority is located after having been provided with a copy of the charges against him for at least ten days and full hearing by the court If a vacancy shall occur by reason of the death disqualification resignation or removal of a member the municipal authorities shall appoint a successor to fill his unexpired term No member shall be appointed for a term longer than five years

(d) A majority of the members shall constitute a quorum of the board for the purpose of organizing the Authority and conducting the business thereof and for all other purposes and all action may be taken by vote of a majority of the members [present] unless in any case the by-laws shall require a larger number The board shall have full authority to manage the properties and business of the Authority and to prescribe amend and repeal by-laws rules and regulations governing the man-

ner in which the business of the Authority may be conducted and the powers granted to it may be exercised and embodied The board shall fix and determine the number of officers agents and employes of the Authority and their respective compensation and duties and may delegate to one or more of their number or to one or more of said officers agents or employes such powers and duties as it may deem proper

(e) Where any Authority has been created prior to the effective date of these amendments with a board composed of five members such board shall continue as the governing body of such Authority with all the powers conferred by this act The members of any such board shall hold the terms of office for which they were originally appointed and in case of a vacancy for any reason in the office of any member a successor shall be appointed for a full term of five years by the governing body of the municipality for which the Authority was created Provided That the total salary to be paid all members of the Authority shall not exceed five (5) per centum of the total income derived by the Authority through its operations and that no member of the Authority shall receive more than one thousand dollars ($1,000) per annum

No contract for the employment of any employe of an Authority shall be entered into by the Authority for a term longer than four years and no contract for management service or supervisory service shall be entered into by the Authority for a term extending beyond the maturity of the bonds issued by such Authority to finance the project in connection with which such contract is made

Section 8 Moneys of the Authority All moneys of any Authority from whatever source derived shall be paid to the treasurer of the Authority Said moneys shall be deposited in the first instance by the treasurer in one or more banks or trust companies in one or more special accounts and each of such special accounts to the extent the same is not insured shall be continuously secured by a pledge of direct obligations of the United States of America of the Commonwealth or of the municipality or municipalities creating the Authority having an aggregate market value exclusive of accrued interest at all times at least equal to the balance on deposit in such account Such securities shall either be deposited with the treasurer or be held by a trustee or agent satisfactory to the Authority All banks and trust companies are authorized to give such security for such deposits The moneys in said accounts shall be paid out on the warrant or other order of the chairman of the Authority or of such other person or persons as the Authority [may] shall authorize to excute such warrants or orders The controller auditors or accountant designated by the municipality or municipalities are hereby authorized and empowered from time to time to examine at the expense of the Authority the accounts and books of the Authority including its receipts disbursements contracts leases sinking funds investments and any other matter relating to its finances operation and affairs and shall make such audits within sixty days from the close of the fiscal year of said Authority On the completion of the audits such auditors shall make correct duplicate reports thereof which shall contain an itemized statement of all receipts expenditures and credits whatsoever and assets and liabilities of said municipal authority one copy to be filed with the board and the other copy to be filed in the court of common pleas of the county in which such Authority is located

The Authority or any bondholder thereof or any taxpayer of the municipality or municipalities affected may appeal from any auditor's report When any appeal as aforesaid shall be taken by any of the parties above mentioned the appeal shall be placed upon the argument list of the proper court of common pleas by direction of any party interested and depositions of witnesses and other evidence to be used at the argument may be taken on behalf of any of said parties before any person competent to administer an oath upon rule for that purpose served upon the opposite party or such party's counsel After hearing argument the court shall file its findings of fact and law and enter judgment in accordance therewith Provided That if after argument the court shall deem any question or questions of fact so doubtful under the evidence submitted as to render it desirable that an issue should be directed as to such question or questions to be tried by a jury the court may direct such an issue Appeals may be taken by any person interested to the Superior or Supreme Court from any such judgment of the court of common pleas in the same way that appeals are now authorized by law to be taken from rulings or decisions of the court of common pleas made in appeals from settlements or reports of county borough or township auditors

All books and records of an Authority are hereby declared to be public records

Section 4 Sections nine and eleven of said act as last amended by the act approved the seventeenth day of May one thousand nine hundred and thirty-nine (P. L. 167) are hereby further amended to read as follows

Section 9 Transfer of Existing Facilities to Authority The Commonwealth the county or any city borough or township in the county or any owner may and they are hereby authorized to lease lend grant or convey to the Authority [upon such terms and conditions as are mutually satisfactory to the Authority and the corporate authorities of the Commonwealth the county or any such city borough or township or owner] any existing bridges tunnels streets highways parkways traffic distribution centers traffic circles parking spaces airports hangars parks recreation grounds and facilities swimming pools sewers sewer systems or parts thereof sewage treatment works incinerators for rubbish and garbage waterworks water supply works water distribution systems lakes or any part or parts thereof or any interest in real or personal property which may be used by the Authority in the construction improvement maintenance or operation of any project The Commonwealth the county or any city borough or township are also authorized to transfer assign and set over to the Authority any contracts which may have been awarded by said Commonwealth county city borough or township for the construction of projects not begun or if begun not completed

[This section without reference to any other law shall be deemed complete for the acquisition by agreement of projects as defined in this act located wholly within or partially without the municipality or municipalities causing such Authority to be incorporated any provisions of other laws to the contrary notwithstanding and no proceedings or other action shall be required except as herein prescribed]

Section 11 Acquisition of Lands Buildings Equipment Facilities Water and Water Rights The Authority shall have the power to acquire by purchase or eminent domain proceedings either the fee or such right title interest or easement in such lands buildings equipment facilities water and water rights as the Authority may deem necessary for any of the purposes mentioned in this act Provided however That water and water rights may not be acquired unless and until approval is obtained from the Water and Power Resources Board in accordance with the law in such cases made and provided And provided further That no property devoted to a public use nor any property of a public service company nor property used for burial purposes places of public worship or a dwelling house and the reasonable curtilage [not to be less than three hundred feet] appurtenant thereto shall be taken under the right of eminent domain The right of eminent domain shall be exercised by the Authority in the manner provided by law for the exercise of such right by municipalities of the same class as the municipality or one of the municipalities by which such Authority was organized

Section 5 The provisions of this act shall become effective immediately upon final enactment

On the question.

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

Mr. CORDIER. Mr Speaker, I intend voting against this piece of legislation. I do so because the provision providing for the approval of the Public Utility Commission before these authorities are created or where created they can acquire private utility property, is stricken from the Bill as passed in the Senate. Also the provisions which requires a certificate of approval on the bond question from the Department of Internal Affairs is taken out. This, and other features of the Bill as amended make it a flat, meaningless Bill with no voice for the people in the areas that will be affected, provided in the Bill.

Mr. Speaker, in February I introduced a Bill which required a referendum by the people in the various municipalities where these authorities would operate, on this vital question. This Bill failed to get the approval of the Committee to which it was referred to in the House. When the Bill before us reached the Public Utilities Committee of the House, I attempted to have it amended to include the referendum clause—this effort also failed.

I am voting against this Bill because it is my firm conviction that the taxpayers should have a voice in this matter.

What a pity it is that the voice of the people seems to be so weak in the Legislative Halls on this most important question. It is my considered opinion that their voice should ring in sonorous tones, through these Legislative Halls because of happenings in this Commonwealth under the creation of these municipal authorities, why shouldn't they have a say in this matter. I make this statement on this Bill so that the people I have the honor to represent will know that I have gone all the way in my efforts to give them a voice in the matter. I shudder to think of what will happen in some sections of the Commonwealth including my own county on this question after we adjourn. I hope the people are fortified for the shock.

On the question recurring,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows, viz:

YEAS—17

Auker,	Knoble,	Royer,	Vogt,
Bower,	Lyons,	Rush,	Winner.
Brunner, C. H.,	Nunemacher	Tate,	Wood, L. H.,
Cadwalader,	O'Mullen,	Trout,	Wood, N.,
Hamilton,	Rose, S.,		

NAYS—112

Baker,	Fletcher,	Leisey,	Reagan,
Balthaser,	French,	Leonard,	Reese, D. P.,
Bentzel,	Gallagher,	Lesko,	Reynolds,
Boles,	Gerard,	Leydic,	Rhea,
Boney,	Greenwood,	Lichtenwalter,	Rosenfeld,
Bradley,	Gross,	Lovett,	Shaffer,
Breth,	Gyger,	Marks,	Shaw,
Brunner, P. A.,	Habbyshaw,	Maxwell,	Shepard,
Burns,	Haines,	McClanaghan,	Snyder,
Chervenak,	Hall,	McDermott,	Sollenberger,
Chudoff,	Harkins,	McDowell,	Sorg,
Cohen, M. M.,	Harris,	McFall,	Stambaugh,
Cook,	Heatherington,	McIntosh,	Stank,
Cooper,	Herman,	McLanahan,	Tarr,
Cordier,	Hersch,	McSurdy,	Taylor,
Corrigan,	Hewitt,	Mihm,	Thompson, R. L.,
Dalrymple,	Hirsch,	Modell,	Turner,
DiGenova,	Holland,	Monks,	Vincent,
Dix,	Huntley,	Mooney,	Voldow,
Dolon,	Imbrie,	Moul,	Wagner,
Duffy,	James,	Muir,	Watkins,
Early,	Jefferson,	O'Connor,	Weingartner,
Eckels,	Jones, G. E.,	O'Dare,	Welsh, M. J.,
Elder,	Jones, P. N.,	Owens,	Woodring,
Elliott,	Kenehan,	Pettit,	Woodside,
Ely,	Kline,	Polen,	Wright,
Fiss,	Krise,	Powers,	Young,
Fleming,	Lee, T. H.,	Rausch,	Kilroy, Speaker.

Less than the majority required by the Constitution having voted in the affirmative, the question was determined in the negative and the bill falls.

PERMISSION TO ADDRESS HOUSE

Mr. MALLOY asked and obtained unanimous consent to address the House.

Mr. Speaker, during the long weeks of this memorable Session of this House, we have had occasion to meet and work with many men, and the experience of knowing these outstanding personalities will, I am sure, remain forever pleasant images indelibly engraved upon the tablets of our memories.

As a Member of this House from the great County of Luzerne, I am proud to know that I speak for the entire membership in declaring that outstanding in this parade of able citizens, a native of my County, stands well to the fore. Especially during these last trying days when the nerves of most of us have become a bit frayed and jangled, our tempers—perhaps not at their best, this gentleman's pleasing personality, the even tenor of his disposition, his calm poise and graciousness and his many other fine qualities of service have endeared him to our hearts and cemented our friendship.

Mr. Speaker, and Members of the House, I pay tribute to the Chief Clerk, of the House of Representatives, Mr. Thomas J. Callahan.

There is no official of this General Assembly, nor member of this august body whose duties are more exacting, more demanding of time, ability and skill than are his. Diplomatic, kind, always willing to listen to our tales of woe and distress, ever ready to lend a helping hand to give wise counsel and advice to the new members, and experienced aid to the veterans, this tireless gentleman has made himself indispensible to the smooth functioning of this Session. And how especially happy were we to enter his hospitable office on those glad days when the eagle screamed and our checks were ready for our willing and toil-worn hands.

I have been privileged to be a neighbor of his, as a native of his native County, and I am happy to testify to the high regard and esteem in which he is held by the citizens of God's greatest gift to this Commonwealth, the County of Luzerne.

Loyal and faithful to his friends, a civic leader, patriotic and God fearing gentlemen, it was only natural that he be entrusted by this House with the many responsibilities of his important office.

Mr. Speaker, not only do I congratulate Mr. Callahan for his splendid record of service to this House but I congratulate the Commonwealth of Pennsylvania and this House on its wise judgment and good fortune in having Tom Callahan as the Chief Clerk.

CONGRATULATORY RESOLUTION

Messrs. MALLOY and SCHWAB offered a privileged resolution which was read, considered and adopted as follows:

In the House of Representatives, July 11, 1941.

The great task and responsibility of managing the activities of the extensive personnel employed by the House of Representatives to perform the multitude of services neecssary to properly carry forward the details of legislation, falls to the lot of the Chief Clerk.

The House at its present session is particularly fortunate in having as its Chief Clerk a man well fitted by temperament, experience and training for the position which he holds, and whose energy and leadership have contributed materially to the highly satisfactory manner in which the activities under his supervision have been conducted, therefore, be it

Resolved, That the Members of the House of Representatives take this opportunity to thank Thomas J. Callahan and his able and loyal staff of assistants for their cooperation and their ready and willing assistance in the performance of their routine duties, as well as whenever specially called upon to do whatever was necessary to further the business of the House; and be it further

Resolved, That a copy of this resolution be presented to Mr. Callahan as a further token of the appreciation of this House of his efficient services.

CONGRATULATORY RESOLUTION

Mr. LICHTENWALTER offered a privileged resolution which was read, considered and adopted as follows:

In the House of Representatives, July 12, 1941.

The experience gained as Chief Clerk of the Senate during the legislative sessions of 1937 and 1938 has made Dennis J. Mulvihill particularly well qualified to carry out the functions of Secretary of the House of Representatives. He has performed with marked efficiency the important duty of supervising the roll calls. The correspondence of Members of the House has been courteously and expeditiously handled. And his multitude of other duties are always performed promptly and well; therefore, be it

Resolved, That the thanks of the membership of the House of Representatives is hereby tendered to Mr. Mulvihill, its Secretary; and that, in token thereof, a certified copy hereof be prepared and delivered to him in person by the Chief Clerk of the House.

CONGRATULATORY RESOLUTION

Mr. SHEPARD offered a privileged resolution which was read, considered and adopted as follows:

In the House of Representatives, July 12, 1941.

Amid the haste and confusion of a legislative session the spiritual values of life are apt to be minimized, and the many practical problems demanding immediate solution may cause us to lose sight of the all important place which religion must play in the application of our democratic philosophies.

In frequent reaffirmation of our faith in Almighty God and in order to bring us closer to His wisdom and guidance, it has long been our custom to rise in prayer at the opening of each day's legislative session.

At this session it has been our special privilege to have the Reverend Donald McFall with us as Chaplain to make the opening prayers.

These prayers have been a never failing source of help and inspiration to the Members of the House, and have started our daily sessions with a fitting atmosphere of reverence, devotion and responsibility, therefore be it

Resolved, That we the Members of this House, extend to our Chaplain, the Reverend Donald McFall, our deepest appreciation and most sincere thanks for his truly inspiring services at our daily sessions, and direct the Chief Clerk of the House to transmit to him a copy of this resolution.

CONGRATULATORY RESOLUTION

Mr. BROWN offered a privileged resolution which was read, considered and adopted as follows:

In the House of Representatives, July 12, 1941.

Since the creation of the Legislative Reference Bureau by the Act of April 27, 1909, P. L. 208, its personnel has labored tirelessly and efficiently to lighten the arduous tasks of the members of the General Assembly and to make the legislative machinery run more smoothly. At no time however, has this Bureau filled a more necessary or satisfactory function than during this regular session of one thousand nine hundred and forty-one.

Due to the now existing National Emergency as well as to various other circustances the present session of the General Assembly has been unduly prolonged and the number of bills introduced has been unusually large.

It has been the task of the Legislative Reference Bureau to draft the greater portion of these bills, many of which related to new and comparatively unexplored fields of the law. It has also been the duty of the Legislative Reference Bureau to prepare a great number of amendments for these bills required partly by the nature of the legislation involved and party by the divided political complexion of the General Assembly.

In spite of its added burdens, the Legislative Reference Bureau, without any increase in personnel or expenditures, performed all its functions promptly and efficiently to the great benefit of the General Assembly and the Commonwealth, therefore be it

Resolved, That we the Members of the House of Representatives extend to the new director of the Legislative Reference Bureau, the Hon. Herbert B. Cohen, our thanks and appreciation for the helpful, efficient and courteous services performed by the Bureau under his supervision, and for the valuable contribution which his wide legislative experience has brought to the Bureau; and be it further

Resolved, That we extend our gratitude to the attorneys, stenographers, clerks and other members of the staff of the Legislative Reference Bureau for their long hours of tiring work and close application, not only during regular office hours but also at night, and on Saturdays, Sundays and holidays in order that the drafting of the great number of bills and amendments might continue promptly and accurately for our accommodation, and be it further

Resolved, That a copy of this resolution be transmitted by the Chief Clerk of the House to the Director of the said Legislative Reference Bureau as evidence of our appreciation of the invaluable services performed by the Bureau under his direction.

CONGRATULATORY RESOLUTION

Mr. HOLLAND offered a privileged resolution which was read, considered and adopted as follows:

In the House of Representatives, July 10, 1941.

In daily parlance, whenever "the press" is referred to our thoughts too often visualize only a collection of all the available printed daily newspapers, without consideration of the numberless individuals whose thoughts, ingenuity and enterprise combine in the gathering of news and the presenting thereof in a manner to arrest the attention and to make interesting and informative reading.

To us as members of the General Assembly the attitude of the press can be a source of much gratification or a

scourge of justice or injustice. Be it said, however, of the gentlemen of the press who cover the activities of Pennsylvania's legislative deliverations that their treatment has been uniformly fair and courteous, and wholly free from unmerited rebuke and unfair criticism; be it therefore

Resolved, That the House of Representatives hereby thanks the legislative correspondents for their courtesy and consideration during the long months of this session; and expresses its sincere hope that the cordial relations existing between members of the General Assembly and members of the press may long continue and grow stronger and fuller as time goes by; and be it further

Resolved, That a certified copy of this resolution be forwarded by the Chief Clerk of the House to the Legislative Correspodents' Association, in further token of our friendly feeling towards its members.

CONGRATULATORY RESOLUTION

Mr. PRESLEY N. JONES offered a privileged resolution which was read, considered and adopted as follows:

In the House of Representatives, July 12, 1941.

Whereas, On Friday, July 11, 1941, there was held in the Hall of the House, a most enjoyable and appropriate ceremony whereby particular tribute was paid to the characteristics and abilities of certain Members of the House; and

Whereas, At such ceremony gifts were presented to certain officers and leaders of the House in fitting recognition of their able, industrious and unselfish service in their respective capacities; and

Whereas, The preparation for, and conduct of, this ceremony and presentation was due to the careful planning of a committee of House Members of which the Honorable William A. Shaw was chairman; therefore be it

Resolved, That the House of Representatives extends its thanks to the Honorable William A. Shaw and to the members of his committee for the satisfactorily arranged and conducted ceremonies held on the floor of the House on Friday, July 11, 1941, in recognition and honor of certain leaders and officials thereof.

The SPEAKER. The Chair recognizes the gentleman from Allegheny, Mr. Shaw.

Mr. SHAW. Mr. Speaker, on behalf of the committee I wish to extend our gratitude to you for this resolution. I thank you very much.

SENATE MESSAGE

SENATE ADOPTS CONFERENCE COMMITTEE REPORT ON SENATE BILL No. 561

The Clerk of the Senate being introduced, informed that the Senate has adopted the report of the Committee of Conference on the subject of the difference existing between the two Houses on Senate Bill numbered and entitled as follows:

SENATE BILL No. 561.

An Act to amend the act approved the thirtieth day of March one thousand nine hundred and thirty-seven (P. L. 115) entitled "An act to provide for the permanent personal registration of electors in cities of the first class as a condition of their right to vote at elections and primaries and their enrollment as members of political parties as a further condition of their right to vote at primaries prescribing certain procedure for the conduct of elections and primaries and the challenge and proof of qualifications of electors and prescribing the powers and duties of citizens parties bodies of electors registration commissions commissioners registrars inspectors of registration and other appointees of registration commission election officers municipal officers departments and bureaus police officers courts judges prothonotaries sheriffs county commissioners peace officers county treasurers county controllers registrars of vital statistics real estate brokers rental agents certain public service companies persons firms and corporations operating vehicles for moving furniture and household goods and boards of school directors and imposing penalties" as amended by amplifying and changing the powers and duties of the commission its employes and commissioners further regulating and changing the provisions of said act relating to the appointment and removal of registrars and the powers privileges rights and duties of registrars watchers election officers and electors revising and changing the provisions of said act relating to the times places and manner of registering electors and their enrollment as members of political parties change of party enrollment cancellation of registrations preparation and distribution of streets listst appeals to the commission and to courts and the procedure thereon the inspection of the records of the commission providing for appeals by the commission to appellate courts changing certain provisions of said act relating to removal notices providing for the manner of reckoning time imposing additional duties on certain officers and officials clarifying and coordinating certain provisions of said act and imposing additional penalties

REPORT OF COMMITTEE OF CONFERENCE ON SENATE BILL No. 561

Mr. ROSENFELD. Mr. Speaker, I desire to call up the report of the Committee of Conference on Senate Bill No. 561, Printer's No. 613.

The report was read by the Clerk as follows:

To the Members of the Senate and House of Representatives:

We, the undersigned, Committee of Conference on the part of the Senate and House of Representatives for the purpose of considering Senate Bill No. 561, entitled:

"An Act to amend the act approved the thirtieth day of March, one thousand nine hundred and thirty-seven, (P. L. 115), entitled 'An act to provide for the permanent personal registration of electors in cities of the first class, as a condition of their right to vote at elections and primaries, and their enrollment as members of political parties as a further condition of their right to vote at primaries; * * *,' as amended; by amplifying and changing the powers and duties of the commission, its employes and commissioners; further regulating and changing the provisions of said act relating to the appointment and removal of registrars and the powers, privileges, rights and duties of registrars, watchers, election officers and electors; revising and changing the provisions of said act relating to the times, places and manner of registering electors, and their enrollment as members of political parties, change of party enrollment, cancellation of registrations, preparation and distribution of street lists, appeals to the commission and to courts and the procedure thereon; the inspection of the records of the commission providing for appeals by the commission to appellate courts; changing certain provisions of said act, relating to removal notices; providing for the manner of reckoning time, imposing additional duties on certain officers and officials; clarifying and coordinating certain provisions of said act, and imposing additional penalties,"

Respectfully submit the following bill as our report:

Louis H. Farrell
A. Evans Kephart
Israel Stiefel
(Committee on the Part of the Senate.)

Samuel M. Rosenfeld
Joseph A. Scanlon
Thomas H. Lee
(Committee on the part of the House of Representatives.)

An Act to amend the act approved the thirtieth day of March one thousand nine hundred and thirty-seven (P. L. 115) entitled "An act to provide for the permanent personal registration of electors in cities of the first class as a condition of their right to vote at elections and primaries and their enrollment as members of political parties as a further condition of their right to vote at primaries prescribing certain procedure for the conduct of elections and primaries and the challenge and proof of qualifications of electors and prescribing the powers and duties of citizens parties bodies of electors registration commissions commissioners registrars inspectors of registration and other appointees of registration commission election officers municipal officers departments and bureaus police officers courts judges prothonotaries sheriffs county commissioners peace officers county treasurers county controllers registrars of vital statistics real estate brokers rental agents certain public service companies persons firms and corporations operating vehicles for moving furniture and household goods and boards of school directors and imposing penalties" as amended by amplifying and changing the powers and duties of the commission its employes and commissioners further regulating and changing the provisions of said act relating to the appointment and removal of registrars and the powers privileges rights and duties of registrars watchers election officers and electors revising and changing the provisions of said act relating to the times places and manner of registering electors and their enrollment as members of political parties change of party enrollment cancellation of registrations preparation and distribution of street lists appeals to the commission and to courts and the procedure thereon the inspection of the records of the commission providing for appeals by the commission to appellate courts changing certain provisions of said act relating to removal notices providing for the manner of reckoning time imposing additional duties on certain officers and officials clarifying and coordinating certain provisions of said act and imposing additional penalties

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section two of the Act approved the Thirtieth day of March one thousand nine hundred and thirty-seven (P. L. 115) entitled "An act to provide for the permanent personal registration of electors in cities of the first class as a condition of their right to vote at elections and primaries and their enrollment as members of political parties as a further condition of their right to vote at primaries prescribing certain procedure for the conduct of elections and primaries and the challenge and proof of qualifications of elector and prescribing the powers and duties of citizens parties bodies of electors registration commissions commissioners registrars inspectors of registration and other appointees of registration commission election officers municipal officers departments and bureaus police officers courts judges prothonotaries sheriffs county commissioners peace officers county treasurers county controllers registrars of vital statistics real estate brokers rental agents certain public service companies persons firms and corporations operating vehicles for moving furniture and household goods and boards of school directors and imposing penalties" is hereby amended by adding thereto after clause (r) a new clause to read as follows

Section 2 Definitions

* * *

(s) In determining or reckoning any period of time mentioned in this act the day upon which the act is done paper filed or notice given shall be excluded from and the date of the primary election hearing or other subsequent event as the case may be shall be included in the calculation or reckoning Provided however That if the last day upon which any act may be done paper filed or notice given shall fall on a Sunday or a legal holiday the next following ordinary business day shall be considered as the last day for said purpose

Section 2 Clauses (a) (b) and (c) of section four of said act are hereby amended to read as follows

(a) The commission may make regulations not inconsistent with this act or the laws of this Commonwealth (1) to govern the public sessions of such commission (2) to carry into effect the provisions of this act and to permit the efficient administration thereof (including the designation of the duties to be performed and functions to be exercised hereunder at its respective offices) and [(2)] (3) for the performance of the duties imposed [by this act] hereunder and may enforce such regulations and all its orders and subpoenas to witnesses as herein provided and if necessary shall have the assistance of the court of common pleas of the county and of all public officers subservient thereto in enforcing the same which assistance said officers as well as the judges of said court shall render when requested to do so subject however to the right of certain persons to appeal from the orders of the commission as herein provided

(b) The commission shall have power to correct direct or permit the correction of any error or any irregularity in registration to change or permit the change on the registration affidavits and its records of the name of any registered elector changed by order of a court of competent jurisdiction or by reason of her marriage or divorce and to cancel the registration of any person whom it may find to be improperly registered and to cancel the party enrollment of any registered elector whom it may find to be improperly enrolled as a member of a party subject only to the provisions of this act and provided that notice in writing shall be given to or left at the address of each person whose registration or enrollment is cancelled [A like notice as well as a copy of any notice served upon or left at the address of any elector with respect to his right to be registered or enrolled as a member of the political party designated by him as hereinafter provided shall be sent promptly to the city chairman of the political party of which such person was registered as a member] Notice in writing of the cancellation of the registration or party enrollment of any elector as well as notice of the serving of any paper upon or left at the address of any elector with respect to his right to be registered or enrolled as a member of the party designated by him shall be sent promptly to the city chairman of the party of which such person was or may be registered as a member if such party has headquarters within the city known to the commission

(c) The commission and any commissioner shall have power on its or his own [option] motion (1) to summon and interrogate any person concerning the registration of electors or any matter related thereto (2) to investigate any irregularities in registration (3) to summon and examine witnesses and (4) to require the production of any relevant books and papers

Section 3 Clauses (a) (b) (c) (d) (e) (g) and (h) of section five of said act act are hereby amended to read as follows

(a) The commission shall have power to appoint such assistants clerks and employes (including inspectors as from time to time it may deem necessary to carry out the provisions of this act The commission shall also have power to assign such of its assistants employes or clerks to act as registrars who shall not receive any additional compensation therefor at its office or offices as it may from time to time deem necessary and when so acting such assistants employes or clerks shall have and may exercise the powers and shall perform the duties and obligations conferred by or in accordance with the law upon registrars

(b) The commission [shall in the year one thousand nine hundred thirty-seven at su time as it shall deem necessary of which due public notice shall be given appoint four registrars for each election district From and after the first day of Januar one thousand nine hundred thirty-eight the commission not later that the fif-

teenth day of August] in each year shall designate the place or places in each or any ward to be used as registration places and shall appoint [not less than] two or more [than four] registrars for each such registration place as it may deem necessary No more than one-half of the number of registrars appointed [for each election district in the year one thousand nine hundred thirty-seven and] for each registration place in each [subsequent] year shall be members of the same political party [In the year one thousand nine hundred thirty-seven all] All registrars appointed shall be qualified electors of the election district or [for which they have been appointed and in all subsequent years shall be qualified electors of] [the] ward for which they have been appointed shall be of good moral character shall not have been convicted of any crime shall be able to read English in an intelligent manner and to write legibly and shall be familiar with qualifications of electors and duties of the registrars Such registrars shall be empowered to register the qualified electors of such election district or wards and in so doing to administer oaths and affirmations and shall perform all other duties imposed on registrars by this act and by the registration commission

Each registrar shall receive as compensation ten dollars ($10.00) for each day during which he is engaged in the active performance of his duties as registrar The commission shall designate the duties to be performed by each such registrar appointed by it The said registrars shall be appointed in the manner as hereinafter provided in subsection (c) of this section

[(c) In the year one thousand nine hundred thirty-seven at such time as shall be determined by the commission of which time due public notice shall be given any five or more qualified electors of any election district of the same political party and in all subsequent years not later than the twentieth day of July of each year any five or more qualified electors of any ward of the same political party may file with the commissioners their petition for the appointment of not more than two qualified persons also members of said party as registrars The petition shall set forth the name address qualifications occupation and political affiliation of each person suggested for appointment as a registrar shall give the respective residences of the petitioners and shall declare that each of them belongs to the same party as that designated as the party of each candidate which petition shall be signed by each petitioner in his own handwriting and sworn to by one of them and by each candidate More than one petition may be filed on behalf of the same party for each ward or district provided that no elector shall be competent to sign petitions for more than two candidates but if any candidate dies withdraws or becomes disqualified before the last day of filing petitions aforesaid any elector who recommended him may sign a petition for another candidate All petitions shall be open to public inspection and in the year one thousand nine hundred and thirty-seven at such time as the commission may designate and not earlier than July twenty-sixth of each subsequent year the commissioners shall commence public hearings thereof considering them on consecutive week days in the numerical order of the wards and of the election district within ecah ward to which they relate respectively unless reasonable cause be shown for postponing any hearing to a later time or date and reasonable notice of such postponement given to all concerned The commissioners shall publish, one general notice of the place and times or days when they will examine the candidates from the election districts of the various wards at least three days prior to the first hearing in at least two daily newspapers each having a paid circulation of at least fifty thousand copies daily in the city and shall mail to each candidate a special notice of the time and place where he will be examined regarding his qualifications at least three days before the day fixed for same except that the commissioners need not notify any condidate who had previously been appointed a registrar to appear but may reappoint him without such examination If more candidates are duly nominated as members of any party than it is entitled to have appointed the commissioners shall appoint the candidate or candidates whom they consider most fit and if there are not sufficient fit candidates nominated on behalf of any party the commissioners may appoint any other persons without regard to party of whom they have knowledge Any person appointed a registrar must perform his duties as prescribed by this act unless excused therefrom by the commissioners for cause shown]

(c) In each year at such time as shall be determined by the commission of which at least fifteen days' notice shall be publicly given the city chairman of the party having polled the highest vote in the city at the last preceding November election and the city chairman of the party having polled the second highest vote in the city at such election may file with the commission a written list of names of members of said party whom such chairman recommends for appointment as registrars at the said registration places Such lists shall contain the name address qualifications and occupation of each person so recommended and shall be open to public inspection in the office of the commission The commission shall appoint persons whose names appear on such list as the registrars representing such parties If more candidates are recommended by the chairman of any such party than it is entitled to have appointed the commission shall appoint those candidates from the names appearing on such list whom the commission finds to be qualified in accordance with the provisions of clause (b) of this section and if there are not sufficient candidates qualified to serve recommended by any city chairman the commission may appoint such other person whom the commission believes qualified

(d) Should any vacancy occur in the office of registrar of [any election district in the year one thousand nine hundred thirty-seven or of] any registration place in any [subsequent] year by reason of death resignation removal from the district or ward or other cause the commission shall fill said vacancy by appointing an elector of the district or ward as the case may be who is qualified according to subsection (b) of this section and who is a registered and enrolled member of the same political party as the registrar or registrars whose office was vacated The appointment shall be made in like manner as the annual appointments of registrars as provided by this act

(e) No registrar or inspector of registration shall exercise any power of his office nor shall any employe assigned by the commission to act as registrar at [the] any office of the commission so act until he shall have taken an oath of office which the commission shall prescribe and shall have received from the commission a certificate of appointment setting forth his name and address the date of his appointment and the length of time for which he shall have been appointed

(g) The registration commission shall have the power to remove any employe inspector registrar or other officer appointed or employed by it but no registrar appointed by the commission under the provisions of clause (c) of this section shall be removed except for cause

(h) Any inspector of registration on his own motion or on complaint of any person [known] to him may and when directed by the commission shall

1 Investigate all questions relating to the registration of electors in such city and for that purpose shall have power to enter and inspect any house dwelling building inn lodging-house or hotel within such city and to interrogate any inmate householder lodger lessee keeper caretaker owner proprietor or agent thereof or therein regarding any person or persons residing or claiming to reside thereat or therein without being required to show any warrant for so doing except his certificate of appointment

2 Inspect [in like manner] any copy any register of lodgers in any lodging-house inn or hotel relating to or affecting the rights of any persons to vote or to be registered in any such city

3 Arrest any person without warrant except any herein privileged from such arrest who in the presence of the inspector of registration violates or attempts to violate any of the provisions of this act when such violation is punishable as a crime

4 Call on any police or peace officer of such city to assist the inspector of registration in the maintenance of peace at any place of registration or in making any arrest or in the performance of any of his duties

Section 4 Section six of said act is hereby amended to read as follows

Section 6 Removal of Registrars (a) [Anyone claiming to be a] Any qualified elector of [this] the city may appear before the commission and show wherein any person [nominated selected or] appointed as a registrar under the provisions of clauses (b) and (c) of section five of this act does not possess the qualifications requisite for the performance of the duties of his office or has violated the provisions of this act If after public hearing the commission shall find the charges brought by such elector to be true the commission shall decline to appoint such person or remove such registrar

(b) The commissioners shall provide [at all times] a board of registrars for each ward or district place of registration so appointed not more than one-half of whom shall be of the same [political faith] party If [therefore] it appears at any time that by reason of a change in political [affiliations] affiliation or because of error in [the] appointment a board is not so divided any ten registered electors of [any election] such ward or district may file a petition with the commissioners setting forth the facts and praying that one or more of the appointments may be revoked and that other appointments may be made Upon presentation of such a petition one of the commissions shall fix a time not less than five days thereafter and at least three days' notice shall be given by mail to all registrars of such board who are alleged to be of the same [political faith] party when a public hearing shall be given all concerned and if the facts are then found to be as represented the commissioners shall [give] grant the relief [asked for] prayed for

Section 5 Clause (b) of section eight of said act is hereby amended to read as follows

(b) The appropriating authorities of the city shall provide the commission thereof with suitable and adequate main offices properly furnished for keeping its records holding its public sessions and otherwise performing its duties and such other offices which it may from time to time during the period of ninety days preceding any election deem it advisable to establish for the convenience of the electors in exercising their rights powers and functions and performing their duties hereunder and upon failure to do so [within sixty days after the effective date of this act] the commission may lease such office space for its main office as is reasonably required for the performance of the functions and duties under this act

Section 6 Section eleven of said act is hereby amended to read as follows

Section 11 Immunity from Arrest

[Commissioners] Employes or clerks of the commission while acting as registrars registrars commissioners and inspectors of registration shall be privileged from arrest while performing their duties as such except upon warrant of a court of record or judge thereof for felony for wanton breach of the peace or for criminal violation of this act

Section 7 Section thirteen of said act is hereby amended to read as follows

Section 13 Records and Documents to Be Open to Public Inspection The records of the commission and all district registers street lists voting check lists voters' certificates affidavits petitions appeals witness lists accounts contracts reports and other documents in its custody except the general registers shall be open to public inspection except as herein provided and may be inspected and copied by any qualified elector of the city during ordinary business hours [at any time] except when they are [not] necessarily being used by the commission or its employes having duties to perform in reference thereto or when such inspection or copying shall unreasonably interfere with the proper and efficient performance of the duties and exercise of the functions of the Commission or its employes in administering this act Such public inspection thereof shall only be in the presence of a commissioner or an authorized employe of [a] the commission and shall be subject to proper regulation for safekeeping of the records and documents and subject to the further provisions of this act

Section 8 Section fourteen of said act is hereby amended to read as follows

Section 14 Watchers at Places of Registration Privileges

(a) Any party or body of electors which now is or hereafter may be entitled to have watchers at any election may recommend not more than three electors to act as watchers without expense to the county at any place of registration or any office of the commission during the time when it shall remain open for the registration of electors The commission shall appoint such persons as watchers and provide them with proper certificates stating their names and the party which they represent respectively unless any be shown to have previously been convicted of any crime

(b) Any watcher shall be entitled to remain at any place of registration or any office of the commission during the time when it shall remain open for the registration of electors and to keep a list or other memorandum of or concerning the persons applying for registration and to challenge any person regarding his right to be registered and to inspect any papers produced by such person The registrars clerks or employes of the commission acting as registrars commission and commissioners shall give every watcher ample opportunity and afford him every convenience for the discharge of his duties Provided however That a registrar clerk or employe of the commission acting as registrar [commission or] inspector commissioner or the commission may at any time require any watcher to show his certificate of appointment And provided That not more than one watcher for each party or body of electors represented shall be allowed in a place of registration or an office of the commission at any one time unless the commission by regulation shall provide otherwise

Section 9 Clause (c) of section fifteen of said act is hereby amended to read as follows

(c) All watchers or attorneys appointed or selected in the manner provided by sub-sections (a) and (b) of this section may exercise the same rights under the same conditions at any public session or sessions of the commission as watchers at places of registration or offices of the commission open for the registration of electors

Section 10 Clauses (a) (d) and (e) of section seventeen of said act are hereby amended to read as follows

(a) [from and after the first day of June one thousand nine hundred and thirty-seven the] The commission or any commissioner employe or [clerks] clerk assigned for that purpose shall at the main office of the commission during ordinary business hours and during such additional hours as the commission shall from time to time prescribe on each day and on such days and during such hours as the commission may from time to time designate at other offices in the city which the commission shall from time to time during the period of ninety days preceding any election have power to establish and discontinue except Sundays holidays the days hereinafter provided for the registration of electors in the districts or wards the day of each election and each primary the thirty days next preceding the primary election in the year one thousand nine hundred and forty-one the fifty days next preceding each general and in all subsequent years each primary election [and each primary] the thirty-five days next preceding each municipal election or any special election not held on a day fixed for the holding of November or primary elections and the thirty days next following each election and the five days next following each primary [at the office of the commission] receive personal applications from persons who claim that they are entitled to be registered as electors of the city and who appear for registration Provided however [That in the year one thousand nine hundred and thirty-

seven the commission shall arrange to have four registrars present to receive applications for the personal registration of electors at the polling place or some other suitable place in each election district of the city on at least three separate days prior to August fifteenth (one of them being in June another in July and another in August) And provided further] That in each year [thereafter] the commission may also when it considers it necessary for the convenience of the electors provide one or more places of registration in each or any ward of the city at which two or more registrars as the commission may deem necessary shall be present to receive personal applications from [persons] qualified electors of the city who claim that they are entitled to be registered which registrars shall be present thereat between the hours of seven antemeridian and one postmeridian and between the hours of four and ten postmeridian on [two] such days as may be selected by the commission [in even-numbered years one to be not earlier than the sixth Saturday nor later than the fifth Saturday before the spring primary and the other to be not earlier than the sixth Saturday and not later than the fifth Saturday before the] which shall be not less than twenty days prior to the primary election in the year one thousand nine hundred and forty-one and not more than sixty days and not less than fifty days prior to any general election and the primary election in any subsequent year [and on one day in odd-numbered years not earlier than the twelfth Saturday nor later than the eleventh Saturday before the] and not more than forty days and not less than thirty-five days prior to any municipal election Provided further however That with respect to any person who shall become a citizen of the United States on a day subsequent to the sixtieth day prior to any election or primary but at least one month prior to the day of such election or primary the commission or any commissioner employe or clerk assigned for that purpose shall receive personal applications from such person if he or she is otherwise qualified at the office of the registration commission until the thirtieth day prior to such election or primary during ordinary business hours except Sundays holidays and the days hereinbefore provided for the registration of electors in the districts or wards

(d) The proper city or county authorities shall furnish suitable space room or rooms in the city hall or any of its annexes or other municipal or county building under their jurisdiction or control and shall cause such space room or rooms to be open on each day when such space room or rooms may be desired by the commission for use as a place of registration or as an office of the commission Provided That such use shall not interfere with the use for which such room or rooms is primarily designed

(e) The commission shall in reasonable time publicly announce the address of each place of registration each office of the commission established for the registration of electors other than [the] its main office [of the commission] and the days and hours when the place or office shall be open for the registration of electors by posting thereat and at its main office a notice thereof [at its office at such place of registration] and at least five placards or notices thereof in conspicuous places in the neighborhood of such place of registration or office and [by publication at least once in a newspaper of general circulation published in the city at least three days prior to the date when the place shall be so opened and in] [proper order for use as a place of registration] by such other means as it shall deem advisable

Section 11 Clauses (a) (c) and (d) of section nineteen of said act are hereby amended to read as follows

(a) For the purpose of registering the qualified electors of the city the commission shall prepare registration cards serially numbered in duplicate or triplicate as the commission may determine and containing spaces for entering the information required by section twenty of this act and the following affidavit

Registration Affidavit

State of Pennsylvania }
County of } ss

I hereby swear or affirm that I am a citizen of the United States that on the day of the next election I shall be at least twenty-one years of age and shall have resided in the State of Pennsylvania for one year (or having previously been a qualified elector or native born citizen of the State and having removed and returned then six months) next preceding said election and in the election district two months that I am legally qualified to vote that I have read (or have had read to me) the foregoing statements made in connection with my registration and that they are true and correct

Subscribed and sworn to before
me this ..... day of
.....
(Signature of Registrar or Person Authorized to act as Registrar)

.....
Signature of Voter

(c) Each card shall be printed on stock of good quality shall be of suitable uniform size and shall be filled out in duplicate or triplicate as the Commission may determine for such applicant for registration The commission shall provide suitable binders and cabinets for filing and indexing the original and duplicate registration cards which binders and cabinets can be locked The keys of all such binders and cabinets shall at all times be retained by the commission

(d) The commission shall keep a record of the serial numbers of the registration cards issued from time to time to each registrar or person authorized to act as registrar and may if and when the commission deems it advisable keep a record by serial number of each registration card prepared by or for it showing the name ward and district of the elector if any registered upon such card and whether such registration or card has been canceled voided lost destroyed or otherwise removed from the district registers

Section 12 Clauses (a) (b) (c) and (f) of section twenty of said act are hereby amended to read as follows

(a) Every person claiming the right to be registered as an elector must appear in person before the commission a commissioner a clerk or employe of the commission acting as registrar or a registrar at the main office of the commission or at such other office or place as the commission shall have designated and answer the questions required to be asked in accordance with this act

(b) He shall first be sworn or affirmed to the truth of the statements which he is about to make and informed that any wilful false statement will constitute perjury and will be punishable as such He then shall be asked to state the facts required herein and his answers together with the other information herein required shall be recorded in his presence by the register or by the person authorized to act as a registrar or commission in permanent writing or typewriting in triplicate or duplicate as the commission may determine in the proper spaces on the registration cards as follows

(c) (1) The surname of the applicant (2) his Christian name or names (3) his occupation (4) the street and number of his residence (5) if his residence is a portion only of the house the location or number of the room apartment flat or floor which he occupies (6) the length of his residence in the state and district respectively (7) [his residence address when he last registered and the year of such registration] such information relating to the applicant's prior registration and voting record as the commission shall by regulation deem it necessary or advisable to require (8) the sex of the applicant (9) the color of the applicant (10) the state or territory of the United States or the foreign country where he was born (11) the date when place where and the court by which naturalized and number of the naturalization certificate (12) If not naturalized personally

the name of father mother or husband through whom naturalized (13) whether he [is unable by reason of illiteracy to read the names on the ballot or on the voting machine labels or whether he has a physical disability which will render him unable to see or mark the ballot or operate the voting machine or to enter the voting compartment or voting machine booth without assistance at the ensuing election and if so his declaration of that fact and his statement of the exact nature of such disability] is entitled to receive assistance in voting because by reason of illiteracy he is unable to read the names on the ballot or on the voting machine labels or because he has a physical disability which renders him unable to see or mark the ballot or operate the voting machine or to enter the voting machine compartment or voting machine booth without assistance and if so his declaration of that fact and his statement of the exact nature of such disability (14) the designation of the political party of the elector for the purpose of voting at primaries (15) the affidavit of registration which shall be signed by the elector attested by the signature of the registrar commissioner [or] clerk or employe and dated by him (16) his height in feet and inches (17) the color of his hair (18) the color of his eyes and (19) the date of his birth or unless he claims to have been naturalized through either his father or mother or unless such date is otherwise material in the determination of citizenship a statement that he has attained his majority (20) if an applicant claims naturalization through her marriage to a citizen the date and place of marriage Each registration card shall also have a sufficient number of spaces thereon for the insertion of [(20)] (21) the ward and election district in which the elector resides and to which he may from time to time remove together with his street address in each such district and the other data required to be given upon such removal [(21)] (22) the date of each election and primary at which the elector votes and the number of stub of ballot issued or number of admission to voting machine and party at primary [(22)] (23) the signature or initials of the election officer who enters the record of voting on the card Provided however That the commission may to more effectually carry out the provisions of this act from time to time alter or change the form of registration cards the order in which the information shall be recorded thereon and provide additional spaces for the recording of such other information concerning the identity of the applicant or naturalization data of foreign born applicants as it may deem necessary

(f) Any person employed in the service of this Commonwealth or in the service of the Federal Government and required thereby to be absent from the city wherein he resided when entering such employment his wife or her husband unless actually separated and living apart shall be registered as of the district wherein he or she shall have resided immediately prior to entering such service and be enrolled as a member of the political party he or she designates without declaring a residence by street and number All persons employed by this Commonwealth who register in this manner shall produce a certificate from the Auditor General under the seal of his office setting forth that said person or the husband or wife of said person is actually employed in the service of this Commonwealth and also setting forth the nature of such employment and the time when such person first entered such employment

All persons employed by the Federal Government who register in this manner shall produce a certificate from the head of the proper department or chief of the proper department or chief of the proper division or bureau under the seal of his office setting forth that said person or the husband or wife of said person is actually employed in the service of the United States and also setting forth the nature of such employment and the time when such person first entered such employment

The commission shall retain such certificates and shall cause to be noted on the registration card of each person so registered the fact that such person is an employe of this Commonwealth or of the Federal Government as the case may be

Section 13 The said act is hereby amended by adding thereto after section twenty a new section to read as follows

Section 20.1 When the registration of an elector registered thereafter has been completed the registrar commissioner employe or clerk shall deliver to such registered elector a written or printed statement signed by such registrar commissioner employe or clerk setting forth the name and address of the elector his ward and district the fact of registration designation of party enrollment the date thereof the serial number of the elector's registration card and such other information as the commission may deem advisable Each such statement shall contain a warning to the effect that the said statement relates only to the time of the issuance thereof and is not of itself evidence or proof of the elector's qualifications to vote at any election or primary Upon request made at the office of the commission by any registered elector who has been registered prior thereto the commission if satisfied that such elector is a qualified elector of the district in which he is registered shall mail or deliver such a statement of his registration to such elector

Section 14 Section twenty-one of said act is hereby amended to read as follows

Section 21 Who May Register Who May Vote Electors Need Register Only Once Exception

Every person who shall possess all the qualifications of an elector as provided in the Constitution and laws of this Commonwealth or who by continued residence in his election district will obtain such qualifications before the next ensuing general or municipal election shall be entitled to be registered as herein provided and [from and after the twentieth day of September one thousand nine hundred and thirty-seven] no person shall be permitted to vote at any election or primary held in such city unless he shall have been so registered [except by order of a court of common pleas as hereinafter provided] and no elector so registered shall be required to register again for any election or primary while he continues to reside at the same address or has removed his residence to another district in the city and has filed a removal notice as provided by this act unless his registration is cancelled by the commission by reason of his failure to vote during [a] the certain period [of four years] as hereinafter provided or for any other reason under the provisions of this act

Section 15 Section twenty-three of said act is hereby amended to read as follows

Section 23 Naturalized Applicants Applicants Whose Fathers Mothers or Husbands Were Naturalized All persons claiming the right to vote by reason of naturalization shall produce the proper naturalization papers or a certified copy thereof before they shall be registered Provided That any person claiming citizenship by reason of the naturalization of his father or mother [during his minority] may be registered either by the production of his father's or mother's original papers or a certified copy thereof or by making affidavit as to the court in which and time when his father or mother was naturalized and the date of his birth indicating that he the applicant [was] then [less than twenty-one years of age] acquired citizenship and that he is unable to produce his father's or mother's naturalization papers or a certified copy thereof stating the reason And provided further That any woman claiming citizenship by reason of her marriage prior to September twenty-second one thousand nine hundred and twenty-two may be registered either (a) by the production of her husband's original naturalization papers or a certified copy thereof or by making affidavit that her husband was naturalized prior to their marriage stating therein the date and place of their marriage the time when and the court in which such naturalization was effected and that she is unable to produce his original naturalization papers or a certified copy [of them] thereof stating the reason therefor or (b) by the production of evidence that her husband was a native born citizen of the United States or by making affidavit of such fact stating therein the place and date

of her husband's birth and the date and place of their marriage Each such affidavit shall be filed with the registration affidavit of the person whose registration it affects and shall be returned therewith to the office of the registration commission

Section 16 Section twenty-five of said act is hereby amended to read as follows

Section 25 Appeal of Rejected Applicant Any person whose application to be registered has been denied by a registrar clerk or by a commissioner may file a petition with the commission not later than the fifteenth day [prior to an election or primary] thereafter setting forth the ground of his complaint under oath and praying to be registered The commission shall fix a time for a public hearing [thereof] thereon at its office not later than the tenth day [prior to the election or primary] after the filing of the petition At the time so fixed the commission shall hear and dispose of the petition having first given at least forty-eight hours' notice of the hearing to the registrar clerk or commissioner who rejected the petitioner's application for registration In the taking of testimony the commission shall not be bound by technical rules of evidence The commission if satisfied upon competent evidence that the petitioner is entitled to be registered shall direct a registrar employe clerk or commissioner to register him in the usual manner and shall amend accordingly the records affected but any registrar or inspector of registration or qualified elector of the city may appear and show cause why the petitioner should not be registered [The testimony presented at such hearing shall be stenographically recorded and made a part of the records of the commission The decision of the commission upon such petition shall be final and conclusive Provided however That the commission shall grant a rehearing in any case upon reasonable cause shown or where the interests of justice require it And provided further however That the said decision shall be subject to review by the court of common pleas of the county as hereinafter provided]

Section 17 Section twenty-six of said act is hereby amended to read as follows

Section 26 General Register A copy of the registration affidavits for the entire city shall be placed in [visible] cabinets in exact alphabetical order and [visibly] indexed as to name [and voting record] and shall be kept at the office of the commission in a place and in such manner as to be properly safeguarded These affidavits shall constitute the general register of such city and shall not be removed from the office of the commission nor open to public inspection except upon order of the court of common pleas of the county wherein such city is located upon sufficient cause having been shown

Section 18 Section twenty-seven of said act is hereby amended to read as follows

Section 27 District Registers [Street List Registers] Triplicate Registration Cards

(a) [District Registers] The original registration affidavits shall be filed by election districts and within each election district in exact alphabetical order or in the order in which their residences appear upon the streets of the election district and in exact alphabetical order for each residence as the commission may determine and shall be visibly indexed as to name and voting record The affidavits so filed for each election district shall constitute the district register for such district The district register shall be kept at the office of the commission except as herein provided and shall be open to public inspection [at all times] subject to reasonable safeguards rules and regulations and to the provisions of this act

[(b) Street List Register The triplicate registration affidavits shall be filed by election districts and within each district in the order in which their residences appear upon the streets of the election district and shall be open to public inspection at all times subject to reasonable safeguards rules and regulations]

(b) The commission shall safely retain all triplicate registration affidavits or cards now in its custody and such as it may under the provisions of this act hereafter require to be used in the registration of electors for the same period of time as the commission is required to retain all other registration affidavits or cards and in such order or manner as it may by regulation direct Any such triplicate registration affidavit or card may be substituted for a lost destroyed or mislaid original or duplicate affidavit or card of the same elector on order of the commission endorsed thereon and signed by a commissioner and such triplicate affidavit or card when so substituted shall be deemed and considered for all purposes as though it shall be the original or duplicate affidavit or card as the case may be

Section 19 Section twenty-eight of said act is hereby amended to read as follows

Section 28 Removal Notices (a) The commission shall provide forms of removal notices which it shall cause to be made available for the convenient use of registered electors These notices shall be printed upon cards suitable for mailing addressed to the office of the registration commission and shall contain spaces wherein the elector shall write (1) the street and number of his present residence and the specific location thereof including the number of the room apartment flat or floor in his residence if a portion only of a house (2) the street and number of the address from which he was last registered (3) the date of his removal to his present address (4) the serial number of his registration card [(4)] (5) space wherein the elector shall sign his name and insert the date of signing [(5)] (6) space wherein two registered electors of the district to which he has removed shall sign their names and addresses certifying to the truth of the statement on said notice as to his present place of residence The removal notice shall contain a statement that the elector may by filling out properly and signing a removal notice having it witnessed as aforesaid and returning it to the office of the commission secure the transfer of his registration to the election district in which he resides effective as to elections and primaries occurring at least two months after the date of his removal into the new district Each removal notice shall contain a warning to the elector that the notice will not be accepted as an application for transfer of the elector's registration unless the signature thereon can be identified by the commission with the elector's signature in the general and district register and that if he notifies the commission of a change of his residence address knowing or having reason to know that he is not entitled to have his residence address changed he shall be guilty of a misdemeanor and subject to the penalties as provided by this act Each removal notice to be effective must be received either through the mail or by delivery at the office of the commission postmarked or delivered as the case may be not later than the [thirtieth] fiftieth day prior to any general or primary [or] election [of which warning shall also be contained on the removal notice] and not later than the thirty-fifth day prior to any municipal election and must have been signed by the elector within ten days prior to the date of mailing or delivery Warning of these provisions shall also appear on each removal notice form

(b) Any elector who removes his residence from one place to another within the same election district shall notify the commission by filing a removal notice with the commission in the manner herein provided not later than ten days next preceding the primary or election

Section 20 Section twenty-nine of said act is hereby amended to read as follows

Section 29 Transfer of Registration Recording Change of Residence (a) Upon receipt [not later than the thirtieth day next preceding any primary or election] of a [signed] removal notice properly filled out and executed [or a signed request] on the form prescribed by the commission within the times and in the manner provided by this act containing the required information and setting forth a removal of residence to another location in the same city the commission shall cause the signature thereon to be compared with the signature on the registration affidavit

of the elector from whom the removal notice purports to come and if the signature shall appear authentic shall enter the change of residence in the [general and district] registers and if the removal shall have been from one election district to another in the same city shall transfer the registration affidavit of the elector from the district register of the election district of his previous residence to the district register of the election district of his new residence In any case the commission shall advise the elector promptly in writing of its action

(b) Provided That when a [request for transfer] removal notice or application provided for in clause (d) of this section believed authentic by the commission as aforesaid shall have been received at the office of the commission and shows thereon a removal within the period of two months next preceding an election or primary and the removal shall have been from one election district to another the commission shall transfer the registration affidavit of the elector from the district register of the election district of his previous residence but shall not include it in the register of the district of his new residence until after the election or primary In any case the commission shall advise the elector promptly in writing of its action

(c) If the commission shall doubt that the request [for transfer] is authentic it shall without transferring the registration or entering the change of residence as the case may be promptly notify the elector that it will be necessary of him to apply in person at [the] any office of the commission [for the transfer of his registration] to have the transfer or change of residence entered in the registers

(d) No elector who is unable to write his name shall be permitted to apply for transfer of registration or the recording of his change of residence by use of a written removal notice but each such elector must apply in person at [the] any office of the commission or [before the registrars in the ward in which he resides] any place of registration on one of the days and at such time as prescribed for the registration of electors establish his identity and state under oath or affirmation to which he shall affix his mark in the presence of a registrar clerk or [a] commissioner who shall affix his own signature thereto as a witness the information required of registered electors in a removal notice Any other elector may also appear in person at any office of the commission or any place of registration on any of the said days and apply for the recording of his change of residence within the city in which case the signatures of two registered electors of the district shall not be required if such elector shall establish his identity and after stating under oath or affirmation the information required in a removal notice shall sign the same in the presence of a registrar clerk or commissioner who shall affix his own signature thereto as a witness

(e) Immediately upon the receipt of a removal notice by the commission it shall note thereon the date of receipt and number the same in the order of its receipt and shall forthwith mail to the elector at the address to which he has requested his registration to be transferred an acknowledgement of the receipt of such notice stating the date of receipt and the number assigned to it and that the elector will be advised by the commission of the action taken thereon Each acknowledgement so mailed shall contain on the outside a request to the postmaster to return it to the commission within five days if it cannot be delivered to the addressee at the address given thereon and not to forward the same to any other address In the event that any such removal notice shall be filed or application made for transfer of registration or the recording of his change of residence as provided in clause (d) of this section by an elector at any place of registration or at any office of the commission a similar acknowledgement shall be delivered to him by the registrar clerk or employe receiving the same signed by him Provided however That such removal notices and applications shall be numbered by the registrar clerk or employe in the order of their receipt at the respective registration places or offices The commission may cause blank forms of acknowledgements to be physically attached to the removal notices and applications and may require the elector to insert his name and new address thereon before filing the same

(f) Nothing contained in this act shall be construed as to prevent any elector who after having been registered under the provisions hereof has removed his residence to another location in the city in lieu of filing a removal notice or application as provided herein from again applying for registration at any office of the commission or any place of registration and being registered as an elector of the district in which he shall then reside if such elector shall then be qualified The commission shall thereupon cancel such elector's prior registration or registrations

Section 21 Section thirty of said act is hereby amended to read as follows

Section 30 Change of Party Enrollment Notice Change of Enrollment of Political Party Cancellation of Party Enrollment Persons Suffering Disability after Registration to Have Fact Recorded Cancellation (a) The commission shall provide change of party enrollment notices which it shall cause to be available for the convenient use of registered electors Those notices shall be printed upon cards and shall contain spaces wherein shall be recorded under oath (1) the street and number of the elector's residence (2) his ward and election district (3) the political party in which he is enrolled (4) the political party in which he desires to be enrolled (5) the signature of the elector (6) the serial number of his registration card

(b) At any time prior to the thirtieth day next preceding [a] the primary election in the year one thousand nine hundred and forty-one and the fiftieth day next preceding the primary [or an] election in any subsequent year excepting the thirty days next following an election [and the five days next following each primary] any person who desires to change his party enrollment or who although registered has not hitherto enrolled as member of a party shall appear at [the] any office of the commission or before the registrars in his ward or district and sign the change of party enrollment notice containing the information required by sub-section (a) of this section stating the designation of the political party in which he desires to be enrolled Provided however That no registered elector shall be permitted to change his party enrollment between any primary and the following general or municipal election nor more than once between any November election and the following primary election The commission shall cause the signature thereon to be compared with the signature on the general and district registers and if the signatures appear authentic shall enter the change of enrollment of political party in the [general and district] registers unless such elector is prohibited from changing his party enrollment as aforesaid

(c) Any elector who is unable to write his name shall in addition establish his identity and shall affix his mark in lieu of his signature in the presence of a registrar clerk or commission who shall affix his own signature thereto as a witness to the information required in the change of party enrollment notice

(d) At any time not later than the [twentieth] thirtieth day preceding any primary any qualified elector of the city including any watcher may petition the commission to cancel the party enrollment of any registered elector of such city who has previously enrolled as a member of a party for the purpose of voting at primary elections setting forth under oath that he believes that such elector is not a member of the party with which he has been enrolled and also setting forth that due notice of the time and place when said petition would be presented had been given to the person so registered at least forty-eight hours prior to presentation of the same by delivering a copy of the said petition to him personally or by leaving it with an adult member of the family with which he resides If at or before the hearing of any such petition the elector against whom the petition is filed [appears] files an affidavit with the commission in which he [and] swears or affirms that at the last election at which he voted he voted for a majority of the candidates of the party [with]

as a member of which he [was then] desires to be enrolled all of the candidates of a party for presidential elector being counted as two candidates the petition shall be refused otherwise the party enrollment of such elector shall be forthwith cancelled [The testimony presented at such hearing shall be stenographically recorded and made a part of the records of the commission]

(e) Any elector who has since the time of registration suffered a physical disability which renders him unable to see or mark the ballot or prepare the voting machine or to enter the voting compartment or voting machine booth without assistance shall at least seven days prior to the next succeeding primary or election personally make application under oath to the commission or [a registrar] registrars to have such fact entered on his registration affidavit together with the exact nature of his physical disability which entry shall be made accordingly

(f) When the commission shall ascertain that any elector who has declared his need for assistance is no longer illiterate or no longer suffers from the disability stated by him [or has voted without assistance] it shall [forthwith] cancel on his registration affidavit the entry relating to illiteracy or physical disability which authorized him to have assistance and shall forthwith notify such elector by mail of this action

Section 22 Clause (c) of section thirty-one of said act as amended by the act approved the ninth day of June one thousand nine hundred and thirty-nine (P. L. 283) is hereby further amended and clauses (d) (e) and (f) are hereby added to said section to read as follows

(c) All public service companies furnishing electricity or gas to householders in any city shall report in writing from time to time to the registration commission upon the request of the commission all cases of discontinuance of their service to residences together with the names of port in writing from time to time to the commission the persons who contracted for such service and the addresses to which such persons have removed if known to them All real estate brokers and rental agents shall re- upon the request of the commission all cases of residence property managed by them which have been vacated by the tenants and the addresses to which they have removed if known to them All persons firms and corporations operating vehicles for moving furniture and household goods in any city of the first class shall report in writing from time to time to the registration commission upon the request of the commission all cases of removals of furniture and household goods together with the names of such persons whose furniture or household goods have been removed and the addresses to which they have removed if known to them [The commission shall forthwith send to each such person who is found to be registered as an elector from the addresses given in said report and to all members of his family and household who are electors registered from the same addresses the notice provided for by section thirty-two of this act and shall proceed thereupon in accordance with the provisions of that section]

(d) The mayor of each city of the first class or other officer of such city charged with the duty of examination and licensing hotels and lodging houses under the provisions of the act approved the second day of July one thousand eight hundred and ninety-five (P. L. 428) entitled "An act to regulate and license public lodging houses in the different cities in this Commonwealth" shall from time to time at the request of the commission furnish to the registration commission the names and addresses of persons partnerships firms or corporations licensed under the provisions of that act together with the names or designations and addresses of hotels and lodging houses for which licenses have been issued The registration commission may require each licensee of a hotel or lodging house to report from time to time the names of all persons who have resided in any hotel or lodging house owned or operated by such licensee for a period of two calendar months or more during the period of one year preceding the date of such request and to designate in such report whether or not such persons have removed and the addresses to which they have removed if known to the licensee

(e) The registration commission shall cause the information received under this section to be placed on file and retained for at least one year For this purpose the commission may in its discretion cause to be printed file cards of uniform size on which such information may be entered and from time to time corrected on the basis of new reports received by the commission

(f) Upon receipt of any report provided for in this section the commission shall forthwith cause to be sent by mail to each person so reported as having removed and to each member of his family and household who is registered under the provisions of this act a notice warning each such person that it will be necessary for him to execute and file a removal notice in order for him to be eligible to vote at ensuing elections if he continues to live in the city Where the report lists the residence address to which any such person shall have removed and such residence address is located in the city the notice together with a removal notice form shall be sent to the new residence address of such person Where the report does not list the residence address to which such person has removed it shall be sent to the last residence listed on the registration affidavit of the person reported or to the address listed in the report if they differ or to both addresses For the purposes of this subsection the commission shall cause to be printed postcards of suitable size in such manner that a removal notice in the form provided for by subsection (a) of section twenty-nine of this act shall be physically attached thereto The notice shall contain a direction to the postmaster that he is to forward the postcard or if no forwarding address is known to return the card within five days to the office of the commission

Section 23 Clause (d) of section thirty-two of said act is hereby amended to read as follows

(d) Upon the return by the post office of any such notice which it has been unable to deliver at the given address because the addressee cannot be found there or upon report by the post office that any registered elector does not reside at the address given on his registration card the commission shall direct an authorized employe to visit in person the address of the elector and if he shall find that the elector does not reside at the address he shall leave at such address the notice prescribed by section thirty-three of this act and the commission shall at the expiration of the time specified in such notice cancel the registration of such person unless his qualifications as an elector are proved [The testimony taken at such time shall be stenographically recorded and made a part of the records of the commission]

Section 24 Section thirty-four of said act is hereby amended to read as follows

Section 34 Comparison and Correction of Registers Street Lists (a) Commencing [thirty (30)] fifty days prior to each primary and each general election [or primary] and thirty-five days prior to each municipal election the commission shall compare and correct the general and district registers

(b) After the [fifth Saturday preceding the Spring primary and after the last registration day in the fall of the even-numbered years and after the fifth Saturday preceding the Fall primary in odd-numbered years] last day preceding each primary municipal and general election when electors may be registered the [registration] commission shall prepare for each election district a street list of the names and addresses of all registered electors [as of that date] resident in the district arranged by streets and house numbers and except before each municipal election shall cause to be made at least a hundred exact copies of such list and not later than [twenty days following the aforesaid days] fifteen days preceding each primary and general election shall distribute copies of such lists among the inspectors and special inspectors of registration and the official concerned with the conduct of primaries and elections and among the parties bodies of electors candidates and organized bodies of citizens interested therein giving at least ten copies of each street list to the city committee of each political party or body of electors upon the written application of the chairman thereof and at least ten copies of each street list to the executive or governing board or

committee of each organized body of citizens having as its purposes the investigation and prosecution of election frauds upon the written application of the presiding officer of such [a] body of citizens and at least one copy of each street list with which his candidacy is concerned to each candidate upon his written request and keeping two complete sets of such street lists on file at the office of the commission convenient for public inspection during all the hours when the other records of the commission are open to public inspection as herein provided Not later than the seventh day preceding each election and primary the commission shall post or cause to be posted at each polling place in such city at a point accessible to the public one of the said street lists to be maintained at such place until the closing of the polls on the succeeding election day

Section 25 Section thirty-five of said act is hereby amended to read as follows

Section 35 Petitions to Strike Off Names Filing and Notice [Any] At any time not later than the twenty-fifth day preceding any election or primary any qualified elector of the city including any watcher registrar or inspector of registration [of the city] may [file his] petition [with] the commission [praying for the cancellation of] to cancel the registration of any registered elector of the city [upon such grounds as may be set forth in such petition] setting forth under oath supported by the affidavits of at least two qualified electors of the city sufficient grounds for such cancellation One of the commissioners shall fix a time and place for a hearing thereon not later than [ten (10)] fifteen (15) days before any primary or election and the petitioners shall cause forty-eight (48) hours notice of the proceeding to be given to the person [whose registration is in question by a duly authorized employe of the commission] so registered by service by an adult person of known responsibility of a copy of the said petition with the time and place fixed for the hearing endorsed thereon either personally or by leaving a copy of the petition [with the time and place fixed for the hearing of the same endorsed thereon] so endorsed with an adult person at his place of residence as given by him and recorded in the registers if he cannot be found at the place given in the district register as his residence and upon the filing by such [duly authorized employe] person of an affidavit that the copy so endorsed has been so served by him or that there is no adult person residing at the address given the [commissioners] commission or commissioners assigned by the commission for that purpose shall proceed with [the] a public hearing [of] on the petition

Section 26 Section thirty-six of said act is hereby amended to read as follows

Section 36 Hearing on Petition to Strike off Names At the time so fixed the commission or any two commissioners not being enrolled as members of the same political party assigned by the commission for that purpose shall hear testimony not being bound by technical rules of evidence and if satisfied upon competent evidence that any such person is not legally entitled to be registered shall cancel the registration of such person and amend accordingly the registers and any other records affected thereby Provided however That the commission or any commissioner assigned for that purpose may without hearing cancel the registration of any such person and amend accordingly the registers and the other records affected if the petitioners shall have filed with the commission an affidavit by an adult person of known responsibility of the service of a copy of the petition as provided in section thirty-five of this act and if the person so registered was not served personally that he could not be found at the place given in the district register as his residence and that the person in charge thereof or some other person having knowledge of the names of all persons residing at the address given as such residence to be mentioned by name had declared that he or she was well acquainted with the names of all persons residing at the address given as such residence and that the person so registered has never been or was no longer one of them or that no such person is residing at the address given or an affidavit that there is no adult person residing at the address given and although due inquiry has been made no information can be obtained as to the whereabouts of the person so registered unless he shall appear and show cause why the same should not be done [shall hear testimony not being bound by technical rules of evidence and if satisfied upon competent evidence that the said person is not legally entitled to be registered it shall cancel the registration of such elector and amend accordingly the general street and district registers and any other records affected thereby The testimony presented at such hearing shall be stenographically recorded and made a part of the records of the commission The decision of the commission upon such petition shall be final and conclusive Provided however That the commission shall grant a rehearing in any case upon reasonable cause shown or where the interests of justice require it And provided further however That the said decision shall be subject to review by the court of common pleas of the county as hereinafter provided]

Section 27 Section thirty-seven of said act is hereby amended by adding thereto a new clause to read as follows

Section 37 Delivery of District Registers to Commissioners in Charge of Elections

* * *

(c) In the event that any of said district registers when so delivered shall contain the names of registered electors not contained in the street list posted in the district as required by section thirty-four (b) or shall omit names of registered electors contained in said street list then the said registers shall be accompanied by a list showing such names as were added and such names as were omitted with a brief explanation or key showing the cause for such addition or omission Such list shall remain in the polling place on election day open to public inspection One copy of such list shall be posted at the office of the commission at the time of the delivery of the binders and shall remain posted until after the next succeeding election and one copy of such list shall be furnished to the chairman of the city committee of each party entitled to a ballot at the preceding primary

Section 28 Clauses (a) (f) and (g) of section thirty-eight of said act are hereby amended to read as follows

(a) Any person whose registration affidavit appears [name is] in the district register of any election district in [such] the city and who upon applying to vote shall have signed his name to a voter's certificate in the form hereinafter provided as a means of identification and whose signature thereon shall have been compared by the election officers in the presence and view of the watchers with the signature of the applicant as recorded in the district register and shall have been deemed authentic by said election officers shall be entitled to vote in such district at any general municipal or special election unless it be shown to the satisfaction of the election officers that he has become disqualified by removal from the district since registration or that he has violated any law of this Commonwealth prohibiting bribery at elections [Provided That if] If however, the signature on the voter's certificate as compared with the signature as recorded in the district register shall not be deemed authentic by any of the election officers such elector shall nevertheless not be denied the right to vote for that reason but shall be considered challenged as to identify and required to make the affidavit and produce the evidence as provided in [subsection] clause (e) of this section Provided however That any person applying to vote who claims that he is a duly registered and qualified elector of the election district shall be permitted to vote subject to all other requirements and provisions of this section although his registration affidavit does not appear in the district register if it shall appear by the street list posted in the district and the list accompanying the district register as hereinbefore provided that he is a registered elector of the district and that his registration affidavit should have appeared

in the district register both inspectors of election agreeing as to his identity or if upon application the proper court of common pleas shall have ordered the election officers to accept such elector's vote Provided further that any such person shall be considered challenged as to identity and residence and be required to produce the evidence as provided in clause (e) of this section and shall also be required to swear or affirm to a special affidavit on forms prepared and furnished by the commissioners in charge of elections stating his name address the date when and place where he was registered that since having registered he has resided continuously at the same address or if he has since changed his registration to another address in the city that he has in all respects complied with the provisions of this act to secure the transfer of his registration to his present address stating the time when and the manner in which he complied with such provisions that his registration has not been cancelled for any reason that he is in all respects entitled to vote as a qualified and registered elector of the district and that the absence of his registration affidavit from the district register of the district is not due to any fault or omission on his part All such affidavits shall be numbered in the order in which they are executed and the election officer in charge of the voters' certificates shall note on the voters' certificate of any such person being so permitted to vote that fact the reason therefor as hereinbefore provided and the number of the special affidavit executed by him After the closing of the polls all such affidavits shall be arranged in numerical order by the election officers and together with such orders of the court or certified copies thereof received by them as aforesaid shall be sealed in an envelope to be furnished them by the commissioners in charge of elections and returned to the commission with the voting check list

(f) The commissioners in charge of elections shall cause to be printed each election district a suitable number of Voter's Certificates which shall be in form approved by the Secretary of the Commonwealth substantially as follows

Voter's Certificate

Number (serially numbered) (Primary) (Election) ..... 19.. I hereby certify that I am qualified to vote at this (primary) (election)
Signature .....
Address .....
..... Pennsylvania
If voter's registration card is not in register insert the number of his special affidavit here .....
and check reason for permitting him to vote
Court order .....

It appears by street list posted and list accompanying District Register that he is a registered elector of this district both inspectors of election having agreed as to his identity .....
Approved .....
Refused .....
Number of stub of ballot issued (or number of admission to voting machine) .....
(and party at primary) .....

The voter's certificates shall be so prepared as to be capable of being inserted by the election officers in a suitable file or binder to be furnished by the commissioners conducting the election After a voter's certificate has been presented by an elector and has been compared with his signature in the district register and approved or in the case of an elector who is unable to write the notations [herein above] hereinbefore required have been made thereon one of the election officers who made the comparison shall sign his name or initials thereon and if the elector's signature is not readily legible shall print such elector's name over his signature After the elector has been admitted to vote the number of the stub of the ballot issued to him or his number in the order of admission to the voting machines and at primaries a letter or abbreviation designating the party in whose primary he votes shall be entered on his voter's certificate and the same shall thereupon be inserted in the file or binder One such file or binder shall be furnished for each election district for each primary and election and shall have printed or written thereon the words "Voting Check List" and the name of the district and date of the primary or election The Voter's Certificates so bound shall constitute the voting check list of the district All voter's certificates prepared by persons applying to vote whose applications to vote are refused by the election officers shall be carefully preserved and returned to the commission with the voting check list

(g) The district register shall constitute the ballot check list of the district As each voter is found to be qualified and votes unless such voter is permitted to vote notwithstanding the absence of his registration affidavit in the register as hereinbefore provided the election officer in charge of the district register shall write or stamp the date of the election or primary the number of the stub of the ballot issued to him or his number in the order of admission to the voting machines and at the primaries a letter or abbreviation designating the party in whose primary he votes and sign his name or initials in the proper space on the registration affidavit of such voter contained in the district register After the polls are closed the names of all electors on the district register so marked or stamped as having voted together with such others whose registration affidavits did not appear in the register who may nevertheless have been permitted to vote as aforesaid shall be immediately counted and the result compared with the number of persons voting shown by the voting check list and numbered lists of voters and announced and the cause of any difference ascertained if possible before the ballot box or voting machine is opened The district register [and] the voting check list the voters' certificates prepared by persons whose applications to vote are refused and the orders of the court or certified copies thereof and the special affidavits as provided in clause (a) of this section shall be immediately sealed or locked in envelopes or containers and shall be returned to the custody of the registration commission by the judge of election before noon on the day following the election or primary

Section 29 Clause (c) of section thirty-nine of said act is hereby amended to read as follows

(c) The commission specifically shall cause the signature of each elector on each voter's certificate to be compared with his signature in the district register or on such other records in its custody on which it may appear and shall report forthwith in writing to the district attorney any evidence or indication of probable fraud personation or forgery which may appear to the commission by reason of any comparison of the voter's certificates and registers [hereby prescribed] or other records in its custody

Section 30 Section forty of said act is hereby amended to read as follows

Section 40 Cancellation of Registration upon Failure to Vote Within [Four Years] Certain Periods Request for Reinstatement Correction of Errors of the Commission in Cancellation of Registrations Within three months after [any general or] the municipal election held in the year one thousand nine hundred and forty-one and within three months after each general and municipal election held thereafter the commission shall cause all of the district registers [or general registers] to be examined and in the case of each registered elector who is not recorded as having voted at any election or primary within the period of four years immediately preceding the date of [said] the municipal [or general] election held in the year one thousand nine hundred and forty-one and in the case of each registered elector who is not recorded as having voted at any election or primary within the period of two years immediately preceding any municipal or general election held in any subsequent year the commission shall send to such elector by

mail at his address appearing upon his registration affidavit a notice setting forth that the records of the commission indicate that he has not voted within a period of four years or two years as the case may require and that his registration will be cancelled at the expiration of ten days from the date of mailing such notice unless he shall within that period file with the commission either personally or by mail a written request for reinstatement of his registration signed by him setting forth his place of residence [and signed by him A copy of said notice] A list of the persons to whom such notices shall have been mailed shall be sent promptly to the city chairman of the political party of which [such elector was] the electors were registered as [a member] members At the expiration of the time specified in the notice the commission shall cause the registration of such elector to be cancelled unless he has filed with the commission a signed request for reinstatement of his registration as above provided The cancellation of the registration of any such elector for failure to vote within a period of four years or two years as the case may require shall not affect the right of any such elector to subsequently register by personal application [to the commission or a registrar] in the manner provided by this act

Whenever the registration of an elector has been cancelled through error such elector may petition the commission for the reinstatement of his registration not later than the tenth day preceding any primary or election and after a hearing on said application if error on the part of the commission is proved the commission shall reinstate the registration of such elector [The testimony presented at such hearing shall be stenographically recorded and made a part of the records of the commission]

Section 31 Section forty-two of said act is hereby amended to read as follows

Section 42 Appeals to Court Time of Hearing Notice Postponement Hearing Decision of Court Costs and Fees (a) Any person whose claim for registration has been denied by the commission or whose name although previously registered has been removed and not restored by the commission upon a petition filed for that purpose as herein provided or any qualified elector of the city whose rights are impaired by any order of the commission not including registration of particular names by the commission on personal aapplication made to it as aforesaid or refusals to remove names upon any petition of any kind aforesaid may file an appeal with the proper court of common pleas not later than the [seventh] eleventh day preceding any election or primary setting forth why he feels that an injustice has been done and praying for such order as will give him relief Provided That if the order of the commission appealed from was entered within [ten] thirteen days of any election or primary such appeal shall be filed within two days thereafter Thereupon any judge of the said court [may] shall fix a time and place for hearing the matter in dispute of which notice shall be served with a copy of said appeal by the appellant upon the commission or upon counsel of the commission and upon any elector or his attorney who opposed the contention of the appellant before the commission at least forty-eight hours before such matter may be reviewed by the court Proof of notice or the waiver thereof must be filed therein

(b) Any judge of said court may enlarge the time of notice or postpone such hearing as may be reasonable with due regard for the time remaining before the succeeding election or primary At the time so fixed the court or any judge thereof assigned for the purpose [shall review the record made before the commission Provided however That no additional testimony shall be taken before said court] shall hear all the witnesses and other evidence that may be offered de novo unless the issue can be decided in some other manner by agreement of the parties concerned

(c) [The said court on appeal from any decision or action of the registration commission shall be limited to the determination of the regularity of such decision or action and whether the findings and decision of the registration commission are reasonable in the light of the competent evidence presented before said commission and in conformity with law] If after such public hearing the said courts shall find that [the decision or action of the registration commission has been erroneous it shall direct the commission to correct its decision] an injustice has been done it may reverse or alter the decision of the commission and modify any order made by it accordingly and if necessary issue its mandate to the election officers of any election district to permit the appellant to vote at any designated election or primary although his name may not have been entered in or restored to the district [registry] register of such district If the appellant shall not satisfy the court that an injustice has been done the decision of the commission shall be affirmed

(d) The said court may compel the appellant unless his appeal is sustained or any opposing party other than the commission or in proper cases the county to pay all the witness fees and other legal costs of such appeal which may be taxed by the prothonotary in the usual manner

Section 32 Clauses (b) and (c) of section forty-three of said act are hereby amended to read as follows

(b) The commission shall be a party appellee to all such appeals [but the commission shall not be obliged to answer any appeal and shall not be obliged by subpoena or otherwise to appear at any such hearing unless it shall deem it expedient to do so] and may itself appeal from any judgment order or decree made or entered by the court of common pleas to such court of appellate jurisdiction as may have jurisdiction over the subject matter of the controversy and shall be deemed and considered a proper party appellant and in interest to file and prosecute such appeal

[(c) The stenographic record of any proceeding required by this act to be stenographically recorded shall when certified by any commissioner present at such proceeding be prima facie evidence of the events therein recorded]

Section 33 Clause (n) of section forty-five of said act is hereby amended and a new clause (o) is hereby added to the said section to read as follows

(n) Any person who shall [serve any paper being or purporting to be a copy of a petition to strike a voter's name from the registers or a copy of a notice or order of the commission without being duly authorized so to serve as provided herein] intentionally remove deface or destroy a copy of a street list posted by the commission in accordance with section thirty-four (b) of this act shall be guilty of a misdemeanor and upon conviction thereof shall be sentenced to pay a fine not exceeding one [thousand ($1,000.00)] hundred ($100.00) dollars [and] or to undergo an imprisonment of not [less] more than [three] six months [nor more than three years] or both in the discretion of the court

(o) Any person who shall sign his name to the removal notice of any elector certifying to the truth of the statement therein as to the place of residence of such elector knowing that the statement is false shall be guilty of a misdemeanor and upon conviction thereof shall be sentenced to pay a fine not exceeding five hundred ($500.00) dollars or to undergo an imprisonment of not more than two (2) years or both in the discretion of the court

Section 34 It is the intention of the General Assembly that if this act cannot take effect in its entirety because of the judgment of any court of competent jurisdiction holding unconstitutional any part or parts thereof the remaining provisions of the act shall be given full force and effect as completely as if the part or parts held unconstitutional had not been included herein

Section 35 All acts and parts of acts inconsistent herewith are hereby repealed

Section 36 The respective provisions of this act shall not impair or affect any act done offense committed or right accruing accrued or acquired or liability duty obligation penalty judgment or punishment incurred prior to the time such provisions take effect but the same may be enjoyed asserted enforced prosecuted or inflicted as

fully and to the same extent as if this act has not been passed

Section 37 Sections nineteen twenty twenty-four twenty-five twenty-six twenty-seven twenty-eight thirty-one thirty-two and thirty-three of this amending act shall become effecive September fifteenth one thousand nine hundred and forty-one

Except as herein otherwise specifically provided the provisions of this act shall become effective immediately upon final enactment Provided however That in every case where the provisions of this amending act require any change in existing forms papers records or equipment or the use of new or different forms papers records or equipment such provisions shall not be deemed to prohibit the use of the forms papers records and equipment provided for under existing law until November fifteenth one thousand nine hundred and forty-one or until the officials responsible for such new changed or different forms papers records and equipment shall have the same prepared and available for use prior to said date

On the question,

Will the House adopt the report of the Committee of Conference?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows, viz:

YEAS—204

Achterman,	French,	Lyons,	Royer,
Allmond,	Gallagher,	Malloy,	Rush,
Auker,	Gates,	Marks,	Sarge,
Baker,	Gerard,	Maxwell,	Sarraf,
Balthaser,	Gillan,	McClanaghan,	Scanlon,
Bentley,	Gillette,	McClester,	Schwab,
Bentzel,	Goodwin,	McDermott,	Serrill,
Boles,	Greenwood,	McDowell,	Shaffer,
Boney,	Gross,	McFall,	Shaw,
Boorse,	Gryskewicz,	McIntosh,	Shepard,
Bower,	Gyger,	McKinney,	Simons,
Bradley,	Habbyshaw,	McLanahan,	Skale,
Bretherick,	Haberlen,	McLane,	Snyder,
Brown,	Haines,	McMillen,	Sollenberger,
Brunner, C. H.,	Hall,	McSurdy,	Sorg,
Brunner, P. A.,	Hamilton,	Melchiorre,	Stambaugh,
Burns,	Hare,	Mihm,	Stank,
Burris,	Harkins,	Modell,	Stine,
Cadwalader,	Harmuth,	Monks,	Stockham,
Chervenak,	Harris,	Mooney,	Tarr,
Chudoff,	Heatherington,	Moran,	Tate,
Cochran,	Helm,	Moul,	Taylor,
Cohen, M. M.,	Hering,	Muir,	Thompson, E. F.,
Cohen, R. E.,	Herman,	Munley	Thompson, R. L.,
Cook,	Hersch,	Nagel,	Trout,
Cooper,	Hewitt,	Nunemacher	Turner,
Cordier,	Hirsch,	O'Brien,	VanAllsburg,
Corrigan,	Holland,	O'Connor,	Verona,
Croop,	Huntley,	O'Dare,	Vincent,
Cullen,	Imbrie,	O'Mullen,	Vogt,
Dalrymple,	James,	O'Neill,	Voldow,
Dennison,	Jefferson,	Owens	Voorhees,
DiGenova,	Jones, G. E.,	Petrosky,	Wagner,
Dix,	Jones, P. N.,	Pettit,	Watkins,
Dolon,	Keenan,	Polaski,	Weingartner,
D'Ortona,	Kenehan,	Polen,	Weiss,
Duffy,	Kline,	Powers,	Welsh, E. B.,
Early,	Knoble,	Prosen,	Welsh, M. J.,
Eckels,	Kolankiewicz,	Rank,	Wilkinson,
Elder,	Komorofski,	Rausch,	Williams,
Elliott,	Krise,	Readinger,	Winner,
Ely,	Lee, E. A.,	Reagan,	Wood, L. H.,
Falkenstein,	Lee, T. H.,	Reese, D. P.,	Wood, N.,
Finestone,	Leisey,	Reese, R. E.,	Woodring,
Finnerty,	Leonard,	Regan,	Woodside,
Fisher,	Lesko,	Reynolds,	Wright,
Fiss,	Levy,	Rhea,	Yeakel,
Fleming,	Leydic,	Riley,	Yester,
Fletcher,	Lichtenwalter,	Rooney,	Young,
Flynn,	Longo,	Rose, S.,	Kilroy,
Foor,	Lovett,	Rose, W. E.,	
		Rosenfeld,	Speaker.

NAYS—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative, and the report of the Committee of Conference was adopted.

Ordered, That the Clerk inform the Senate accordingly.

REPORT OF COMMITTEE OF CONFERENCE ON HOUSE BILL No. 1729

Mr. STINE. Mr. Speaker, I desire to submit the report of the Committee of Conference on House Bill No. 1729.

The SPEAKER. The report will lie over for printing under the rules.

REPORT OF COMMITTEE OF CONFERENCE ON HOUSE BILL No. 481

Mr. MOUL. Mr. Speaker, I desire to submit the report of the Committee of Conference on House Bill No. 481.

The SPEAKER. The report will lie over for printing under the rules.

SENATE MESSAGES

APPOINTMENT OF CONFERENCE COMMITTEE ON HOUSE BILL No. 803

The Clerk of the Senate being introduced, informed that the Senate has insisted upon its amendments, nonconcurred in by the House of Representatives, to House Bill No. 803, entitled:

An Act to amend section six hundred and forty-three of the act approved the twenty-fourth day of June one thousand nine hundred and thirty-nine (P. L. 872) entitled "An act to consolidate amend and revise the penal laws of the Commonwealth" by prohibiting certain persons from permitting or employing minors under eighteen years of age to sing dance act or exhibit in any place where wines or spirituous or malt liquors are sold or given away or any place connected therewith and prohibiting certain persons from permitting or employing minors under eighteen years of age to sing dance act or exhibit in any dance hall or dance house prohibiting the misrepresentation of age by the aforesaid minors and providing penalties for the violation of the provisions of this act.

And has appointed Messrs. Setzler, Kephart and DiSilvestro a committee of conference to confer with a similar committee of the House of Representatives (already appointed) on the subject of the differences existing between the two houses in relation to said bill.

APPOINTMENT OF CONFERENCE COMMITTEE ON HOUSE BILL No. 846

The Clerk of the Senate being introduced, informed that the Senate has insisted upon its amendments nonconcurred in by the House of Representatives, to House Bill No. 846, entitled:

An Act requiring school boards in all school districts to grant leaves of absence to all school employes who shall volunteer or be called for military or naval service 1940 or subsequent laws of the United States of America and to all school employes in the National Guard land or naval in time of war or during a state of national emergency preserving certain contracts salaries increments retirement rights seniority State contributions and

grants to local school boards eligibility lists re-employment authorizing school boards to employ substitutes in place of such employes reserving all rights and privileges of employes granted leaves of absence under the provisions herein superseding or repealing all contrary laws

And has appointed Messrs. Homsher, Crider and McGinnis a committee of conference to confer with a similar committee of the House of Representatives (If the House of Representatives shall appoint such committee) on the subject of the differences existing between the two houses in relation to said bill.

Mr. ACHTERMAN. Mr. Speaker, I move that the House insist upon its non-concurrence in the amendments made and insisted upon by the Senate and that a Committee of Conference be appointed.

The motion was agreed to.

APPOINTMENT OF COMMITTEE OF CONFERENCE ON HOUSE BILL No. 846

The SPEAKER. The Chair appoints as a Committee of Conference on said bill, Messrs. HERING, GRYSKEWICZ and EDWIN A. LEE.

Ordered, That the Clerk inform the Senate accordingly.

REPORT OF COMMITTEE OF CONFERENCE ON HOUSE BILL No. 551

Mr. GERARD. Mr. Speaker, I desire to call up the report of the Committee of Conference on House Bill No. 551, Printer's No. 1198.

The report was read by the Clerk as follows:

To the Members of the Senate and House of Representatives:

We, the undersigned, Committee of Conference on the part of the Senate and House of Representatives for the purpose of considering House Bill No. 551, entitled:

A Supplement to the act approved the twenty-seventh day of June, one thousand nine hundred thirty-nine (Appropriation Acts, page 60), entitled "An act to provide for the ordinary expenses of the Executive, Legislative, and Judicial Departments of the Commonwealth, interest on the public debt and the support of the public schools for two years beginning June first, one thousand nine hundred and thirty-nine; and for the payment of bills incurred and remaining unpaid at the close of the fiscal year ending May thirty-first, one thousand nine hundred and thirty-nine," providing for a deficiency in the appropriation to the Department of Property and Supplies for the fiscal biennium ending May thirty-first one thousand nine hundred forty-one; providing for payment out of revenues of the fiscal biennial period beginning June first, one thousand nine hundred forty-one; and preventing lapsing.

Respectfully submit the following bill as our report:

Anthony J. Gerard
Fred Marks
Robert E. Woodside, Jr.
(Committee on the part of the House of Representatives.)

George B. Stevenson
Cyrus B. Tyler
B. B. McGinnis
(Committee on the part of the Senate.)

A Supplement to the act approved the twenty-seventh day of June one thousand nine hundred thirty-nine (Appropriation Acts page 60) entitled "An act to provide for the ordinary expenses of the Executive Legislative and Judicial Departments of the Commonwealth interest on the public debt and the support of the Public schools for two years beginning June first one thousand nine hundred and thirty-nine and for the payment of bills incurred and remaining unpaid at the close of the fiscal year ending May thirty-first one thousand nine hundred and thirty-nine" providing for a deficiency in the appropriation to the Department of Property and Supplies for the fiscal biennium ending May thirty-first one thousand nine hundred forty-one providing for payment out of revenues of the fiscal biennial period beginning June first one thousand nine hundred forty-one and preventing lapsing

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The sum of one hundred and five thousand dollars ($105,000) or as much thereof as may be necessary for deficiencies in the appropriation made to the Department of Property and Supplies by the act to which this is a supplement is hereby specifically appropriated to the Department of Property and Supplies for the cost of alterations furnishing equipment books and necessary improvements on space in the main Capitol building now occupied or to be occupied by the Senate the House of Representatives and the Legislative Reference Bureau The deficiency appropriation hereby made may be paid out of the revenues of the fiscal biennial period beginning June first one thousand nine hundred forty-one

Section 2 Neither this appropriation nor the unexpended balance of the appropriation for said purposes made by the act to which this is a supplement shall lapse until such purposes are fully completed

Section 3 This act shall become effective immediately upon final enactment

On the question,

Will the House adopt the report of the Committee of Conference?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows, viz:

YEAS—204

Achterman,	French,	Malloy,	Royer,
Allmond,	Gallagher,	Marks,	Rush,
Auker,	Gates,	Maxwell,	Sarge,
Baker,	Gerard,	McClanaghan,	Sarraf,
Balthaser,	Gillan,	McClester,	Scanlon,
Bentley,	Gillette,	McDermott,	Schwab,
Bentzel,	Goodwin,	McDowell,	Serrill,
Boies,	Greenwood,	McFall,	Shaffer,
Boney,	Gross,	McIntosh,	Shaw,
Boorse,	Gryskewicz,	McKinney,	Shepard,
Bower,	Gyger,	McLanahan,	Simons,
Bradley,	Habbyshaw,	McLane,	Skale,
Bretherick,	Haberlen,	McMillen,	Snyder,
Brown,	Haines,	McSurdy,	Sollenberger,
Brunner, C. H.,	Hall,	Melchiorre,	Sorg,
Brunner, P. A.,	Hamilton,	Mihm,	Stambaugh,
Burns,	Hare,	Modell,	Stank,
Burris,	Harkins,	Monks,	Stine,
Cadwalader,	Harmuth,	Mooney,	Stockham,
Chervenak,	Harris,	Moran,	Tarr,
Chudoff,	Heatherington,	Moul,	Tate,
Cochran,	Helm,	Muir,	Taylor,
Cohen, M. M.,	Hering,	Munley,	Thompson, E. F.,
Cohen, R. E.,	Herman,	Nagel,	Thompson, R. L.,
Cook,	Hersch,	Nunemacher,	Trout,
Cooper,	Hewitt,	O'Brien,	Turner,
Cordier,	Hirsch,	O'Connor,	Van Allsburg,
Corrigan,	Holland,	O'Dare,	Verona,
Croop,	Huntley,	O'Mullen,	Vincent,
Cullen,	Imbrie,	O'Neill,	Vogt,
Dalrymple,	James,	Owens,	Voldow,
Dennison,	Jefferson,	Petrosky,	Voorhees,
DiGenova,	Jones, G. E.,	Pettit,	Wagner,
Dix,	Jones, P. N.,	Polaski,	Watkins,
Dolon,	Keenan,	Polen,	Weingartner,
	Kenehan,	Powers,	Weiss,

D'Ortona,	Kline,	Prosen,	Welsh, E. B.,
Duffy,	Knoble,	Rank,	Welsh, M. J.,
Eckels,	Kolankiewicz,	Rausch,	Wilkinson,
Early,	Komorofski,	Readinger,	Williams,
Elder,	Krise,	Reagan,	Winner,
Elliott,	Lee, E. A.,	Reese, D. P.,	Wood, L. H.,
Ely,	Lee, T. H.,	Reese, R. E.,	Wood, N.,
Falkenstein,	Leisey,	Regan,	Woodring,
Finestone,	Leonard,	Reynolds,	Woodside,
Finnerty,	Lesko,	Rhea,	Wright,
Fisher,	Levy,	Riley,	Yeakel,
Fiss,	Leydic,	Rooney,	Yester,
Fleming,	Lichtenwalter,	Rose, S.,	Young,
Fletcher,	Longo,	Rose, W. E.,	Kilroy,
Flynn,	Lovett,	Rosenfeld,	Speaker.
Foor,	Lyons,		

NAYS—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative and the report of the Committee of Conference was adopted.

Ordered, That the Clerk inform the Senate accordingly.

REPORT OF COMMITTEE OF CONFERENCE ON HOUSE BILL No. 846

Mr. Edwin A. Lee. Mr. Speaker, I desire to submit the report of the Committee of Conference on House Bill No. 846.

The SPEAKER. The report will lie over for printing under the rules.

HOUSE BILL No. 401 TAKEN FROM TABLE

Mr. ACHTERMAN. Mr. Speaker, I move that House Bill No. 401, together with the communication from the Governor, which was laid on the table Thursday, May 29, 1941, be taken from the table.

The motion was agreed to.

The communication was read by the Clerk as follows:

COMMUNICATION FROM THE GOVERNOR

The Secretary to the Governor being introduced, presented a communication in writing from His Excellency the Governor, which was read as follows:

APPROVAL OF RESOLUTION RECALLING HOUSE BILL No. 401

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, May 29, 1941.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed a resolution of the House of Representatives and Senate recalling from the Governor House Bill No. 401, Printer's No. 564, for the purpose of further consideration.

Accordingly, the original bill is herewith returned.

ARTHUR H. JAMES.

RESOLUTION

RETURNING HOUSE BILL No. 401 TO THE GOVERNOR

Mr. ACHTERMAN offered the following resolution which was twice read, considered and adopted:

In the House of Representatives, July 12, 1941.

Resolved (if the Senate concur), that House Bill No. 401, Printer's No. 564, entitled "An act to further amend section five hundred eleven of the act approved the ninth day of April one thousand nine hundred and twenty-nine (P. L. 177) entitled 'An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments boards commissions and officers thereof including the boards of trustees of State Normal Schools or Teachers Colleges abolishing creating reorganizing or authorizing the reorganization of certain administrative departments boards and commissions defining the powers and duties of the Governor and other executive and administrative officers and of the several administrative departments boards commissions and officers fixing the salaries of the Governor Lieutenant Governor and certain other executive and administrative officers providing for the appointment of certain administrative officers and of all deputies and other assistants and employes in certain departments boards and commissions and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments boards and commissions shall be determined' appropriating to the Department of Military Affairs the proceeds of the sale of certain products to be expended for the Indiantown Gap Military Reservation," which was recalled from the Governor on May 29th for the purpose of amendment, be returned to the Governor without amendment.

Ordered, That the Clerk present the same to the Senate for concurrence.

SENATE MESSAGES

APPOINTMENT OF CONFERENCE COMMITTEE ON HOUSE BILL No. 448

The Clerk of the Senate being introduced, informed that the Senate has insisted upon its amendments, nonconcurred in by the House of Representatives, to House Bill No. 448, entitled:

An Act to further amend clause (e) of section seven and to amend the first paragraph of section nine of the act approved the twenty-fourth day of June one thousand nine hundred and thirty-seven (P. L. 2051) entitled "An act relating to public assistance providing for and regulating assistance to certain classes of persons designated and defined as dependent children aged persons blind persons and other persons requiring relief providing for the administration of this act by the Department of Public Assistance and county boards of assistance hereby created for this purpose authorizing the Department of Public Assistance to cooperate with and to accept and disburse moneys received from the United States Government for assistance to such persons providing for the liquidation of the State Emergency Relief Board Boards of Trustees of the Mothers' Assistance Fund and Boards of Trustees of Pension Fund for the Blind and repealing laws relating to mothers' assistance pensions for the blind old age assistance and the State Emergency Relief Board" by redefining eligibility for assistance providing for appeals from certain decisions of the Department of Public Assistance to common pleas courts and imposing powers and duties on common pleas court

Mr. ACHTERMAN. Mr. Speaker, I move that the House insist upon its non-concurrence in the amendments made and insisted upon by the Senate and that a Committee of Conference be appointed.

The motion was agreed to.

APPOINTMENT OF COMMITTEE OF CONFERENCE ON HOUSE BILL No. 448

The SPEAKER. The Chair appoints as a Committee of Conference on said bill, Messrs. BROWN, McCLANAGHAN and CORDIER.

Ordered, That the Clerk inform the Senate accordingly.

SENATE INSISTS ON NON-CONCURRENCE IN HOUSE AMENDMENTS

The Clerk of the Senate being introduced, informed that the Senate insists on its concurrence in the amendments made and insisted upon by the House of Represenatives to Senate Bill No. 46, entitled:

An Act to amend the title of and to add section one hundred fifty and one-tenth to the act approved the second day of May one thousand nine hundred and twenty-nine (P. L. 1278) entitled "An act relating to counties of the second third fourth fifth sixth seventh and eighth classes and revising amending and consolidating the laws relating thereto" authorizing the county treasurer in counties of the first second third fourth fifth sixth seventh and eighth classes to appoint a solicitor and providing for his salary payable out of the treasury from which the county treasurer is paid.

Mr. ACHTERMAN. Mr. Speaker, I move that the House insist upon its amendments nonconcurred in by the Senate to Senate Bill No. 46 and that a Committee of Conference be appointed.

The motion was agreed to.

APPOINTMENT OF COMMITTEE OF CONFERENCE ON SENATE BILL No. 46

The SPEAKER. The Chair appoints as a Committee of Conference on said bill, Messrs. PROSEN, PRESLEY N. JONES and HABBYSHAW.

Ordered, That the Clerk inform the Senate accordingly.

REPORT OF COMMITTEE OF CONFERENCE ON HOUSE BILL No. 594

Mr. ACHTERMAN. Mr. Speaker, I desire to submit the report of the Committee of Conference on House Bill No. 594.

The SPEAKER. The report will lie over for printing under the rules.

REPORT OF COMMITTEE OF CONFERENCE ON HOUSE BILL No. 692

Mr. REUBEN E. COHEN. Mr. Speaker, I desire to call up the report of the Committee of Conference on House Bill No. 692, Printer's No. 1202.

The report was read by the Clerk as follows:

To the Members of the Senate and House of Representatives

We the undersigned Committee of Conference on the part of the Senate and House of Representatives for the purpose of considering House Bill No. 692, entitled:

An Act to amend the act approved the ninth day of April one thousand nine hundred and twenty-nine (P. L. 177) entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof * * *" as amended by making further provision for the granting of easements or rights-of-way or other interests in upon across over under or along lands and waters of the Commonwealth making further provision for the granting of commissions to certain air pilots authorizing the Pennsylvania Historical Commission to charge certain admission fees conferring power upon the Department of Property and Supplies to control and supervise certain buildings devised to the Commonwealth authorizing the micro-filming of records in the various administrative departments boards or commissions and authorizing the leasing of Indiantown Gap Military Reservation and State airport or landing field and certain other real estate of the Commonwealth to the United States

Respectfully submit the following bill as our report:

Robert M. Miller
John H. Cox
J. G. Snowden
(Committee on the Part of the Senate)

Reuben E. Cohen
Wm. E. Habbyshaw
Albert S. Readinger
(Committee on the part of the House of Representatives)

An Act to amend the act approved the ninth day of April one thousand nine hundred and twenty-nine (Pamphlet Laws 177) entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments boards commissions and officers thereof including the boards of trustees of State Normal Schools or Teachers Colleges abolishing creating reorganizing or authorizing the reorganization of certain administrative departments boards and commissions defining the powers and duties of the Governor and other executive and administrative officers and of the several administrative departments, boards commissions and officers fixing the salaries of the Governor Lieutenant Governor and certain other executive and administrative officers providing for the appointment of certain administrative officers and of all deputies and other assistants and employes in certain departments boards and commissions and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certan departments boards and commissions shall be determined" as amended by making further provision for the granting of easements or rights-of-way or other interests in upon across over under or along lands and waters of the Commonwealth making further provision for the granting of commissions to certain air pilots authorizing the Pennsylvania Historical Commission to charge certain admission fees conferring power upon the Department of Property and Supplies to control and supervise certain buildings devised to the Commonwealth authorizing the micro filming of records in the various administrative departments boards or commissions and authorizing the leasing of Indiantown Gap Military Reservation any state airport or landing field and certain other real estate of the Commonwealth to the United States

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section five hundred fourteen of the act approved the ninth day of April one thousand nine hundred and twenty-nine (Pamphlet Laws 177) entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments boards commissions and officers thereof including the boards of trustees of State Normal Schools or Teachers Colleges abolishing creating reorganizing or authorizing the reorganization of certain administrative departments boards and commissions defining the powers and duties of the Governor and other executive and administrative officers and of the several administrative departments boards commissions and officers fixing the salaries of the Governor Lieutenant Governor and certain other executive and administrative officers providing for the appointment of certain administrative officers and of all deputies and other assistants and employes in certain departments boards and commissions and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments boards and commissions shall be determined" as last amended by the act approved the twenty-second day of May one thousand nine hundred thirty-five (Pamphlet Laws two hundred forty-one) and the act approved the twelfth day of July one thousand nine hundred thirty-five (Pamphlet Laws seven hundred ninety-one) is hereby further amended to read as follows

Section 514 Sale of Real Estate and Grants of Rights

of Way or Other Rights Over or in Real Estate Tapping Water Lines of Institutions and Sanatoria (a) Except as otherwise in this act expressly provided a department board or commission shall not sell or exchange any real estate belonging to the Commonwealth or grant any easement right of way or other interest over or in such real estate without specific authority from the General Assembly so to do but a department board or commission may with the approval of the Governor grant a license to any public service corporation to place upon in or over any dry or submerged land or bridge of or maintained by the Commonwealth any public service line if such line will enable any State building or State institution to receive better service or if such line is necessary for the service of [persons living adjacent to the Commonwealth's land upon in or over which it is proposed to run the line] the pupblic and it is necessary or reasonably required to cross the Commonwealth's land to afford such service or if the running of such line over a bridge will be more economical than the erection of a separate bridge for the line Every such license shall be revocable for reasonable cause upon six months' written notice by the Commonwealth and [upon] also after like notice for violation of such [other] proper terms and conditions as the department board or commission with the approval of the Governor shall prescribe when the license issues [and unless] Unless any such line is primarily for the benefit of a State building or State institution the license shall provide for the payment to the Commonwealth of compensation for the use of its property in such amount as the department board or commission granting it shall with the approval of the Governor prescribe

But nothing herein contained shall authorize the Commonwealth to impose and collect from any municipality or township any compensation for a license granted to such municipality or township for the running of a public service line over any such bridge

This section shall be deemed the exclusive system for the granting of licenses consents and permits to place public service lines upon in or over any dry or submerged lands of the Commonwealth In the case of submerged lands such licenses shall be granted only by the Water and Power Resources Board and the permit shall prescribe such terms and conditions as shall be deemed necessary by the board to protect the interests of the public In the case of dry lands licenses shall be issued by the department board or commission having the management of such lands

(b) Any department board or commission having control over lands of the Commonwealth underlaid with veins of coal may with the approval of the Governor exchange part of such coal for coal in place owned by private interests which may be necessary to insure lateral or surface support for any building reservoir or structure erected or to be erected on such lands of the Commonwealth Provided That the coal given by the department board or commission to private interests shall be approximately equivalent in value to the coal received in exchange therefor every such department board or commission is hereby authorized and empowered to execute and deliver and to receive legal instruments and deeds necessary to effectuate any exchange authorized hereunder which instruments and deeds shall have the prior approval of the Department of Justice and a copy thereof shall be filed with the Department of Internal Affairs

(c) Any department board or commission having control over any water supply serving any State institution or sanitorium may with the approval of the Governor permit and authorize the public authorities of any political subdivision to which no other source of supply is available under suitable regulations to tap the lines of any such water supply for the purpose of supplying water to the people of any community living in proximity to such institution or sanitorium and may impose reasonable charges payable periodically by such political subdivision for the water so furnished All moneys received under the provisions of this clause shall be paid into the State Treasury through the Department of Revenue

(d) In the event that the facilities of any corporation heretofore created under the act approved the twenty-ninth day of April one thousand eight hundred seventy-four (Pamphlet Laws seventy-three) section two clause eleven as amended by the act approved the eighth day of May one thousand eight hundred eighty-nine (Pamphlet Laws one hundred thirty-six) are located by virtue of a permanent easement right of way upon across over under or along lands of the Commonwealth which lands were acquired by it subject to such easement or right of way and in the interest of National Defense such corporation consents or is required to remove or dispose of such facilities and abandon such easement or right of way any department board or commission having control over such lands of the Commonwealth may with the approval of the Governor and upon the surrender to the Commonwealth of the easement or right of way pertaining to such facilities grant to such corporation a permanent easement or right of way upon across over under or along other lands of the Commonwealth in the same locality Every such department board or commission is hereby authorized and empowered to execute and deliver and to receive deeds or other legal instruments necessay to effectuate such grant and surrender which deeds or instruments shall have the prior approval of the Department of Justice and a copy thereof shall be filed with the Department of Internal Affairs

(e) Subject to the approval of the Governor any administrative department board or commission may in the interest of National Defense grant to the United States of America any easement right of way or other interest over on or in any real estate belonging to the Commonwealth upon such terms and conditions and for such periods of time as such department board or commission may prescribe

Section 2 Paragraph (j) of section seven hundred one of the said act which was added to said section by the act approved the twenty-first day of June one thousand nine hundred thirty-seven (Pamphlet Laws one thousand eight hundred sixty-five) is hereby amended to read as follows

Section 701 The Governor The Governor shall have the power and it shall be his duty

* * * * *

(j) To grant to pilots engaged in [the] aeronautical work [of the Department of Revenue] under the provisions of The Aeronautical Code of May twenty-five one thousand nine hundred thirty-three (P. L. 1001), and its amendments commission of such grades as the Governor may prescribe

Section 3 Paragraph (f) of section one thousand three hundred nine of the said act is hereby amended to read as follows

Section 1309 Pennsylvania Historical Commission Subject to any inconsistent provisions in this act contained the Pennsylvania Historical Commission shall have the power

* * * * *

(f) To assume the preservation care and maintenance of historical buildings grounds monuments or antiquities committed to its custody by the General Assembly and to make and enforce rules and regulations for the visitation of such places by the public and at its discretion to charge admission fees therefor such fees to be paid into the State Treasury through the Department of Revenue and credited to the General Fund

Section 4 Paragraph (a) of section two thousand four hundred two of the said act as amended by the act approved the sixteenth day of May one thousand nine hundred forty (Act No 7) is hereby further amended to read as follows paragraph (i) of said section is hereby amended to read as follows paragraph (k) of said section as added by the act approved the twenty-first day of June one thousand nine hundred and thirty-seven (P. L. 1865) is hereby amended to read as follows paragraph (1) of said section as added by the act approved the sixteenth day of May one thousand nine hundred and forty (Act No. 7) is hereby amended to read as follows and said section is hereby further amended by adding at the end thereof a new paragraph to read as follows

Section 2402 Grounds Buildings and Monuments in General The Department of Property and Supplies shall have the power and its duty shall be

(a) Subject to the powers by this act vested in the Board of Commissioners of Public Grounds and Buildings to control and supervise the State Capitol Building and the public grounds and buildings connected with the State Capitol including the State Arsenal any building or buildings that may have been devised or may hereafter be devised to the Commonwealth within the City of Harrisburg the Northwest Office Building now occupied by the Pennsylvania Liquor Control Board and the Executive Mansion and to make or supervise the making of all repairs alterations and improvements in and about such grounds and buildings including the furnishing and refurnishing of the same and also to have general supervision over repairs alterations and improvements to all other buildings lands and property of the State except as in this act otherwise provided

* * * * *

(i) To rent to individuals firms or corporations or the Government of the United States or any branch or agency thereof such real estate owned by the Commonwealth as is not being used in connection with the work of any department board or commission thereof upon such terms and conditions as the Secretary of Property and Supplies may prescribe with the approval of the Governor in writing Provided however That no lease executed under the authority hereby conferred shall be for a longer term than one year and so on from year to year

* * * * *

[(k)] (1) To establish standards for and supervise generally the operation of all mechanical and electrical equipment used in connection with the operation of any State institution or other State building

[(1)] (m) To supervise the work of employes of the Pennsylvania Liquor Control Board who are employed by the board for the cleaning care preservation and protection of the Northwest Office Building and the furnishings records and other matters therein and for the operation of the mechanical plants in such building

(n) To lease the whole or any part of the Indiantown Gap Military Reservation or any state airport or landing field to the Government of the United States or any branch or agency thereof upon such terms and conditions and for such periods of time as the Adjutant General in the case of the Indiantown Gap Military Reservation or the Secretary of Revenue in the case of any State airport or landing field may prescribe with the approval of the Governor in writing

Section 5 Article five of the said act is hereby amended by adding at the end thereof a new section to be known as section five hundred twenty-five and to read as follows

Section 525 Any admininistrative department board or commission may with the approval of the Executive Board have micro film records made of any correspondence records or other papers for the purpose of protecting and safeguarding the orginal correspondence records or other papers or for the purpose of conserving filing space and such micro film reproduction shall when properly indentified be admitted in evidence in any proceedings in place of the orginal correspondence records or other papers.

Section 6 All acts or parts of acts inconsistent herewith are hereby repealed.

Section 7 The provisions of this act shall become effective immediately upon final enactment.

On the question,

Will the House adopt the report of the Committee of Conference?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows, viz:

YEAS—204

Achterman,	French,	Lyons,	Rosenfeld,
Allmond,	Gallagher,	Malloy,	Royer,
Auker,	Gates,	Marks,	Rush,
Baker,	Gerard,	Maxwell,	Sarge,
Balthaser,	Gillan,	McClanaghan	Sarraf,
Bentley,	Gillette,	McClester	Scanlon,
Bentzel,	Goodwin,	McDermott	Schwab,
Boles,	Greenwood,	McDowell	Serrill,
Boney,	Gross,	McFall	Shaffer,
Boorse,	Gryskewicz,	McIntosh	Shaw,
Bower,	Gyger,	McKinney	Shepard,
Bradley,	Habbyshaw,	McLanahan	Simons,
Bretherick,	Haberlen,	McLane,	Skale,
Brown,	Haines,	McMillen,	Snyder,
Brunner, C. H.,	Hall,	McSurdy,	Sollenberger,
Brunner, P. A.,	Hamilton,	Melchiorre,	Sorg,
Burns,	Hare,	Mihm,	Stambaugh,
Burris,	Harkins,	Modell,	Stank,
Cadwalader,	Harmuth,	Monks,	Stine,
Charvenak,	Harris,	Mooney,	Stockham,
Chudoff,	Heatherington,	Moran,	Tarr,
Cochran,	Helm,	Moul,	Tate,
Cohen, M. M.,	Hering,	Muir,	Taylor,
Cohen, R. E.,	Herman,	Munley,	Thompson, E. F.,
Cook,	Hersch,	Nagel,	Thompson, R. L.,
Cooper,	Hewitt,	Nunemacher,	Trout,
Cordier,	Hirsch,	O'Brien,	Turner,
Corrigan,	Holland,	O'Connor,	VanAllsburg,
Croop,	Huntley,	O'Dare,	Verona,
Cullen,	Imbrie,	O'Mullen,	Vincent,
Dalrymple,	James,	O'Neill,	Vogt,
Dennison,	Jefferson,	Owens,	Voldow,
DiGenova,	Jones, G. E.,	Petrosky,	Voorhees,
Dix,	Jones, P. N.,	Pettit,	Wagner,
Dolon,	Keenan,	Polaski,	Watkins,
D'Ortona,	Kenehan,	Polen,	Weingartner,
Duffy,	Kline,	Powers,	Weiss,
Early,	Knoble,	Prosen,	Welsh, E. B.,
Eckels,	Kolankiewicz,	Rank,	Welsh, M. J.,
Elder,	Komorofski,	Rausch,	Wilkinson,
Elliott,	Krise,	Readinger,	Williams,
Ely,	Lee, E. A.,	Reagan,	Winner,
Falkenstein,	Lee, T. H.,	Reese, D. P.,	Wood, L. H.,
Finestone,	Leisey,	Reese, R. E.,	Wood, N.,
Finnerty,	Leonard,	Regan,	Woodring,
Fisher,	Lesko,	Reynolds,	Woodside,
Fiss,	Levy,	Rhea,	Wright,
Fleming,	Leydic,	Riley,	Yeakel,
Fletcher,	Lichtenwalter,	Rooney,	Yester,
Flynn,	Longo,	Rose, S.,	Young,
Foor,	Lovett,	Rose, W. E.,	Kilroy, Speaker.

NAYS—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative and the report of the Committee of Conference was adopted.

Ordered, That the Clerk inform the Senate accordingly.

REPORT OF COMMITTEE OF CONFERENCE ON HOUSE BILL No. 943

Mr. PAUL A. BRUNNER. Mr. Speaker, I desire to submit the report of the Committee of Conference on House Bill No. 943.

The SPEAKER. The report will lie over for printing under the rules.

QUESTION OF INFORMATION

Mr. SARRAF. Mr. Speaker, I rise to a question of information.

The SPEAKER. The gentleman from Allegheny will state his question of information.

Mr. SARRAF. Mr. Speaker, I arise to inquire what action has been taken on the report of the Conference Committee on House Bill No. 943.

The SPEAKER. No action has been taken on the Conference report. The conference committee was appointed on the part of the House on July 11th.

Mr. SARRAF. Mr. Speaker, we are not accepting the report of the Conference Committee now, are we, Mr. Speaker?

The SPEAKER. That is correct.

SENATE MESSAGES

APPOINTMENT OF CONFERENCE COMMITTEE ON SENATE BILL No. 236

The Clerk of the Senate being introduced, informed that the Senate insists on its concurrence in the amendments made and insisted upon by the House of Representatives to Senate Bill No. 236, entitled:

An Act to amend section six hundred fifty-four of article six of the act, approved the seventeenth day of May, one thousand nine hundred and twenty-one (P. L. 682), entitled "An act relating to insurance, amending, revising and consolidating the law: providing for the incorporation of insurance companies, and the regulation, supervision, and protection of home and foreign insurance companies, Lloyds associations, reciprocal and inter-insurance exchanges, and fire insurance rating bureaus, and the regulation and supervision of insurance carried by such companies, associations, and exchanges including insurance carried by the State Workmen's Insurance Fund; providing penalties; and repealing existing laws," providing for appeals from any classification, rule, rate, or schedule of the Insurance Commissioners affecting insurance of employes and employers under the Workmen's Compensation Act of one thousand nine hundred and fifteen and the supplements and amendments thereto and exempting the State Workmen's Insurance Fund from the control of the Rating Bureau and the Insurance Commissioner.

And has appointed Messrs. Bartlett, Stevenson and Dent a committee of conference to confer with a similar committee of the House of Representatives (already appointed) on the subject of the differences existing between the two Houses in relation to said bill.

APPOINTMENT OF CONFERENCE COMMITTEE ON SENATE BILL No. 1044

The Clerk of the Senate being introduced, informed that the Senate insists on its nonconcurrence in the amendments made and insisted upon by the House of Representatives to Senate Bill No. 1044 entitled:

An Act to further amend section eleven and section seventeen of the act approved the twenty-seventh day of June one thousand nine hundred twenty-three (P. L. eight hundred fifty-eight) entitled "An act establishing a State employes' retirement system and creating a retirement board for the administration thereof establishing certain funds from contributions by the Commonwealth and contributing State employes defining the uses and purposes thereof and the manner of payments therefrom and providing for the guaranty by the Commonwealth of certain of said funds imposing powers and duties upon the heads of departments in which State employes serve excepting annuities allowances returns benefits and rights from taxation and judicial process and providing penalties" by permitting a member to borrow from his or her funds under certain provisions and regulating exemption from execution

And has appointed Messrs. Crowe, Wade and Cavalcante a committee of conference to confer with a similar committee of the House of Representatives (already appointed) on the subject of the differences existing between the two Houses in relation to said bill.

CONFERENCE REPORT ON SENATE BILL No. 1044

Mr. WOODRING presented the report of the Committee of Conference on the part of the House on Senate Bill No. 1044.

The report was read by the Clerk as follows:

Harrisburg, Pennsylvania, July 12, 1941.

To the Members of the Senate and House of Representatives:

The conferees on the part of the Senate and the House of Representatives appointed to compose the differences between the said Senate and House of Representatives on Senate Bill No. 1044, Printer's No. 590 entitled "An act establishing a State Employees Retirement system * * *", respectfully report that the conferees have been unable to agree upon said differences and to arrive at a mutually satisfactory report, and hereby respectfully recommend that the bill be dropped from the calendar of the Senate and the House of Representatives.

Montgomery F. Crowe
Geo. M. Wade
Committee on the part of the Senate

Carleton T. Woodring
James J. McDermott
Committee on the part of the House

The Speaker. The Conferees having failed to agree they are discharged with the thanks of the House.

AMENDED SENATE BILL NONCONCURRED IN BY SENATE

The Clerk of the Senate being introduced, informed that the Senate has nonconcurred in the amendments made by the House of Representatives to Senate Bill numbered and entitled as follows:

SENAAE BILL No. 559.

An Act prescribing additional powers and duties on the Joint State Government Commission to make a survey of the educational facilities of the Commonwealth conferring upon the commission full power to issue subpoenas to carry out such additional functions and duties and conferring upon the courts of common pleas power to enforce obedience to subpoenas so issued imposing duties on departments and agencies of the State government and on colleges and universities and making an appropriation

Mr. ACHTERMAN. Mr. Speaker, I move that the House insist upon its amendments non-concurred in by the Senate to Senate Bill No. 559 and that a Committee of Conference be appointed.

The motion was agreed to.

APPOINTMENT OF COMMITTEE OF CONFERENCE ON SENATE BILL No. 559

The SPEAKER. The hair appoints as a Committee of Conference on said bill, Messrs. BOIES, MELCHIORRE and SOLLENBERGER.

Ordered, That the Clerk inform the Senate accordingly.

QUESTION OF INFORMATION

Mr. WOODSIDE. Mr. Speaker, I rise to a question of information.

The SPEAKER. The gentleman will state his question of information.

Mr. WOODSIDE. Mr. Speaker, I understand we are about to take a recess which will probably result in having a Sunday session.

The SPEAKER. That is correct.

Mr. WOODSIDE. Mr. Speaker, I want to state that in a conference of the leaders I objected to holding a Sun-

day session. I object to this recess on that basis, feeling that we should come back at one minute after twelve on Monday to take up the business of the House.

QUESTION OF INFORMATION

Mr. HARKINS. Mr. Speaker, I rise to a question of information.

The SPEAKER. The gentleman from Allegheny will state his question of information.

Mr. HARKINS. Mr. Speaker, has the Chair any information as to whether the Senate is likewise going to recess until a similar hour?

The SPEAKER. That is correct.

PERMISSION TO ADDRESS HOUSE

Mr. HARKINS asked and obtained unanimous consent to address the House.

Mr. Speaker, I would like to call to the attention of the gentleman from Dauphin, Mr. Woodside the fact that probably the reason for the House being required to have a Sunday session is also the reason that the Senate will find itself holding a Sunday session. I am quite sure as far as I am concerned I would rather be here at 12.01 a. m. and I would suggest to the minority floor leader if he can persuade his side of the House and the Senate to do so, we will accommodate them and come back at 12.01 Monday morning, if the Senate does the same.

RECESS

The SPEAKER. If there is no objection the Chair will declare a recess for thirty minutes. The Chair hears none and a recess is declared.

AFTER RECESS

The time of recess having expired the House was called to order.

The SPEAKER (Elmer Kilroy) in the Chair.

CONFERENCE COMMITTEE ON SENATE BILL No. 236

The SPEAKER. The Chair wishes to announce that on Senate Bill 236 the Chair has appointed instead of the Gentleman from Westmoreland, Mr. Lovett the gentleman from Philadelphia, Mr. Levy, and instead of the gentleman from Allegheny, Mr. Boies and the gentleman from Philadelphia, Mr. Reuben E. Cohen.

SENATE MESSAGES

APPOINTMENT OF CONFERENCE COMMITTEE ON SENATE BILL No. 46

The Clerk of the Senate being introduced, informed that the Senate insists on its concurrence in the amendments made and insisted upon by the House of Representatives to Senate Bill No. 46 entitled:

An Act to amend the title of and to add section one hundred fifty and one-tenth to the act approved the second day of May one thousand nine hundred and twenty-nine (P. L. 1278) entitled "An act relating to counties of the second third fourth fifth sixth seventh and eighth classes and revising amending and consolidating the laws relating thereto" authorizing the county treasurer in counties of the first second third fourth fifth sixth seventh and eighth classes to appoint a solicitor and providing for his salary payable out of the treasury from which the county treasurer is paid

And has appointed Messrs. Chapman, Letzler and Barr a committee of conference to confer with a similar committee of the House of Representatives (already appointed) on the subject of the differences existing between the two Houses in relation to said bill.

APPOINTMENT OF CONFERENCE COMMITTEE ON SENATE BILL No. 559

The Clerk of the Senate being introduced, informed that the Senate insists on its concurrence in the amendments made and insisted upon by the House of Representatives to Senate Bill No. 559, entitled:

An Act prescribing additional powers and duties on the Joint State Government Commission to make a survey of the educational facilities of the Commonwealth conferring upon the commission full power to issue subpoenas to carry out such additional functions and duties and conferring upon the courts of common pleas power to enforce obedience to subpoenas so issued imposing duties on departments and agencies of the State government and on colleges and universities and making an appropriation

And has appointed Messrs. Homsher, James and Cox a committee of conference to confer with a similar committee of the House of Representatives (already appointed) on the subject of the differences existing between the two Houses in relation to said bill.

APPOINTMENT OF CONFERENCE COMMITTEE ON SENATE BILL No. 448

The Clerk of the Senate being introduced, informed that the Senate insists on its concurrence in the amendments made and insisted upon by the House of Representatives to Senate Bill No. 448, entitled:

An Act to further amend clause (e) of section seven and to amend the first paragraph of section nine of the act approved the twenty-fourth day of June one thousand nine hundred and thirty-seven (P. L. 2051) entitled "An act relating to public assistance providing for and regulating assistance to certain classes of persons designated and defined as dependent children aged persons blind persons and other persons requiring relief providing for the administration of this act by the Department of Public Assistance and county boards of assistance created for this purpose authorizing the Department of Public Assistance to cooperate with and to accept and disburse moneys received from the United States Government for assistance to such persons providing for the liquidation of the State Emergency Relief Board Boards of Trustees of the Mothers' Assistance Fund and Boards of Trustees of Pension Fund for the Blind and repealing laws relating to mothers' assistance pensions for the blind old age assistance and the State Emergency Relief Board" by redefining eligibility for assistance providing for appeals from certain decisions of the Department of Public Assistance to common pleas courts and imposing powers and duties on common pleas court

And has appointed Messrs. Miller, Bartlett and Cavalcante a committee of conference to confer with a similar committee of the House of Representatives (already appointed) on the subject of the differences existing between the two Houses in relation to said bill.

HOUSE BILLS CONCURRED IN BY SENATE

The Clerk of the Senate being introduced, returned bills from the House of Representatives numbered and entitled as follows:

HOUSE BILL No. 248.

An Act authorizing taxpayers in cities of the second class A to inspect the books and records of such cities at any reasonable time and prescribing a procedure for enforcing such right of inspection

HOUSE BILL No. 629.

An Act to amend section one of and to add section three and and one-tenth to the act approved the twentieth day of June one thousand nine hundred and one (P. L. 582) entitled "An act to provide for the registration of labels trade-marks trade-names stamps designs devices shopmarks terms brands designations descriptions or forms of advertisement and protect and secure the rights property and interest therein of the persons copartnerships or corporations adopting and filing the same and providing penalties for the violations of the act" further regulating the registration of labels trade-marks trade-names devices shop-marks designations and forms of advertisement and providing for the cancellation of such registrations in certain cases

HOUSE BILL No. 647.

An Act relating to the bonds to be given by county officers their deputies clerks and assistants in counties of the second class the amount and conditions thereof the sureties for such bonds the payment of the premiums therefor and the recording and custody thereof

HOUSE BILL No. 736.

An Act to further amend section two thousand five hundred and sixty-three of the act approved the twenty-third day of June one thousand nine hundred and thirty-one (P. L. 932) entitled "An act relating to cities of the third class and amending revising and consolidating the law relating thereto" changing the penalties and interest imposed for the nonpayment of taxes

HOUSE BILL No. 861.

An Act to further amend the act approved the fourth day of May one thousand nine hundred and twenty-seven (P. L. 519) entitled "An act concerning boroughs and revising amending and consolidating the law relating to boroughs" by further regulating the affairs of boroughs and revising amending and changing the law relating thereto

HOUSE BILL No. 1014.

An Act to further amend clause eight of section one thousand two hundred and ten of the act approved the eighteenth day of May one thousand nine hundred and eleven (P. L. 309) entitled "An act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith" by changing the minimum salary of county superintendents

HOUSE BILL No. 1129.

An Act to further amend subsection (a) of section six of the act approved the seventh day of June one thousand nine hundred seventeen (P. L. 447) entitled as amended "An act relating to the administration and distribution of the estates of decedents and of minors and of trust estates including the appointment bonds rights powers duties liabilities accounts discharge and removal of executors administrators guardians and trustees herein designated as fiduciaries the administration and distribution of the estates of presumed decedents widow's and children's exemptions debts of decedents rents of real estate as assets for payment thereof the lien thereof sales and mortgages of real estate for the payment thereof judgments nad executions therefor and the discharge of real estate from the lien thereof contracts of decedents for the sale or purchase of real estate legacies including legacies charged on land the discharge of residuary estates and of real estate from the lien of legacies and other charges the appraisement of real estate devised at a valuation the ascertainment of the curtilage of dwelling houses or other buildings devised the abatement and survival of actions and the substitution of executors and administrators therein the survival of causes of action and suits thereupon by or against fiduciaries investments by fiduciaries the organization of corporations to carry on the business of decedents the audit and review of accounts of fiduciaries refunding bonds transcripts to the court of common pleas of balances due by fiduciaries the rights powers and liabilities of nonresident and foreign fiduciaries the appointment bonds rights powers duties and liabilities of trustees durante absentia the recording and registration of decrees reports and other proceedings and the fees therefor appeals in certain cases and also generally dealing with the jurisdiction powers and procedure of the orphans' court in all matters relating to fiduciaries concerned with the estates of decedents" eliminating requirements for advertising and for appointment of masters where value of estates of presumed decedents is not in excess of five hundred dollars

HOUSE BILL No. 1197.

An Act to amend Sections 201, 202, 204, 205, 211 and 805 of the act, approved the fourth day of May, one thousand nine hundred twenty-seven (P. L. 519), entitled "An act concerning boroughs, and revising, amending, and consolidating the law relating to boroughs," changing certain provisions relating to the incorporation of new boroughs, and providing for the incorporation of boroughs from townships of the first class having a population of eight thousand or more, and for the organization of the government therein.

HOUSE BILL No. 1336.

An Act authorizing and directing the Department of Property and Supplies to reprint the Report of the Commission to Locate the Sites of the Frontier Forts of Pennsylvania and providing for the distribution thereof

HOUSE BILL No. 1398.

An Act to amend the act approved the fifth day of May one thousand nine hundred thirty-three (P. L. 289) entitled "An act relating to non-profit corporations defining and providing for the organization merger consolidation and dissolution of such corporations conferring certain rights powers duties and immunities upon them and their officers and members prescribing the conditions on which such corporations may exercise their powers providing for the inclusion of certain existing corporations of the first class within the provisions of this act prescribing the terms and conditions upon which foreign nonprofit corporations may be admitted or may continue to do business within the Commonwealth conferring powers and imposing duties on the courts of common pleas prothonotaries of such courts recorders of deeds and certain State departments commissions and officers authorizing certain local public officers and State departments to collect fees for services required to be rendered by this act imposing penalties and repealing certain acts and parts of acts relating to corporations" as amended by changing certain provisions of the act relating to corporate names by requiring certain certificates of the payment of taxes and other charges to be filed with the Department of State

in certain cases by making certain changes in the scope of the act and by making certain provisions relating to the filing of notices of changes of registered offices

HOUSE BILL No. 1400.

An Act to amend the act approved the fifth day of May one thousand nine hundred thirty-three (P. L. 364) entitled "An act relating to business corporations defining and providing for the organization merger consolidation reorganization winding up and dissolution of such corporations conferring certain rights powers duties and immunities upon them and their officers and shareholders prescribing the conditions on which such corporations may exercise their powers providing for the inclusion of certain existing corporations of the second class within the provisions of this act prescribing the terms and conditions upon which foreign business corporations may be admitted or may continue to do business within the Commonwealth conferring powers and imposing duties on the courts of common pleas and certain State departments commissions and officers authorizing certain State departments boards commissions or officers to collect fees for services required to be rendered by this act imposing penalties and repealing certain acts and parts of acts relating to corporations" as amended by changing certain provisions of the act relating to corporate names and requiring certificates of the payment of taxes and other charges to be filed with the Department of State in certain cases

HOUSE BILL No. 1511.

An Act making an appropriation for the expenses of the Committee of the House of Representatives created by House Resolution Serial Number thirty-five adopted the twenty-fourth day of February one thousand nine hundred and forty-one

HOUSE BILL No. 1570.

An Act authorizing the Department of Property and Supplies to have a certain number of copies printed of the Report of the Joint State Government Commission on the Organization and Administration of Pennsylvania's State Government; providing for the distribution and sale of such copies; imposing new duties on the Joint State Government Commission; and making an appropriation.

HOUSE BILL No. 1662.

An Act to amend the title and further amend section one of the act, approved the twenty-second day of June, one thousand nine hundred and thirty-one (P. L. 844), entitled "An act authorizing the Commonwealth of Pennsylvania; or any department or division thereof, and counties, cities, boroughs, incorporated towns, townships, school districts and poor districts to make contracts of life, health, and accident policies for the benefit of employes thereof, and contracts for pensions for such employes; and providing for the payment of the cost thereof," authorizing the making of contracts for hospitalization and medical services and extending the provisions of the act to vocational school districts and institution districts

HOUSE BILL No. 1678.

An Act to further amend section one thousand one hundred thirty-three of the act approved the eighteenth day of May one thousand nine hundred and eleven (P. L. 309) entitled "An act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith" by removing certain limitations of the appointment of district superintendents

HOUSE BILL No. 1770.

An Act to amend the title and to further amend section forty-three of the act, approved the seventh day of June, one thousand nine hundred and one (P. L. 493), entitled "An act providing for the examination, licensure, and registration of persons, firms, or corporations engaged or engaging in the business or work of plumbing or house drainage, and prescribing certain rules, regulations, and requirements for the construction of plumbing, house drainage, and cesspools in cities of the second class; and imposing fines, penalties, and forfeiture for violation thereof," by permitting the use of enclosed woodwork about sinks in all except tenement-houses and lodging houses in cities of the second class, second class A, and third class

HOUSE BILL No. 1831.

An Act to further amend section twenty-one of the act approved the seventh day of June one thousand nine hundred fifteen (P. L. 900) entitled "An act to provide for the immediate registration of all births and deaths throughout the Commonwealth of Pennsylvania by means of certificates of births and deaths and burial or removal permits requiring prompt returns to the Central Bureau of Vital Statistics as required to be established by the State Department of Health and in order to secure prompt and faithful registration of births marriages deaths and diseases of practitioners of medicine and surgery of midwives nurses and undertakers and of all persons whose occupation is deemed to be of importance in obtaining complete registration of births deaths marriages and diseases throughout the State as provided in section ten of an act entitled 'An act creating the Department of Health and defining its powers and duties' approved the twenty-seventh day of April nineteen hundred and five and providing penalties for violations of this act" by directing the Department of Health to maintain branch offices in counties of the second class for the filing of death certificates authorizing such offices to issue certified copies of death certicates and make searches of their files imposing additional duties upon local registrars in such counties and prescribing fees

HOUSE BILL No. 1878.

An Act to further amend the act approved the eighteenth day of May one thousand nine hundred and eleven (P. L. 309) entitled "An act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith" as amended by providing for the appointment of a deputy school treasurer a deputy school controller and clerks to the school controller and school treasurer in school districts of the first class by further providing as to the election of school controllers in school districts of the first class and as to vacancies in such office and by providing that certain stationery and books shall be supplied to school treasurers in school districts of the first class

HOUSE BILL No. 1832.

An Act making an emergency appropriation to the Department of Highways for allocation to and distribution among boroughs and townships for the repair of certain roads and streets in Western Pennsylvania

HOUSE BILL No. 1935.

An Act to further amend clause six of section one and section three of the act, approved the twenty-seventh day of June, one thousand nine hundredand twenty-three (P. L. 858), entitled "An act establishing a State employes' retirement system, and creating a retirement board for the administration thereof; establishing certain

funds from contributions by the Commonwealth and contributing State employes, defining the uses and purposes thereof and the manner of payments therefrom, and providing for the guaranty by the Commonwealth of certain said funds; imposing powers and duties upon the heads of departments in which state employes serve; excepting annuities, allowances, returns, benefits, and rights from taxation and judicial process; and providing penalties," by further defining 'State employe" so as to include certain emloyes of the Board of Fish Commissioners providing that such employes shall have the option of joining the State Employes Retirement Associaton and permitting their membership in such association to be retroactive upon the making of certain back payments by them and by the Board of Fish Commissioners

With the information that the Senate has passed the same without amendment.

REPORT OF COMMITTEE OF CONFERENCE ON HOUSE BILL No. 846

Mr. HERING. Mr. Speaker, I desire to call up the Report of the Committee of Conference on House Bill No. 846, Printer's No. 1205.

The report was read by the Clerk as follows:

To the Members of the Senate and House of Representatives:

We, the undersigned, Committee of Conference on the part of the Senate and House of Representatives for the purpose of considering House Bill No. 846, entitled:

"An act requiring school boards in all school districts, and boards of directors of all vocational school districts to grant leaves of absence to all school employes who shall volunteer or be called for military or naval service in time of war or during a state of national emergency, preserving certain contracts, salaries, increments, retirement rights, seniority, State contributions and grants to local school boards, eligibility lists re-employment, authorizing school boards, and boards of directors of vocational schools to employ substitutes in place of such employes, requiring school districts and vocational school districts to make additional payments into the School Employes' Retirement Fund, reserving all rights and privileges of employes granted leaves of absence under the provision herein, and superseding or repealing all contrary laws."

Respectfully submit the following bill as our report:

Fred L. Homsher
Paul M. Crider
B. B. McGinnis
(Committee on the Part of the Senate.)

Edwin A. Lee
John B. Hering
Walter Gryskewicz
(Committee on the part of the House of Representatives.)

An Act requiring school boards in all school districts and boards of directors of all vocational school districts to grant leaves of absence to all school employes who shall volunteer or be called for military or naval service in time of war or during a state of national emergency preserving certain contracts salaries increments retirement rights seniority State contributions and grants to local school boards eligibility lists reemployment authorizing school boards and boards of directors of vocational schools to employ substitutes in place of such employes requiring school districts and vocational school districts to make additional payments into the School Employes' Retirement Fund reserving all rights and privileges of employes granted leaves of absence under the provisions herein and superseding or repealing all contrary laws

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The Congress of the United States of America has enacted and the President of the United States has approved a statute entitled "An act to provide for the common defense by increasing the personnel of the armed forces of the United States and providing for its training" in which it is provided that certain male citizens of the United States shall be liable for training and service in the land or naval forces of the United States under a system of compulsory selective induction into such forces

Under said statute and subsequent statutes of the United States of America and under the laws of the United States concerning the National Guard and the land and naval reserve forces employes of school districts and vocational school districts in the Commonwealth of Pennsylvania may volunteer or be selected and assigned to military or naval service in defense of this nation

It Is Hereby Declared To Be The Intention of this act that such employes so affected shall retain all of the rights and privileges they shall have acquired prior to assignment to service under said Federal statutes or any such rights and privileges they would have acquired or received if they had not been assigned to such service it is intended that such employes assigned to such service shall be considered in all respects to be continuing in the service of the school board or board of directors of vocational schools for which they were last working prior to such assignment to military or naval service

Section 2 (a) Any employe of any school district or vocational school district within the Commonwealth who shall have been regularly employed by said school district or vocational school district for a period of not less than one year prior thereto and who shall volunteer or be called for military or naval service by the United States of America in time of war or during a state of national emergency shall within thirty days of the receipt of notice to said effect send a copy of such notice to the secretary of the school board or board of directors of vocational school by which he is employed

(b) The secretary of the school board or board of directors of vocational schools shall verify the information contained in the notice from any employe concerning selection or induction into military or naval service and upon verification of such facts shall record the same in the records of the school board or board of directors of vocational schools and send notice thereof to said employe

(c) Without further action by the board of school directors or board of directors of vocational schools the employe inducted into military or naval service shall forthwith be considered to be upon leave of absence for the entire duration of such service all rights and privileges shall be reserved to such employe as if he continued in the service of said school board or board of directors of vocational schools provided however that no such leave of absence shall be granted unless said employe shall in writing agree upon termination of the said leave to return to employment in said school district or vocational school district for a period of not less than one school year

Section 3 (a) Wherever a contract is required by law and wherever a contract actually exists between the school board or board of directors of vocational schools and the employe the same shall be considered to continue in full force and effect during said leave of absence

(b) Upon termination of the military or naval service of an employe in time of war or during a state of national emergency the school board or boards of directors of vocational schools shall immediately return said employe to the same position in the same school or schools vocational school or vocational schools from which said employe was granted leave of absence or if this is impracticable in the opinion of the board then to a similar position

(c) During the leave of absence under the aforesaid conditions the school board or board of directors of vo-

cational schools shall be required to pay to the dependent wife dependent child or children or dependent parent or parents of the employe the difference between his regular salary and the salary paid to any substitute employe temporarily engaged because of such absence but in no event more than half of the employe's regular salary from the school district or vocational school district provided that no school district or vocational school district shall pay to the dependent or dependents of any employe in military or naval service a total of more than two thousand dollars ($2000) per annum

No school district or vocational school district shall pay to the dependent or dependents of any employe more than the difference between the military or naval pay including commutation and allowance of said employe and the regular salary that said employe would have received if he were actually performing the duties of his regular position as an employe of the school district or vocational school district

No allowance shall be paid under the provisions of this Act to the dependent or dependents of any employe if his military or naval pay including commutation and allowance exceeds the regular salary that said employe would have received if he were actually performing the duties of his regular position

(d) Increments shall not be abated during the said leave of absence but shall continue to accrue to such employes

(e) The school district or vocational school district shall pay into the School Employes' Retirement Fund on behalf of each such employe in addition to the contributions required by law to be made by it the full amount of the contribution required by law to be paid by the employe so that such employe's retirement rights shall in no way be affected by such leave of absence In all cases where any part of the salary of any employe is payable to his dependents under the provisions of this act the school district or vocational school district shall deduct from the part of his salary so payable in so far as the same is sufficient therefor all moneys paid by it into the retirement fund on account of the employe's contributions

(f) The period of said leave of absence shall be considered as service to the school board or board of directors of vocational schools in the matter of seniority rights and credit toward the time necessary for sabbatical leave Such leave shall not be regarded as a Sabbatical Leave

Section 4 During the period of said leave of absence if a qualified substitute is employed the Commonwealth shall pay the school board or board of directors of vocational schools the full amount of State contribution or grant as if the said employe were performing his regular school duties for the said school board or board of directors of vocational schools

Section 5 (a) No person who shall have acquired a place upon the eligibility list for any position in any school district or vocational school district shall suffer the loss of such listing and the position thereon as the result of such induction into military or naval service it shall be the duty of the school board or board of directors of vocational schools to provide a fair and equitable method of preserving rights of such persons

(b) Any person who shall have entered the military or naval services as aforesaid and whose name shall be reached upon said eligibility lists for any position in any school district or vocational school district shall be appointed to said position as if such person were in fact available for actual service in said position and such person shall be so notified by the secretary of the school board or board of directors of vocational schools of said district and thereafter all of the provisions of this act shall apply

Section 6 The act approved the seventh day of June one thousand nine hundred and seventeen (P. L. 600) entitled "An act providing that appointive officers and employes employed by the Commonwealth of Pennsylvania in its civil service or by any department bureau commission or office thereof or by any county municipality township or school district shall not be deemed or held to have resigned or abandoned their offices or employments by reason of enlistment enrollment or draft in the military or naval service of the United States or any branch or unit thereof in time of war or contemplated war prohibiting the removal from their offices or employments of such officers and employes during the period of their service in the Army or Navy directing that one-half of the salaries or wages of such officers or employes as have dependent wives children or parents and not exceeding two thousand dollars per annum be paid during the term of their service in the Army or Navy to such dependents authorizing the employment during said term of substitutes to perform the duties theretofore performed by such officers or employes respectively and providing for the compensation of such substitutes" is hereby repealed in so far as it applies to employes of school districts and vocational school districts

All other acts and parts of acts inconsistent herewith or supplied hereby are hereby repealed

Section 7 This act shall become effective immediately upon final enactment any employe inducted into military or naval service as aforesaid prior to the final enactment hereof shall nevertheless be entitled to all of the benefits hereof

Section 8 This act shall apply to all employes of all school districts and of vocational school districts who volunteer or are inducted into the military or naval services under the laws of the United States of America

Section 9 The provisions of this act are severable if any provision shall be construed or deemed to be in violation of the Constitution of the Commonwealth or of the United States or otherwise invalid then the other provisions herein shall not be affected thereby but shall be enforced

On the question,

Will the House adopt the report of the Committee of Conference?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows, viz:

YEAS—203

Achterman,	French,	Malloy,	Rosenfeld,
Auker,	Gallagher,	Marks,	Royer,
Baker,	Gates,	Maxwell,	Rush,
Balthaser,	Gerard,	McClanaghan	Sarge,
Baugher,	Gillan,	McClester,	Sarraf,
Bentley,	Gillette,	McClanaghan	Scanlon,
Bentzel,	Goodwin,	McDermott	Schwab,
Boles,	Greenwood,	McDowell	Serrill,
Boney,	Gross,	McFall	Shaffer,
Boorse,	Gryskewicz,	McIntosh	Shaw,
Bower,	Gyger,	McKinney,	Shepard,
Bradley,	Habbyshaw,	McLanahan	Simons,
Breth,	Haberlen,	McLane,	Skale,
Bretherick,	Haines,	McMillen,	Snyder,
Brown,	Hall,	McSurdy,	Sollenberger,
Brunner, C. H.,	Hamilton,	Meichiorre,	Sorg,
Brunner, P. A.,	Hare,	Mihm,	Stambaugh,
Burns,	Harkins,	Modell,	Stank,
Burris,	Harmuth,	Monks,	Stine,
Cadwalader,	Harris,	Mooney,	Stockham,
Chervenak,	Heatherington,	Moran,	Tarr,
Chudoff,	Helm,	Moul,	Tate,
Cochran,	Hering,	Muir,	Taylor,
Cohen, M. M.,	Herman,	Munley,	Thompson, E. F.,
Cohen, R. E.,	Hersch,	Nagel	Thompson, R. L.,
Cook,	Hewitt,	Nunemacher	Trout,
Cooper,	Hirsch,	O'Brien,	Turner,
Cordier,	Holland,	O'Connor,	Van Allsburg,
Corrigan,	Huntley,	O'Dare,	Verona,
Croop,	Imbrie,	O'Mullen,	Vincent,
Cullen,	James,	O'Neill,	Vogt,
Dalrymple,	Jefferson,	Owens,	Voldow,
Dennison,	Jones, G. E.,	Petrosky,	Wagner,
DiGenova,	Jones, P. N.,	Pettit,	Watkins,
Dix,	Keenan,	Polaski,	Weingartner,
Dolon,	Kenehan,	Polen,	Weiss,
D'Ortona,	Kline,	Powers,	Welsh, E. B.,
Duffy,	Knoble,	Prosen,	Welsh, M. J.,

Early,	Kolankiewicz,	Rank,	Wilkinson,
Eckels,	Komorofski,	Rausch,	Williams,
Elder,	Krise,	Readinger,	Winner,
Elliott,	Lee, E. A.,	Reagan,	Wolf,
Ely,	Lee, T. H.,	Reese, D. P.,	Wood, L. H.,
Falkenstein,	Leisey,	Reese, R. E.,	Wood, N.,
Finestone,	Leonard,	Reynolds,	Woodring,
Fisher,	Lesko,	Rhea,	Woodside,
Fiss,	Leydic,	Riley,	Wright,
Fleming,	Lichtenwalter,	Rooney,	Yeakel,
Fletcher,	Longo,	Rose, S.,	Yester,
Flynn,	Lovett	Rose, W. E.,	Young,
Foor,	Lyons,		Kilroy, Speaker

NAYS—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative, and the report of the Committee of Conference was adopted.

Ordered, That the Clerk inform the Senate accordingly.

BILLS SIGNED BY SPEAKER

Bills numbered and entitled as follows having been prepared for presentation to the Governor, and the same being correct, the titles were publicly read as follows:

HOUSE BILL No. 11.

An Act to create a uniform and exclusive system for the administration of parole in this Commonwealth establishing the "Pennsylvania Board of Parole" conferring and defining its jurisdiction duties powers and functions including the supervision of persons placed upon probation in certain designated cases providing for the method of appointment of its members regulating the appointment removal and discharge of its officers clerks and employes dividing the Commonwealth into administrative districts for purposes of parole fixing the salaries of members of the board and of certain other officers and employes thereof making violations of certain provisions of this act misdemeanors providing penalties therefor and for other cognate purposes and making an appropriation.

HOUSE BILL No. 53.

An Act providing for the acquisition of the Admiral Peary Memorial Park and for its management and development by the Pennsylvania Historical Commission and making an appropriation

Whereas There is located in Cresson Township Cambria County Pennsylvania the birthplace of Admiral Robert Edwin Peary which should be preserved as a historical place and park for the benefit of the people of this Commonwealth therefore

HOUSE BILL No. 70.

An Act to amend section seven hundred three of the act, approved the twenty-fourth day of June, one thousand nine hundred and thirty-one (P. L. 1206), entitled "An act concerning townships of the first class; amending, revising, consolidating, and changing the law relating thereto by providing for the compensation paid to township commissioners

HOUSE BILL No. 215.

An Act to further amend sections one and four of the act, approved the sixteenth day of May, one thousand nine hundred and nineteen (P. L. 180), entitled "An act providing a method of establishing title to land acquired at a sale for unpaid taxes or municipal claims," extending the provisions of said act to include land acquired at city treasurer's sales for unpaid taxes and providing that in certain cases notice of the proceedings by advertisement shall be deemed a good and sufficient service

HOUSE BILL No. 355.

An Act to provide for the change of object of the corporate existence of beneficial and relief associations as herein defined and authorizing and providing a mode for the dissolution and surrender of the charter of such associations

HOUSE BILL No. 472.

An Act making an appropriation to the Department of Health for use in research work dealing with human nutrition for children.

HOUSE BILL No. 522.

An Act making an appropriation to the Pennsylvania State College to advance the tobacco interest of this Commonwealth.

HOUSE BILL No. 553.

An Act to amend section twenty-two of the Act approved the seventh day of June one thousand nine hundred and seventeen (P. L. 403) entitled "An act relating to the form execution revocation and interpretation of wills to nuncupative wills to the appointment of testamentary guardians to spendthrift trusts to forfeiture of devise or legacy in case of murder of testator to elections to take under or against wills and to the recording and registering of such elections and of decrees relative thereto and to the fees therefor" by providing for forfeiture of the right to take property under the will of a murdered testator

HOUSE BILL No. 554.

An Act to amend section twenty-three of the act approved the seventh day of June one thousand nine hundred and seventeen (P. L. 429) entitled "An act relating to the descent and distribution of the real and personal property of persons dying intestate and to provide for the recording and registering of the decrees of the Orphans' Court in connection therewith and the fees therefor" by providing for forfeiture of the right to inherit or to take property of a murdered intestate under the said act

HOUSE BILL No. 571.

An Act making an appropriation to the Department of Public Assistance and providing for certain allocations therefrom for the purpose of carrying out the Public Assistance Law for the two fiscal years beginning June first one thousand nine hundred forty-one and for the payment of assistance and expenses accrued or incurred prior to and remaining unpaid on May thirty-first one thousand nine hundred forty-one

HOUSE BILL No. 579.

An Act relating to acknowledgments of written instruments and to make uniform the law with relation thereto

HOUSE BILL No. 652.

An Act authorizing any county city borough town township poor district school district or institution district to execute a special warranty deed for any real property which it has acquired at any sale for the nonpayment of taxes or municipal claims

HOUSE BILL No. 653.

An Act to add clause eighteen A to section three of article nineteen of the act, approved the seventh day of March, one thousand nine hundred one (P. L. 20), entitled "An act for the government of cities of the second class" authorizing cities of the second class to impose and collect charges for the care and treatment at municipal hospitals of persons who are financially able to pay the expenses of such care and treatment.

HOUSE BILL No. 656.

An Act to amend the third paragraph of article seven of the act approved the seventh day of March one thousand nine hundred and one (P. L. 20) entitled "An act for the government of cities of the second class" permitting the city treasurer to collect delinquent taxes under the act approved the thirtieth day of March one thousand nine hundred and three (P. L. 106)

HOUSE BILL No. 657.

An Act to amend sections one, two, three and four of the act, approved the twenty-first day of May, one thousand nine hundred and thirty-seven (P. L. 787), entitled "An act authorizing the compromise or reduction of tax claims on real property purchased by any county, city, borough, town, school district or poor district at any sale for the nonpayment of taxes; and the reconveyance or private sale of such property," extending the provisions of said act to properties purchased by said political subdivisions at sales for municipal claims, and to the payment of such claims from the proceeds of such compromises or sales, and changing the time when such compromises may be made.

HOUSE BILL No. 687.

An Act to further amend the title and section one of the act approved the third day of May, one thousand nine hundred and nine (P. L. 424), entitled "An act providing that in all counties having more than five hundred thousand inhabitants, advertisements and notices, required by law or rules of court to be published in newspapers of general circulation, unless dispensed with by special order of court, shall be published in the legal newspapers, issued at least weekly, of the proper county, designated by rules of court for the publication of court or other legal notices," as amended, extending the provisions of the said act to counties of the sixth class.

HOUSE BILL No. 724.

An Act to further amend section 363 of the act approved May second one thousand nine hundred twenty-nine (P. L. 1278), entitled "An act relating to counties of the second third fourth fifth sixth seventh and eighth classes and revising amending and consolidating the laws relating thereto" and further regulating the form and contents of county auditors reports.

HOUSE BILL No. 750.

An Act authorizing the Department of Property and Supplies, with the approval of the Governor, to convey to the county commissioners of Somerset County certain real property located in said county and heretofore acquired by the Commonwealth for development as an airport.

HOUSE BILL No. 848.

An Act to further amend paragraph nineteen of section one thousand two hundred ten of the act approved the eighteenth day of May one thousand nine hundred eleven (P L 309) entitled "An act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith" providing for the continuation of payments for closed schools to districts which by reason of any increase in population have been changed from a fourth class district to one of another class

HOUSE BILL No. 892.

An Act authorizing a commission to study recreational facilities available in first class cities imposing powers and duties on said commission.

Whereas The City of Philadelphia has various agencies administering recreation and

Whereas The present national emergency requires a recreation program and

Whereas It is deemed desirable to make a thorough study of the recreational facilities available in said city and county in order to ascertain where new facilities can be secured if the same becomes necessary at a minimum cost therefore

HOUSE BILL No. 895.

An Act to authorize counties cities boroughs incorporated towns townships school districts poor districts and county institution districts to file tax and municipal claims not filed within the time specified by law and to file suggestions of nonpayment and averments of default or to sue out writs of scire facias on certain tax or municipal claims and to revive judgments where the lien of such claims or the judgments thereon have been lost and providing for the reinstatement of the liens of such claims and judgments

HOUSE BILL No. 896.

An Act authorizing county commissioners to sell seated and unseated lands purchased at tax sales, upon which the period of redemption has expired; and validating certain sales heretofore made.

HOUSE BILL No. 971.

An Act to further amend section fifteen, and to repeal sections fifteen and one-tenth, fifteen and two-tenths, and fifteen and three-tenths of the act approved the sixteenth day of May, one thousand nine hundred and twenty-three (P. L. 207) entitled "An act providing when, how, upon what property, and to what extent, liens shall be allowed for taxes and for municipal improvements, for the removal of nuisances, and for water rents or rates, sewer rates and lighting rates; for the procedure upon claims filed therefor; the methods for preserving such liens and enforcing payment of such claims; the effect of judicial sales of the properties liened; the distribution of the proceeds of such sales, and the redemption of the property therefrom; for the lien and collection of certain taxes heretofore assessed, and of claims for municipal improvements made and nuisances removed, within six months before the passage of this act; and for the procedure on tax and municipal claims filed under other and prior acts of Assembly," as amended, by providing for the renewal extension revival and continuation of liens for tax municipal and other claims until the same are paid and satisfied and repealing certain existing sections of said act

HOUSE BILL No. 974.

An Act to amend article twelve section one thousand two hundred six of the act approved the ninth day of April one thousand nine hundred and twenty-nine (P. L. 177) entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments boards commissions and officers thereof including the boards of trustees of State Normal Schools or Teachers Colleges abolishing creating reorganizing or authorizing the reorganization of certain administrative departments boards and commissions defining the powers and duties of the Governor and other executive and administrative officers and of the several administrative departments boards commissions and officers fixing the salaries of the Governor Lieutenant Governor and certain other executive and administrative officers providing for the appointment of certain administrative officers and of all deputies and other assistants and employes in certain departments boards and commissions and prescribing the manner in which the number and com-

pensation of the deputies and all other assistants and employes of certain departments boards and commissions shall be determined' by providing for the issuance of a certificate of approval for weights and measures of county city and borough sealers

HOUSE BILL No. 1035.

An Act to further amend clause ten of section one of the act approved the twenty-seventh day of June one thousand nine hundred and twenty-three (P. L. 858) entitled "An act establishing a State employes' retirement system and creating a retirement board for the administration thereof establishring certain funds from contributions by the Commonwealth and contributing State employes defining the uses and purposes thereof and the manner of payments therefrom and providing for the guaranty by the Commonwealth of certain of said funds imposing powers and duties upon the heads of departments in which State employes serve excepting annuities allowances returns benefits and rights from taxation and judicial process and providing penalties" further defining "new member"

HOUSE BILL No. 1121.

A Further Supplement to the act approved the first day of April one thousand eight hundred and sixty-three (P. L. 213) entitled "An act to accept the grant of Public Lands by the United States to the several states for the endowment of Agricultural Colleges" making an appropriation for carrying the same into effect.

HOUSE BILL No. 1127.

An Act defining regulating and providing for the licensing and registration of employment agents and their representatives including private employment agencies theatrical employment agencies and nurses' registries providing for revocation and suspension of licenses and registrations subject to appeal and for their reinstatement defining the powers and duties of the Department of Labor and Industry and the Department of Public Instruction providing penalties and repealing existing laws

HOUSE BILL No. 1130.

An Act making an appropriation to the Department of Commerce towards expenses of the National Encampment of Veterans of Foreign Wars in Philadelphia

HOUSE BILL No. 1156.

An Act to add section one thousand six hundred and seven and one-tenth to article sixteen of the act approved the eighteenth day of May one thousand nine hundred and eleven (P. L. 309) entitled "An act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation theeof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith" requiring teaching in the public and private schools of principles of democratic government and patriotism and imposing certain duties on the Superintendent of Public Instruction

HOUSE BILL No. 1194.

An Act to amend sections two and three of the act, approved the eleventh day of May, one thousand nine hundred and eleven, (P. L. 275), entitled "An act to provide for the appointment of county and city inspectors of weights and measures; providing for their compensation and expenses; prescribing their duties; prohibiting vendors from giving false or insufficient weights; and fixing the penalties for the violation of the provisions hereof," as amended, by providing for the issuance of certificates of approval for weights and measures of county, city, and borough sealers

HOUSE BILL No. 1253.

An Act providing a method of annexation of parts of townships now owned by and contiguous to cities of the first class acquired and used or to be used as an airport seaplane base and rail and marine terminal and regulating the proceedings pertaining thereto

HOUSE BILL No. 1326.

An Act to amend sections three and four of the act, approved the thirtieth day of March, one thousand nine hundred three (P. L. 110), entitled "A supplement to an act, entitled 'An act regulating the construction, maintenance, alteration, and inspection of buildings and party walls in cities of the second class,' approved the seventh day of June, Anno Domini one thousand eight hundred and ninety-five; regulating the construction, alteration and ventilation of tenement-houses, and providing for the safety of the inhabitants thereof; and providing penalties for the violation of the same," further regulating the erection, alteration and ventilation of certain tenement houses

HOUSE BILL No. 1327.

An Act to amend section six and to further amend section eleven of the act, approved the twenty-eighth day of May, one thousand nine hundred and fifteen (P. L. 596), entitled "An act requiring cities of the second class to establish a pension fund for employes of said cities, and regulating the administration and the payment of such pensions," restricting the right of per diem employes to join such pension system, and giving peace time drafted employes credit for the time spent in the services of the United States

HOUSE BILL No. 1328.

An Act to reenact and amend the title and the act approved the twenty-ninth day of April one thousand nine hundred thirty-seven (P. L. 526) entitled "An act providing for and regulating joint purchases by counties (other than counties of the first and second classes) cities of the third class boroughs towns townships school districts and poor districts" by including second class counties cities of the second class and institution districts within the provisions of the act

HOUSE BILL No. 1390.

An Act making an appropriation to the Treasury Department out of various funds to pay replacement checks issued in lieu of outstanding checks when presented

HOUSE BILL No. 1417.

An Act making an appropriation to The General State authority to defray the costs and expenses of the said Authority in connection with the organization administration and operation thereof.

HOUSE BILL No. 1419.

An Act making an appropriation to the Department of Welfare for the maintenance of certain hospitals

HOUSE BILL No. 1420.

An Act to amend the act approved the seventeenth day of June, one thousand nine hundred and thirteen (P. L. 507), entitled "An act to provide revenue for State and county purposes, and, in cities coextensive with counties, for city and county purposes; imposing taxes upon certain classes of personal property; providing for the assessment and collection of the same; providing for the duties and compensation of prothonotaries and recorders in connec-

tion therewith; and modifying existing legislation which provided for raising revenue for State purposes," as amended, by imposing the tax upon personal property held and managed in this Commonwealth, owned, held or possessed by residents as trustees, agents, or attorneys-in-fact jointly with one or more trustees, agents, or attorneys-in-fact domiciled in another state, and by imposing the tax upon equitable interests of residents in personal property held and managed in another state, where the legal title to such personal property is held by more than one trustee, agent or attorney-in-fact, one or more of whom are domiciled in another state and one or more of whom are domiciled within this Commonwealth and exempting casualty insurance companies having no capital stock from the tax imposed by this act.

HOUSE BILL No. 1435.

An Act to authorize housing authorities to undertake the development or administration of projects to provide safe and sanitary dwellings for persons engaged in national defense activities who would not otherwise be able to secure such dwellings within the vicinity thereof to limit the initiation of the development of such projects until December 31 1943 to authorize housing authorities to cooperate with or act as agent of the Federal Government in the development and administration of such projects of the Federal Government to acquire or lease such projects and to sell or lease certain projects to the Federal Government to authorize public bodies to assist such projects of housing authorities an dof the Federal Government to provide safe and sanitary dwellings for persons engaged in national defense activities

HOUSE BILL No. 1487.

An Act providing for the construction and maintenance by the Department of Forests and Waters with the advice of the Bushy Run Battlefield Commission of a Bushy Run Museum Building on land owned by the Commonwealth in Westmoreland County and making an appropriation

HOUSE BILL No. 1513.

An Act to further amend section three of the act approved the twenty-second day of June, one thousand nine hundred thirty-five (P. L. 414), entitled, as amended, "An act to provide revenue for State purposes; imposing taxes upon certain classes of personal property; providing for the assessment, collection, and lien of the same, and the distribution of the proceeds thereof; imposing duties on executors, administrators, registers of wills, recorders of deeds, prothonotaries, and court clerks, and on persons, corporations, associations, banks, national banks, trust companies, and other corporations receiving deposits of money, and on certain corporations and limited partnerships, conferring powers and imposing duties on certain State officers and departments; imposing penalties; and making an appropriation," by exempting assets held by liquidating trustees exempting casualty insurance corporations not having capital stock imposing the tax upon personal property held and managed in this Commonwealth owned held or possessed by residents as trustees agents or attorneys-in-fact jointly with one or more trustees agents or attorneys-in-fact domiciled in another state and imposing the tax upon equitable interests of residents in personal property held and managed in another state where the legal title to such personal property is held by more than one trustee agent or attorney-in-fact one or more of whom are domiciled in another state and one or more of whom are domiciled within this Commonwealth

HOUSE BILL No. 1658.

An Act to further amend the first paragraph of section one of article fifteen of the act, approved the seventh day of March, one thousand nine hundred and one (P. L. 20), entitled "An act for the government of cities of the second class," by further regulating the manner of letting contracts relating to city affairs.

HOUSE BILL No. 1835.

An Act creating a Highway Traffic Advisory Committee to the War Department of the United States of America; providing for its appointment; prescribing its powers and duties; and authorizing the use by the committee of the employes, equipment, supplies and facilities of certain State agencies.

HOUSE BILL No. 1895.

An Act to amend section five of the act approved the fourth day of April one thousand nine hundred twenty-nine (P. L. 144) entitled "An act prescribing the powers and duties of the Department of Agriculture with regard to farm products providing for co-operation with the Department of Internal Affairs to establish standard receptacles for farm products authorizing the Department of Agriculture to establish and promulgate standards for the grade and other classification of farm products and to promulgate regulations for the enforcement thereof defining farm products to include agricultural horticultural vegetable fruit and horicultural products of the soil live stock and meats wools hides poultry eggs dairy products nuts mushrooms and honey and providing penalties" by including certificates of the United States Department of Agriculture as evidence of grade and classification

Whereupon,

The SPEAKER, in the presence of the House, signed the same.

CONFERENCE REPORT ON SENATE BILL No. 46

Mr. PRESLEY N. JONES presented the report of the Committee of Conference on the part of the House on Senate Bill No. 46.

The report was read by the Clerk.

The SPEAKER. This being a Senate bill the report will be printed by the Senate, and placed in the files of the members of the House.

SENATE MESSAGES

APPOINTMENT OF CONFERENCE COMMITTEE ON SENATE BILL No. 169

The Clerk of the Senate being introduced, informed that the Senate insists on its concurrence in the amendments made and insisted upon by the House of Representatives to Senate Bill No. 169, entitled:

An Act to amend the act approved the twenty-fifth day of May, one thousand nine hundred and thirty-seven (P. L. 814), entitled "An act to provide for the permanent personal registration of electors in cities of the second class as a condition of their right to vote at elections and primaries, and their enrollment as members of political parties as a further condition of their right to vote at primaries; prescribing certain procedure for the conduct of elections and primaries and the challenge and proof of qualifications of electors; and prescribing the powers and duties of citizens, parties, political bodies, registration commissions, commissioners, registrars, inspectors of registration and other appointees of registration commissions, county election boards, election officers, municipal officers, departments and bureaus, police officers, courts, judges, prothonotaries, sheriffs, county commissioners, peace officers, county treasurers, county controllers registrars of vital statistics, certain public utility corporations, real estate brokers, rental agents, and boards of school directors; and imposing penalties,' abolishing the existing registration commission for cities of the second class and providing that the county commissioners of each county

in which any such city is located shall act as a registration commission therefor further regulating the appointment of employes and assistants by the registration commission and removing the present appointees providing for the consolidation of the second class city general register with the general register of cities of the third class and boroughs towns and townships of the county providing for the transfer of the registration of electors upon change of residence from a third class city borough town or township in the same county changing the period during which changes of enrollment of political party may be made eliminating preparation and distribution of preliminary street lists and permitting the destruction of certain records

And has appointed Messrs. Geltz, Walker and Barr a Committee of Conference to confer with a similar committee of the House of Representatives (already appointed) on the subject of the differences existing between the two Houses in relation to said bill.

AMENDED HOUSE BILLS RETURNED FOR CONCURRENCE

The Clerk of the Senate being introduced, returned bill from the House of Representatives numbered and entitled as follows:

HOUSE BILL No. 605.

An Act making an appropriation to the Pennsylvania State College for expenditure by the School of Mineral Industries thereof under the supervision of the Department of Mines for the purpose of developing new uses and markets for anthracite and bituminous coal

With the information that the Senate has passed the same with amendments, in which the concurrence of the House of Representatives is requested.

The SPEAKER. The Clerk will read the amendments.

The Clerk read the amendments as follows:

(This bill was amended in the Senate, Printer's No. 1020. It was again amended in the Senate, Printer's No. 1066, and returned to the House in its original form.)

On the question,

Will the House concur in the amendments made by the Senate?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows, viz:

YEAS—203

Achterman,	French,	Lyons,	Royer,
Auker,	Gallagher,	Malloy,	Rush,
Baker,	Gates,	Marks,	Sarge,
Balthaser,	Gerard,	Maxwell,	Sarraf,
Baugher,	Gillan,	McClanaghan	Scanlon,
Bentley,	Gillette,	McClester	Schwab,
Bentzel,	Goodwin,	McDermott	Serrill,
Boles,	Greenwood,	McDowell	Shaffer,
Boney,	Gross,	McFall	Shaw,
Boorse,	Gryskewicz,	McIntosh	Shepard,
Bower,	Gyger,	McKinney,	Simons,
Bradley,	Habbyshaw,	McLanahan	Skale,
Breth,	Haberlen,	McLane,	Snyder,
Bretherick,	Haines,	McMillen,	Sollenberger,
Brown,	Hall,	McSurdy,	Sorg,
Brunner, C. H.,	Hamilton,	Melchiorre,	Stambaugh,
Brunner, P. A.,	Hare,	Mihm,	Stank,
Burns,	Harkins,	Modell,	Stine,
Burris,	Harmuth,	Monks,	Stockham,
Cadwalader,	Harris,	Mooney,	Tarr,
Chervenak,	Heatherington,	Moran,	Tate,
Chudoff,	Helm,	Moul,	Taylor,
Cochran,	Hering,	Muir,	Thompson, E. F.
Cohen, M. M.,	Herman,	Munley,	Thompson, R. L.,
Cohen, R. E.,	Hersch,	Nagel,	Trout,
Cook,	Hewitt,	Nunemacher,	Turner,
Cooper,	Hirsch,	O'Brien,	VanAllsburg,
Cordier,	Holland,	O'Connor,	Verona,
Corrigan,	Huntley,	O'Dare,	Vincent,
Croop,	Imbrie,	O'Mullen,	Vogt,
Cullen,	James,	O'Neill,	Voldow,
Dalrymple,	Jefferson,	Owens,	Wagner,
Dennison,	Jones, G. E.,	Petrosky,	Watkins,
DiGenova,	Jones, P. N.,	Pettit,	Weingartner,
Dix,	Keenan,	Polaski,	Weiss,
Dolon,	Kenehan,	Polen,	Welsh, E. B.,
D'Ortona,	Kline,	Powers,	Welsh, M. J.,
Duffy,	Knoble,	Prosen,	Wilkinson,
Early,	Kolankiewicz,	Rank,	Williams,
Eckels,	Komorofski,	Rausch,	Winner,
Elder,	Krise,	Readinger,	Wolf,
Elliott,	Lee, E. A.,	Reagan,	Wood, L. H.,
Ely,	Lee, T. H.,	Reese, D. P.,	Wood, N.,
Falkenstein,	Leisey,	Reese, R. E.,	Woodring,
Finestone,	Leonard,	Reynolds,	Woodside,
Fisher,	Lesko,	Rhea,	Wright,
Fiss,	Levy,	Riley,	Yeakel,
Fleming,	Leydic,	Rooney,	Yester,
Fletcher,	Lichtenwalter,	Rose, S.,	Young,
Flynn,	Longo,	Rose, W. E.,	Kilroy,
Foor,	Lovett,	Rosenfeld,	Speaker.

NAYS—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative and the amendments were concurred in.

Ordered, That the Clerk inform the Senate accordingly.

The Clerk of the Senate being introduced, returned bill from the House of Representatives numbered and entitled as follows:

HOUSE BILL No. 413.

An Act prohibiting the employment by the Commonwealth or any county city borough incorporated town township school district vocational school district or institution district thereof or by any authority or any institution supported in whole or in part out of public funds of persons who hereafter advocate or participate in un-American or subversive doctrines as herein defined providing for dismissals under existing laws and permitting appeals to courts of common pleas and appellate courts in all such cases

With the information that the Senate has passed the same with amendments, in which the concurrence of the House of Representatives is requested.

The SPEAKER. The Clerk will read the amendments.

The Clerk read the amendments as follows:

Amend title, page 1, line 6, by striking out at the end of said line, the word "hereafter" also in line 11, by inserting after the word "defined" the following: "or who advocate Communism Fascism or Naziism or who advocate or support a political party or organization of individuals advocating or supporting Communism Fascism or Naziism or any "un-American or Subversive Doctrines" or are members of any organization of individuals advocating or supporting Communism Fascism or Naziism or any "un-American or Subversive Doctrines";.

Amend Section 2, page 2, line 10, by striking out after the word "who" the word "hereafter"; also in line 15, by inserting after the word "doctrines" the following: "or who advocates Communism Fascism or Naziism or who advocates or supports a political party or organization of individuals advocating or supporting Communism, Fascism or any 'un-American or subversive doctrines' also in line 26, by striking out after the word "resides" the word "which" and inserting in lieu thereof the following: "If the employe aggrieved shall so request in his petition

such hearing shall be de novo The "; also in line 27, by striking out after the word "testimony" the words "de novo".

On the question,

Will the House concur in the amendments made by the Senate?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows, viz:

YEAS—81

Auker,	Gates,	Lee, T. H.,	Serrill,
Boorse,	Gillan,	Leisey,	Simons,
Bower,	Gillette,	Leydic,	Snyder,
Bretherick,	Greenwood,	Lichtenwalter,	Sollenberger,
Brunner, C. H.,	Gross,	Lyons,	Sorg,
Cadwalader,	Gyger,	McClester,	Stambaugh,
Cook,	Habbyshaw,	McDowell,	Stockham,
Cooper,	Haines,	McKinney,	Taylor,
Cordier,	Hall,	McMillen,	Thompson, R. L.,
Dalrymple,	Hare,	McSurdy,	Trout,
Dennison,	Helm,	Muir,	Turner,
Dix,	Hewitt,	O'Dare,	Van Allsburg,
Eckels,	Huntley,	Rank,	Wagner,
Elder,	Imbrie,	Reagan,	Watkins,
Ely,	James,	Reese, D. P.,	Weingartner,
Fisher,	Jones, G. E.,	Rhea,	Wilkinson,
Fiss,	Kline,	Riley,	Winner,
Fleming,	Knoble,	Rose, W. E.,	Wood, L. H.,
Fletcher,	Krise,	Royer,	Wood, N.,
Foor,	Lee, E. A.,	Sarge,	Woodside,
			Yeakel,

NAYS—122

Achterman,	French,	McDermott,	Rose, S.,
Baker,	Gallagher,	McFall,	Rosenfeld,
Balthaser,	Gerard,	McIntosh,	Rush,
Baugher,	Goodwin,	McLanahan,	Sarraf,
Bentley,	Gryskewicz,	McLane,	Scanlon,
Bentzel,	Haberlen,	Melchiorre,	Schwab,
Boles,	Hamilton,	Mihm,	Shaffer,
Boney,	Harkins,	Modell,	Shaw,
Bradley,	Harmuth,	Monks,	Shepard,
Breth,	Harris,	Mooney,	Skale,
Brown,	Heatherington,	Moran,	Stank,
Brunner, P. A.,	Hering,	Moul,	Stine,
Burns,	Herman,	Munley,	Tarr,
Burris,	Hersch,	Nagel,	Tate,
Chervenak,	Hirsch,	Nunemacher,	Thompson, E. F.,
Chudoff,	Holland,	O'Brien,	Verona,
Cochran,	Jefferson,	O'Connor,	Vincent,
Cohen, R. E.,	Jones, P. N.,	O'Mullen,	Vogt,
Cohen, M. M.,	Keenan,	O'Neill,	Voldow,
Corrigan,	Kenehan,	Owens,	Weiss,
Croop,	Kolankiewicz,	Petrosky,	Welsh, E. B.,
Cullen,	Komorofski,	Pettit,	Welsh, M. J.,
DiGenova,	Leonard,	Polaski,	Williams,
Dolon,	Lesko,	Polen,	Wolf,
D'Ortona,	Levy,	Powers,	Woodring,
Duffy,	Longo,	Prosen,	Wright,
Early,	Lovett,	Rausch,	Yester,
Elliott,	Malloy,	Readinger,	Young,
Falkenstein,	Marks,	Reese, R. E.,	Kilroy,
Finestone,	Maxwell,	Reynolds,	Speaker.
Flynn,	McClanaghan,	Rooney,	

Less than the majority required by the Constitution having voted in the affirmative, the question was determined in the negative and the amendments were not concurred in.

Ordered, That the Clerk inform the Senate accordingly.

REPORT OF COMMITTEE OF CONFERENCE ON HOUSE BILL No. 1365

Mr. CORRIGAN. Mr. Speaker, I desire to call up the report of the Committee of Conference on House Bill No. 1365, Printer's No. 1207.

The report was read by the Clerk as follows:

To the Members of the Senate and House of Representatives:

We the undersigned Committee of Conference on the part of the Senate and House of Representatives for the purpose of considering House Bill No. 1365 entitled:

An Act to amend the act approved the first day of May one thousand nine hundred and twenty-nine (P. L. 905) entitled 'An act for the protection of the public safety regulating the use of highways and the operation of vehicles tractors street cars trackless trolley omnibuses bicycles pedestrians and the riding of animals upon the highways of this Commonwealth * * *' as variously amended authorizing the Secretary of Revenue to establish a system of permanent registration of vehicles providing for the issuance of limited operator's licenses in certain cases and further regulating the operation of vehicles and the suspension of registration and operating privileges giving the Pennsylvania Turnpike Commission power to regulate traffic on turnpikes extending the time limit for cities of the second class A to make certain changes in traffic signals extending the liability of political subdivisions to include negligent operation of their vehicles drawn by animal power amplifying and changing provisions of said act relating to lighting signal and warning devices and the transportation of vehicles * * *"

Respectfully submit the following bill as our report:

J. G. Snowden
A. Evans Kephart
John H. Dent
(Committee on the part of the Senate)

John P. Corrigan
Joseph M. O'Brien
Franklin H. Lichtenwalter
(Committee on the part of the House of Representatives)

An Act to amend the act approved the first day of May one thousand nine hundred and twenty-nine (P. L. 905) entitled "An act for the protection of the public safety regulating the use of highways and the operation of vehicles tractors street cars trackless trolley omnibuses bicycles pedestrians and the riding of animals upon the highways of this Commonwealth providing for the titling including liens encumbrances and legal claims registration of certain vehicles and licensing the operators thereof upon payment of prescribed fees prescribing and limiting the powers of local authorities to deal with the subject matter of this act conferring powers and imposing duties upon the Department of Revenue Department of Highways peace officers mayors burgesses magistrates aldermen justices of the peace the courts and the clerks thereof owners of vehicles and garage keepers providing that records are admissible as evidence imposing upon owners counties cities boroughs incorporated towns townships within the Commonwealth liability for damages caused by the negligent operation of their motor vehicles imposing penalties imposing certain costs upon counties providing for the disposition of fines forfeitures fees and miscellaneous receipts making an appropriation and providing for refunds" as variously amended authorizing the Secretary of Revenue to establish a system of permanent registration of vehicles providing for the issuance of limited operator's licenses in certain cases and further regulating the operation of vehicles and the suspension of registrations and operating privileges giving the Pennsylvania Turnpike Commission power to regulate traffic on turnpikes extending the time limit for cities of the second class A to make certain changes in traffic signals extending the liability of political subdivisions to include negligent operation of their vehicles drawn by animal power amplifying and changing provisions of said act relating to lighting signal and warning devices and the transportation of vehicles redefining the term dealer further regulating dealers in junked vehicles permits for oversize and overweight vehicles use of school buses registration plates and cards maximum size of vehicles and medical examinations by physicians providing for payment of certain fees by counties limiting and providing new exemptions from the various

provisions of said act giving additional authority to peace officers and department employes in the matter of investigations further regulating prosecutions giving certain powers to local authorities for the regulation of traffic and the establishment of traffic courts changing and fixing additional fees changing and imposing new penalties giving the secretary additional powers and duties imposing additional duties on keepers and employers of garages and repair shops providing refunds to certain persons entering Federal services making it a misdemeanor for committing malicious mischief to motor vehicles parts or accessories thereof and establishing penalties therefor and making an appropriation

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section one hundred and two of the act approved the first day of May one thousand nine hundred and twenty-nine (P. L. 905) entitled "An act for the protection of the public safety regulating the use of highways and the operation of vehicles tractors street cars trackless trolley omnibuses bicycles pedestrians and the riding of animals upon the highways of this Commonwealth providing for the titling including liens encumbrances and legal claims registration of certain vehicles and licensing the operators thereof upon payment of prescribed fees prescribing and limiting the powers of local authorities to deal with the subject matter of this act conferring powers and imposing duties upon the Department of Revenue the Department of Highways peace officers mayors burgesses magistrates aldermen justices of the peace the courts and the clerks thereof owners of vehicles and garage keepers providing that records are admissible as evidence imposing upon owners counties cities boroughs incorporated towns townships within the Commonwealth liability for damages caused by the negligent operation of their motor vehicles imposing penalties imposing certain costs upon counties providing for the disposition of fines forfeitures fees and miscellaneous receipts making an appropriation and providing for refunds" as last amended by the act approved the twenty-seventh day of June one thousand nine hundred and thirty-nine (P. L. 1135) is hereby further amended to read as follows

Section 102 Definitions The following words and phrases when used in this act shall for the purpose of this act have the meanings respectively ascribed to them in this section except in those instances where the context clearly indicates a different meaning

"Approved" Having been favorably passed upon by the secretary as suitable for the purpose designed

"Auxiliary Driving Lamp" A complete road illuminating device [in addition to or supplementing the head lamps] located upon the front of a motor vehicle and intended for use in pairs instead of the head lamps or singly in conjunction with the head lamps

"Bicycle with Motor Attached" Every vehicle except a motorcycle as herein defined which is self-propelled by an engine not exceeding four (4) horsepower

"Business District" The territory contiguous to a highway when fifty (50) per cent or more of the frontage thereon for a distance of three hundred (300) feet or more is occupied by buildings in use for business

"Chassis" The chassis of a motor vehicle to be propelled by an internal combustion or steam engine shall consist of an assembly of all essential parts with protective housings ready for operation on the highway including as minimum equipment a set of tires attached to wheels driver's seat including cab front wheel fenders running board or mounting step tool compartment priming coat on all parts to be painted pair of front lamps and one rear lamp license brackets jack and a set of tools commonly used for making adjustments and minor repairs on the highway water oil and fuel

"Clearance Lamp" A lamp or lamps arranged to mark the extreme sides of the motor vehicle and so arranged to show white green or amber to the front and red to the rear

"Commercial Motorcycle" Every motorcycle designed to travel on three wheels in contact with the ground and designed for carrying freight merchandise implements or articles of any kind or service in connection with calling for and delivering automobiles to patrons

"Commercial Motor Vehicle" Any motor vehicle designed for carrying freight or merchandise Provided however That a motor vehicle originally designed for passenger transportation to which has been added a removable box body without materially altering said motor vehicle when owned and used by a farmer shall not be deemed a "commercial motor vehicle" for the purpose of this act And further provided That any motor vehicle of the bus type operated under contract with or owned by any school district of this Commonwealth for the transportation of school children shall be deemed a "commercial motor vehicle"

"Crosswalk" That portion of a highway ordinarily included within the prolongation of curb and property lines at intersections or any portion of a highway clearly indicated for pedestrian crossing by lines or other markings on the surface

"Cushion Rubber Tire" A tire molded on a steel base having a longitudinal cavity running circumferentially at the center line of the tire extending from its base with a height of no less than one half the overall standing height of the time such tires when new being no less than four and one-half (4½) inches high over all including steel base

"Dealer" [Any person firm corporation or association engaged in the purchase and sale of motor vehicles trailers and semi-trailers and who has an established place of business or any person regularly engaged in the business of transporting new vehicles on their own wheels and who has an established place of business] (1) A person actively and principally engaged in and devoting a substantial portion of his time to the business of buying selling or exchanging new motor vehicles trailers or semi-trailers on commission or otherwise who maintains a salesroom or garage devoted exclusively to the motor vehicle business and who holds a contract in writing with a manufacturer giving such person selling rights for new motor vehicles trailer or semi-trailers or with a jobber of such vehicles who as such jobber holds a manufacturer's franchise or contract giving selling rights on new motor vehicles trailers or semi-trailers in this Commonwealth or (2) a person actively and principally engaged in and devoting a substantial portion of his time to the business of buying selling or exchanging used motor vehicles trailers or semi-trailers and who maintains a salesroom garage or used car lot actually occupied by such person either continuously or at regular intervals and upon which or adjacent thereto is a building owned or rented by such person where his books and records are kept and which is devoted exclusively to the motor vehicle business in which the repair of motor vehicles is subordinate or incidental to the business of buying selling or exchanging the same or (3) any person regularly engaged in the business of transporting new motor vehicles trailers or semi-trailers on their own wheels and who has an established place of business or (4) a person who is duly authorized to do business in this Commonwealth and is actively engaged in the business of financing sales or making loans on security of motor vehicles Provided however That a person entitled to dealer registration under clause (3) hereof may only use dealer's registration plates for the purpose of transporting new motor vehicles trailers or semi-trailers on their own wheels and a person entitled to dealer registration under clause (4) hereof may only use dealer's registration plates for the purpose of moving or operating a motor vehicle trailer or semi-trailer which he is repossessing or which after repossession he is moving for the purpose of repairing or having repaired demonstrating for sale or which he is moving for delivery to a bona fide purchaser in the regular course of his business

"Department" The Department of Revenue of this Commonwealth

"Emergency Brake" The means of applying braking

effort to at least two (2) wheels on a motor vehicle normally operated by the operator's hand Provided however That where there are two (2) brakes both designed to be operated by the foot the one (1) equipped with a ratchet or other device for holding the brake in the applied position shall be considered the "Emergency Brake" and the requirements shall be the same as herein set forth

"Essential Parts" All integral parts and body parts the removal alteration or substitution of which will tend to conceal the identity or substantially alter the appearance of the vehicle

"Explosives" Any chemical compound or mechanical mixture that is commonly used or intended for the purpose of producing an explosion that contains any oxidizing and combustible units or other ingredients in such proportions quantities or packing that any ignition by fire by friction by concussion by percussion or by detonator of any part of the compound or mixture may cause such a sudden generation of highly heated gases that the resultant gaseous pressures are capable of producing destructive effects on contiguous objects or of destroying life or limb

"Flammable Liquid" Any liquid which has a flash point of seventy degress Fahrenheit or less as determined by a tabliabue or equivalent closed cup test device

"Fog or Adverse Weather Lamps" A complete road illuminating device mounted in pairs upon the front of a motor vehicle and intended for use only during adverse weather conditions

"Foreign Vehicles" Every motor vehicle trailer or semi-trailer which shall be brought into this Commonwealth otherwise than in the ordinary course of business by or through a manufacturer or dealer and which has not been registered in this Commonwealth

"Gross Weight" The combined weight of the vehicle or combination of vehicles and its or their load or loads exclusive of the operator

"Headlamp" A complete road illuminating device located upon the front of a motor vehicle the rays from which are projected forward other than a sidelight clearance lamp auxiliary driving lamp fog or adverse weather lamp searchlight or spot lamp

"Highway" Every way or place of whatever nature open to the use of the public as a matter of right for purposes of vehicular travel The term "highway" shall not be deemed to include a roadway or driveway upon grounds owned by private persons colleges universities or other institutions

"Intersection" The area embraced within the prolongation of the lateral curb lines or if none then the lateral boundary lines of two or more highways which join one another at an angle whether or not one such highway crosses the other

"Jobber" Any person firm corporation or association engaged in the purchase and sale of new motor vehicles trailers or semi-trailers and their sale directly to dealers

"Learner's Permit" A permit issued to any person to learn to operate a motor vehicle or tractor

"License Plate Lamp" A lamp designed to illuminate the rear registration plate with a white light without directing the white light to the rear It may be separate from or in combination with the rear lamp

"Local Authorities" Every county municipal and other local board or body having authority to adopt local police regulations under the Constitution and laws of this Commonwealth

"Magistrate" A mayor burgess magistrate alderman justice of the peace or other officer having powers of a committing magistrate

"Manufacturer" Every person engaged in the business of manufacturing motor vehicles trailers semi-trailers motors or bodies of such vehicles

"Mechanical Signal" A movable device operated mechanically or by the driver and so constructed and arranged as to give a cautionary or direction signal to the front and rear

"Metal Tires" All tires the surface of which in contact with the highway is wholly or partly of metal or other hard non-resilient material

"Motor Bus" Shall include all motor vehicles operated for the carriage of passengers for hire by individuals associations copartnerships or corporations required under the laws of this Commonwealth to obtain certificate of public convenience from the Public Utility Commission of the Commonwealth of Pennsylvania before engaging in the carriage of passengers for hire or by individuals associations copartnerships or corporations who or which were engaged in the business of carrying passengers for hire as common carriers prior to the first day of January one thousand nine hundred and fourteen

"Motorcycle" Every motor vehicle having a saddle for the use of the rider and designed to travel on not more than three wheels in contact with the ground except any such vehicle as may be included within the term "tractor"

"Motor Omnibus" Shall include all motor vehicles operated for the carriage of passengers for hire by individuals associations copartnerships or corporations who or which were not engaged in the carriage of passengers for hire as common carriers prior to the first day of January one thousand nine hundred and fourteen and who or which are not required under the laws of this Commonwealth to obtain from the Public Utility Commission of the Commonwealth of Pennsylvania certificate of public convenience for the carriage of passengers for hire or motor vehicle of the bus type not operated for the carriage of passengers for hire except as herein provided This definition shall not include or apply to any motor vehicle operated under contract with any school district of this Commonwealth for the transportation of school children such motor vehicles to come within the definitions of commercial motor vehicles or motor vehicles

"Motor Vehicle" Every vehicle as herein defined which is self-propelled except tractors power shovels road rollers agricultural machinery and vehicles which move upon or are guided by a track or travel through the air

"New Motor Vehicle" Every motor vehicle which is not defined as a reconstructed rebuilt or used motor vehicle

"Nonresident" Any person not a resident of this Commonwealth

"Obscured Registration Plate" Every registration plate the characters on which are not legible in daylight at a distance of fifty (50) feet from the front or rear of the motor vehicle on the line of the axis of the vehicle on an approximately level streth of highway

"Operator" Every person who is in actual physical control of a motor vehicle or tractor upon a highway

"Operator's License" The license issued to any person to operate a motor vehicle or tractor

"Overtake" A vehicle or combination of vehicles shall be deemed to overtake another vehicle or combination of vehicles when all of the vehicle and its load or all of the combination of vehicles and their loads move so that any part of the vehicle or its load or any part of the combination of vehicles or their loads is opposite to or alongside of any other moving vehicle or its load or combination of vehicles or their loads being operated in the same direction as the overtaking vehicle or combination of vehicles

"Owner" A person or persons holding the legal title of a vehicle or in the event a vehicle is the subject of an agreement for the conditional sale or lease thereof or other like agreement with the right of purchase upon performance of the conditions stated in the agreement and with an immediate right of possession vested in the conditional vendee or lessee then such conditional vendee or lessee shall be deemed the owner for the purpose of this act

"Parking" The standing of a vehicle except police or fire department vehicle or ambulance whether occupied or not upon a highway otherwise than temporarily for the purpose and while actually engaged in loading or unloading or in obedience to traffic regulations or traffic signs or signals

"Parking Lamp or Clearance Lamp" A lamp or lamps so arranged to show white green or amber to the front and red to the rear

"Pass" A vehicle or combination of vehicles shall be deemed to pass another vehicle or combination of vehicles when all of the vehicle and its load or all of the combination of vehicles and their loads moves by or in advance of any moving vehicle and its load or combination of vehicles and their loads being operated in the same direction as the passing vehicle or combination of vehicles

"Passenger Seat" Each sixteen (16) inches of seating capacity in any motor omnibus or motor bus

"Peace Officer" A sheriff deputy sheriff constable member of the Pennsylvania Motor Police or other police officer vested with authority of arrest

"Pedestrian" Any person afoot

"Person" Every natural person firm copartnership association or corporation

"Pneumatic Tires" All tires inflated with compressed air

"Private Road or Driveway" Every road or drive not open to the use of the public for purposes of vehicular travel

"Railway Grade Crossing" Any set of tracks or rails of any steam gasoline or electric railway line which intersects or crosses any highway at the same level or grade of such highway except electric railway lines within cities boroughs or incorporated towns

"Rear Lamp" A lamp located upon the rear of a motor vehicle trailer or semi-trailer so arranged as to show red to the rear and which may or may not illuminate the rear registration plate with a white light

"Rebuilt Motor Vehicle" Every motor vehicle which shall have been assembled by using new parts and used parts derived from other motor vehicles of the same make and rebuilt by the manufacturer thereof

"Reconstructed Motor Vehicle" Any motor vehicle which shall have been assembled or constructed largely by means of essential parts new or used derived from other motor vehicles or makes of motor vehicles of various names models and types or which if originally otherwise constructed shall have been materially altered by the removal of essential parts or by the addition or substitution of essential parts new or used derived from other motor vehicles or makes of motor vehicles

"Registration Card" Includes temporary registration card as well as other registration cards

"Registration Plates" Includes temporary registration plates as well as other registration plates

"Residence District" The territory contiguous to a highway not comprising a business district when the frontage on such highway for a distance of three hundred (300) feet or more is closely built up with dwellings or by dwellings and buildings in use for business

"Resident" Any person who has a regular place of abode or business in the Commonwealth for a period of more than thirty (30) consecutive days in the year except as otherwise provided in sections four hundred nine and six hundred three

"Right of Way" The privilege of the immediate use of the highway

"Safety Zone" The area of space officially set aside within a highway for the exclusive use of pedestrians and which is so plainly marked or indicated by proper signs as to be plainly visible at all times while set apart as a safety zone

"Secretary" The Secretary of Revenue of this Commonwealth

"Semi-trailer" Every vehicle of the trailer type so designed and used in conjunction with a motor vehicle that some part of its own weight and that of its own load rests upon or is carried by another vehicle

"Service Brake" The means of applying braking effort to at least two (2) wheels on a motor vehicle normally operated by the operator's foot

"Sidelights" Any lights upon a motor vehicle other than headlamp [or] auxiliary driving lamp [or] fog or adverse weather lamps signal lamp clearance lamp searchlight or spot lamp the rays of which project forward

"Sign" Any device mark marker board plate or other contrivance designed for the purpose of guiding traffic or informing of a traffic regulation

"Signal lamp" A lamp located upon the side or rear of a motor vehicle so arranged to show red green or yellow to the rear as a cautionary signal

"Solid Rubber Tire" Every tire made of rubber other than a pneumatic tire or a cushion rubber tire

"Specially Constructed Vehicle" Any vehicle which shall not have been originally constructed under a distinctive name make model or type by a generally recognized manufacturer of vehicles

"Spot Lamp" An auxiliary illuminating device either fixed or movable intended to project a powerful concentrated beam of light

"State" A State territory organized or unorganized or district of the United States of America

"Street Car" Every device traveling exclusively upon rails when upon or crossing a highway other than railroad cars or trains

"Tractor" Every vehicle of the tractor type as defined in the Tractor Code

"Traffic" Pedestrians vehicles and street cars either singly or together while using any highway for purposes of travel

"Traffic Signal" Any device using words or colored lights or a combination thereof either manually or electrically controlled by which traffic is alternately directed to stop and go

"Trailer" Every vehicle without motive power designed to carry property or passengers wholly on its own structure and to be drawn by a motor vehicle Provided That wagons or agricultural machinery drawn by either tractor truck or any other motor vehicle for agricultural purposes only shall not be included within such definition and no fee shall be required to operate such vehicles on any public highway lying on along or between any farm owned operated or leased by the person operating such vehicle

"Truck Tractor" Every motor vehicle designed and used primarily for drawing other vehicles and not so constructed as to carry a load other than a part of the weight of the vehicle and load so drawn

"Used Motor Vehicles" Every motor vehicle which has been sold bargained exchanged given away or title transferred from the person who first acquired it from the manufacturer or jobber or dealer and so used as to have become what is commonly known as "second-hand" within the ordinary meaning thereof

"Vehicle" Every device in upon or by which any person or property is or may be transported or drawn upon a public highway excepting tractors agricultural machinery devices moved by human power or used exclusively upon stationary rails or tracks Provided That for the purpose of Article X of this act a bicycle or a ridden animal or a tractor or any other device moving upon wheels on a public highway except a device moving upon wheels upon stationary rails or tracks on a public highway shall be deemed a vehicle

Section 2 Section two hundred and ten of said act as last amended by the act approved the twenty-seventh day of June one thousand nine hundred and thirty-nine (P. L. 1135) is hereby further amended by adding thereto after subsection (j) a new subsection and amending the penalty clause to read as follows

Section 210 Destruction and Cancellation of Records of Certificates of Title Notice of Junking Motor Vehicles Records of Dealers in Junked Motor Vehicles

* * * *

(k) Every dealer in junked motor vehicles or other person engaged in the business of purchasing motor vehicles for the purpose of destruction or dismantling shall keep and maintain accurate records for a period of three years of the date of purchasing or acquiring any motor vehicle the name and address of the person from whom such motor vehicle was purchased or acquired the motor number the manufacturer's serial number the certificate of title number the date the motor vehicle was dismantled whether owner applied for and purchaser received a certificate of junk and the number thereof or whether certificate of title was assigned to a dealer and in such case the disposition thereof and if the motor vehicle was sold the name and address of the purchaser Every such dealer in junked motor vehicles shall allow full and free access to such records during regular business hours to duly authorized representatives of the department and to peace officers

Penalty Any person violating any of the provisions under subsections (b) (c) [or] (h) or (k) of this section shall upon summary conviction before a magistrate be sentenced to pay a fine of twenty-five ($25) dollars and costs of prosecution and in default of the payment thereof shall undergo imprisonment for not more than ten (10) days

Section 3 Subsection (d) and the penalty clause of section four hundred and nine and section four hundred and eleven of said act as amended by the act approved the twenty-seventh day of June one thousand nine hundred and thirty-nine (P. L. 1135) are hereby further amended to read as follows

Section 409 Registration by Nonresidents Exemption of Nonresidents and Agreements with other States

* * * *

(d) Where provisions relating to the equipment size weight or construction of vehicles engaging in interstate commerce are included within or prohibited by any Federal law or regulation now existing or hereafter to be enacted or adopted the secretary shall have the authority to exempt from the operation of any or all of the provisions of articles eight and nine of this act any or all classifications of vehicles registered in this Commonwealth with such restrictions conditions and privileges or lack of them as he may deem advisable Provided however That such exemption shall be effective and applicable to a vehicle of any classification exempted as aforesaid only so long as such Federal laws and regulations shall be complied with and such exemption shall cease to exist as to such vehicle upon any violation thereof and the operator and owner of such vehicle shall thereupon and until such time thereafter as the vehicle is put in compliance with the Federal law and regulations be subject to all provisions of articles eight and nine of this act Vehicles so exempted shall be subject to the laws or regulations enacted or adopted by the Federal Government relating to the equipment size weight or construction of such vehicles to the same extent and with the same force and effect as if such laws or regulations were expressly set forth in this act Prosecutions and arrests for violations of such laws or regulations shall be brought or made subject to the conditions herein described with the same limitations as is now or may hereafter be provided for other prosecutions and arrests made under this act

* * * *

Penalty Any person owning or operating a vehicle not registered in this Commonwealth in violation [of the terms of any agreement made under] of any of the provisions of this section [or in the absence of any agreement] shall upon summary conviction before a magistrate be sentenced to pay a fine of twenty-five ($25) dollars and costs of prosecution and in default of the payment thereof shall undergo imprisonment for not more than ten (10) days or suffer such other penalty as the secretary may prescribe under subsection (e) of this section

Section 411 Transfer of Registration Temporary Registration Cards

(a) Upon transfer of ownership or the destruction of any motor vehicle trailer or semi-trailer the registration shall expire

(b) When transfer of registration plates is made from one motor vehicle to another owned by the same person application shall be made immediately to the department upon a form furnished by the department accompanied by the transfer fee provided in this act when the motor vehicle trailer or semi-trailer is of equal or less horsepower or classification than that originally registered or accompanied by the transfer fee provided in this act and the difference between the fee originally paid and that due if the motor vehicle trailer or semi-trailer to which the registration plates are transferred be properly registered in a higher class Such application shall also be accompanied by the owner's registration card if and when the secretary exercises his discretionary power to allow the use of temporary registration cards as hereafter provided

(c) The application shall contain the full name and the actual or bona fide address of the owner together with the name manufacturer's serial number engine number the character of the motive power and the horsepower or seating capacity and in the case of a commercial motor vehicle the gross weight of the chasis as given and certified to by the manufacturer and in the case of electric commercial motor vehicles the gross maximum weight of chassis battery body and load as given and certified to by the manufacturer and in the case of trailers and semi-trailers the combined weight of the chassis and body and also such description of the motor vehicle trailer or semi-trailer including lamps and other equipment as the secretary shall require The application shall be signed by the owner if a natural person and in the case where the owner is a corporation copartnership or association by an executive officer thereof or some person specifically authorized by the said corporation copartnership or association to sign the same

(d) When a transfer of registration is made the owner shall be given a transfer registration card and new registration number if transfer is made to another classification [Immediately upon receipt of such transfer registration card and owner shall return to the department the original registration card unless such card has been lost or destroyed]

(e) When a transfer of registration is made after a vehicle has been registered for the succeeding year and the transfer application has been received and completed by the department prior to [January] April first of such succeeding year the transfer fee provided in this act shall not be required

(f) The secretary shall have the discretionary power to allow the use of temporary registration cards pending the receipt of an annual registration card from the department which shall be valid for all purposes of this act but which shall be void upon the receipt of an annual registration card Temporary registration cards in the discretion of the secretary may be delivered to any notary public magistrate or dealer who shall have the authority to issue such temporary registration cards to any person upon the transfer of ownership of a motor vehicle Provided however That the secretary shall have the authority to suspend the privilege of any such notary public magistrate or dealer to issue temporary registration cards and upon suspension of such privilege the secretary shall require the surrender of any temporary registration cards that such person shall have in his possession upon a finding by the secretary that such person has issued a temporary registration card containing a misstatement of fact or has issued a card in violation of any of the regulations promulgated by the secretary under authority of this subsection Temporary registration cards shall set forth the name and address of the owner of the vehicle the registration number the make of engine and manufacturer's number of the vehicle from which transfer of registration is desired and the make engine number and manufacturer's number of the vehicle that has been purchased the date of issuance of such temporary registration card

and any other information that the secretary may require The secretary shall have the power to make such rules and regulations not inconsistent herewith as he shall deem necessary for the purpose of carrying out the provisions of this subsection

(g) It shall be unlawful for any notary public magistrate or dealer knowingly to issue a temporary registration card to any person containing any misstatement of fact

(h) It shall be unlawful for any person making an application for transfer of registration or for any person authorized to present such application to fail to forward or cause to be forwarded to the department such application within forty-eight (48) hours after the transfer of registration plates is made from one motor vehicle to another owned by the same person

Penalty Any person violating any of the provisions of subsections (b) [or] (d) (f) (g) or (h) of this section or any rule or regulation made by the secretary in accordance with subsection (f) of this section shall upon summary conviction before a magistrate be sentenced to pay a fine of ten ($10) dollars and costs of prosecution and in default of the payment thereof shall undergo imprisonment for not more than five (5) days

Section 4 Article four of said act is hereby amended by adding thereto after section four hundred fifteen a new section to read as follows

Section 416 Permanent Registration The secretary may in his discretion establish a system of permanent registration of vehicles in this Commonwealth and for that purpose the secretary shall have the power and authority to promulgate such rules and regulations not inconsistent herewith as he may deem necessary

Section 5 Section five hundred and seven of said act is hereby amended to read as follows

Section 507 Temporary Use of Registration Plates Pending Transfer After the transfer of registration plate or plates from a motor vehicle trailer or semi-trailer to another motor vehicle trailer or semi-trailer owned by the same owner the owner or operator shall not for a period of twenty (20) days be subject to a fine for the operation of the latter motor vehicle trailer or semi-trailer without the proper transfer registration card for the registration plate or plates displayed provided he shall have made application to the department as required in this act within forty-eight (48) hours after said transfer of registration plate or plates for transfer of the registration and provided he shall upon prosecution make an affidavit or testify under oath to that effect

Section 6 Said act is hereby amended by adding thereto after section five hundred and ten a new section to read as follows

Section 511 Temporary Registration Plates

(a) The secretary in his discretion and subject to the limitations and conditions hereinafter set forth may deliver temporary registration plates to dealers when the application therefor is accompanied by the fee prescribed in this act Such application shall be made upon a form prescribed and furnished by the department Dealers subject to the limitations and conditions hereinafter set forth may issue such temporary registration plates to owners of vehicle provided that such owners shall comply with the pertinent provisions of this section

(b) Every dealer who has made application for temporary registration plates shall maintain in permanent form a record of all temporary registration plates delivered to him and shall also maintain in permanent form a record of all temporary registration plates issued by him and in addition thereto shall maintain in permanent form a record of any other information pertaining to the receipt or the issuance of temporary registration plates that the secretary may require Each record shall be kept for a period of at least three years from the date of entry of such record Every dealer shall allow full and free access to such records during regular business hours to duly authorized representatives of the department and to peace officers

(c) Every person who issues temporary registration plates shall on the day that he issued such plates send to the department a copy of the temporary registration plate application properly executed by such dealer and the owner

(d) A person shall not issue assign transfer or deliver temporary registration plates to any one other than the bona fide purchaser or owner of the vehicle to be registered nor shall a person issue temporary registration plates unless previous to or at the time that the dealer sends to the department a copy of the executed temporary registration plate application the owner has sent or sends a bona fide application for annual registration nor shall a person issue temporary registration plates to any one possessed of annual registration plates for a vehicle that has been sold or exchanged nor shall a person who has been convicted of a violation of section six hundred and twenty (j) of this act issue temporary registration plates to any person nor make application for or receive any temporary registration plates for the purpose of issuance to an owner nor shall a person who has been convicted of three or more violations of the provisions of this section make application for or issue any temporary registration plates nor shall a dealer lend to any one or use on any vehicle that he may own temporary registration plates It shall be unlawful for any person to issue any temporary registration plate or plates containing any misstatement of fact or knowingly to insert any false information upon the face thereof

(e) Every person who issues temporary plates shall affix or insert clearly and indelibly on the face of each temporary registration plate the date of issuance and expiration and the make and serial number of the vehicle for which issued

(f) Every person who makes application for temporary registration plates shall execute the temporary registration plate application and shall return such application to the dealer from whom the vehicle to be registered has been or will be purchased

(g) Every person who makes application for temporary registration plates shall execute and send an application for annual registration plates to the department previous to or at the same time that the dealer sends to the department a copy of the executed temporary registration certificate but in no event shall such application for annual registration plates be made later than the day on which the temporary registration plates are issued to such owner

(h) Every person to whom temporary registration plates have been issued shall permanently destroy such temporary registration plates immediately upon receiving the annual registration plates from the department Provided That if the annual registration plates are not received within twenty (20) days of the issuance of the temporary registration plates the owner shall notwithstanding immediately upon the expiration of such twenty (20) day period permanently destroy the temporary registration plates

(i) Temporary registration plates shall expire and become void upon the receipt of the annual registration plates from the department or upon the recision of a contract to purchase a motor vehicle or upon the expiration of twenty (20) days from the date of issuance depending upon whichever event shall first occur No refund or credit of fees paid by dealers to the department for temporary registration plates shall be allowed except in the event that the secretary discontinues the issuance of temporary registration plates dealers returning temporary registration plates to the department may petition for refund or a credit thereof

(j) The secretary shall have the power to make such rules and regulations not inconsistent herewith as he shall deem necessary for the purpose of carrying out the provisions of this section

Penalty Any person violating any of the provisions of subsections (b) (c) (d) or (e) of this section shall upon summary conviction before a magistrate be sentenced to

pay a fine of twenty-five ($25) dollars and costs of prosecution for the first offense fifty ($50) dollars and costs of prosecution for any subsequent offense and in default of the payment thereof shall undergo imprisonment for not more than ten (10) days and upon conviction of a third offense no temporary registration plates shall thereafter be delivered to such person for the purpose of issuing such plates to an owner nor shall such person thereafter issue any temporary registration plates Any person violating any of the provisions of subsections (f) (g) or (h) of this section or any rule or regulation made by the secretary as hereinbefore provided shall upon summary conviction before a magistrate be sentenced to pay a fine of ten ($10) dollars and costs of prosecution for the first offense and twenty-five ($25) dollars and costs of prosecution for any subsequent offense and in default of the payment thereof shall undergo imprisonment for not more than five (5) days

Section 7 Said act is hereby amended by adding thereto after section six hundred seventeen a new section to read as follows

Section 617.1 Limited Operator's Licenses Should Be Issued Under Certain Circumstances Notwithstanding any other provisions of this or any other law to the contrary any person whose operator's license has been revoked once or suspended once for reasons other than as provided in clauses one two three and four of section six hundred fourteen of this act or for mental or physical infirmities or disabilities and who is required to operate a commercial motor vehicle motor bus motor omnibus or motor vehicle as a condition of or in connection with such operator's employment shall be issued and if such license has been so revoked or suspended more than once such person may in the discretion of the secretary be issued an operator's license conferring the limited right to operate said commercial vehicle motor bus motor omnibus or motor vehicle as an operator in the course of such employment only

Any person having been issued a limited operator's license pursuant to the authority of this section who shall operate any vehicle contrary to the limitation thereof shall be subject to the penalties provided by this act for operating a motor vehicle without an operator's license

Any operator's license issued under the authority of this section shall be distinctly marked to show its limited use and the holder thereof shall be subject to all the provisions of this act relating to operator's licenses including penalties

Section 8 Section six hundred and nineteen of said act as last amended by the act approved the twenty-ninth day of June one thousand nine hundred and thirty-seven (P. L. 2329) is hereby further amended to read as follows

Section 619 Counties and Municipalities Liable for Negligence of their Employes Every county city borough incorporated town or township within this Commonwealth employing any person shall be jointly and severally liable with such person for any damages caused by the negligence of such person while operating a motor vehicle or fire department equipment or any vehicle drawn by animal power upon a highway in the course of their employment and every city borough incorporated town and township shall also be jointly and severally liable with any member of a volunteer fire company of any such city borough incorporated town or township for any damages caused by the negligence of such member while operating a motor vehicle or fire department equipment used by or belonging to such volunteer fire company while going to attending or returning from a fire or while engaged in any other proper use of such motor vehicle or fire department equipment for such volunteer fire company

Section 9 Section six hundred and twenty of said act as amended by the act approved the twenty-ninth day of June one thousand nine hundred and thirty-seven (P. L. 2329) and as amended in part by the act approved the twenty-seventh day of June one thousand nine hundred and thirty-nine (P. L. 1135) is hereby further amended to read as follows

Section 620 Violation of License Provisions It shall be unlawful for any person to commit any of the following acts

(a) To display or cause or permit to be displayed or to have in possession any operator's license or learner's permit knowing the same to be fictitious or to have been cancelled revoked suspended or altered

(b) To lend to or knowingly permit the use of by one not entitled thereto any operator's license or learner's permit issued to the person so lending or permitting use thereof

(c) To display or to represent as one's own any operator's license or learner's permit not issued to the person so displaying the same

(d) To fail or refuse to surrender to the department upon demand any operator's license learner's permit registration card registration plates certificate of title or duplicates thereof which have been suspended canceled or revoked as provided in this act

(e) To make use of or operate any motor vehicle without the knowledge or consent of the owner or custodian thereof

(f) To operate a motor vehicle street car or trackless trolley omnibus while under the influence of intoxicating liquor or any narcotic drug or habit producing drug or permit any person who may be under the influence of intoxicating liquor or narcotic or habit producing drug to operate any motor vehicle owned by him or in his custody or control

(g) To turn off any or all the lights on a motor vehicle for the purpose of avoiding identification or arrest

(h) To operate any motor vehicle upon the highways of this Commonwealth after the operating privilege is suspended or revoked and before such operating privilege has been reinstated

(i) To operate any motor vehicle upon the highways of this Commonwealth after its registration has been suspended by the secretary

(j) To use a false or fictitious name or give a false or fictitious address in any application or form required under the provisions of this act or make a false statement or conceal a material fact or otherwise commit a fraud in any application

(k) Knowingly to aid abet or in any manner assist any person required to furnish information under the provisions of this act in giving or furnishing any false information in any application or other form required by this act or in making any false statement or concealing any material fact or otherwise committing a fraud affecting any material fact or statement in any such application or other form

Penalty Any person violating any of the provisions of subsections (a) (b) (c) (d) of this section shall upon summary conviction before a magistrate be sentenced to pay a fine of fifty ($50) dollars and costs of prosecution and in default of the payment thereof shall undergo imprisonment for not more than ten (10) days

Any person violating any of the provisions of subsection (j) or (k) of this section shall upon summary conviction before a magistrate be sentenced to pay a fine of one hundred ($100) dollars and costs of prosecution and in default of the payment thereof shall undergo imprisonment for not more than twenty (20) days

Any person violating any of the provisions of subsections (e) (f) (g) (h) or (i) of this section shall be guilty of a misdemeanor and shall upon conviction thereof in a court of quarter sessions be sentenced to pay a fine of not less than one hundred ($100) dollars and not more than five hundred ($500) dollars and costs of prosecution or undergo imprisonment for not more than three (3) years or suffer both such fine and imprisonment

Section 10 Section seven hundred and two of said act as reenacted by the act approved the twenty-second day of June one thousand nine hundred and thirty-one (P. L. 751) is hereby amended to read as follows

Section 702 Motor Vehicles The fee for annual registration of motor vehicles except as provided in this act shall be at the rate of forty (40) cents for each horsepower or fractional part thereof Provided That the minimum fee payable for such annual registration shall be ten ($10) dollars Provided further That the fee for the annual registration of any type of motor vehicle used exclusively in connection with the drilling of wells shall be ten ($10) dollars

Section 11 Said act is hereby amended by adding thereto after section seven hundred and two a new section to read as follows

Section 702.1 Fee for Temporary Registration The fee for the temporary registration of motor vehicles shall be fifty (50c) cents for each set issued and dealers may purchase no less than five (5) sets of temporary registration plates at any one time

Section 12 Section seven hundred and twelve of said act as amended by the act approved the twenty-seventh day of June one thousand nine hundred and thirty-nine (P. L. 1135) is hereby further amended to read as follows

Section 712 Lighting Equipment

(a) The fee for approval and registration of head lamps and auxiliary driving lamps shall be one hundred and fifty ($150) dollars for each type approved

(b) The fee for approval and registration of rear lamps signal lamps reflectors flares electrical signal devices and mechanical signal devices shall be fifty ($50) dollars for each type approved

(c) The fee for approval and registration incident to the renewal of a certificate of approval for head lamps shall be fifty ($50) dollars

(e) The fee for approval and registration of vacuum or pressure hose for break systems shall be twenty-five ($25) dollars for each type approved

(f) The fee for approval and registration incidental to the renewal of a certificate of approval for vacuum or pressure hose for brake systems or lens shall be ten ($10) dollars

(g) The fee for approval and registration of a hitch or coupling device shall be twenty-five ($25) dollars for each type approved

(h) Certificates approving each type of hitch or coupling device hereafter issued by the secretary will not expire until revoked by the secretary

Section 13 Article seven of said act is hereby amended by adding thereto after section seven hundred and twenty-four a new section to read as follows

Section 725 Refunds to Certain Persons (a) All persons who under the provisions of this act have paid for the year one thousand nine hundred forty-one or for any year thereafter while the present national emergency exists fees for the registration of any motor vehicle and who have subsequent to such payment been inducted into the armed forces of the United States by virtue of the Selective Service Act or who have volunteered for service in the armed forces of the United States shall be entitled upon application to the Department of Revenue on forms to be prepared by the Department of Revenue to receive a refund of fifty per centum (50%) of the fee or fees which such persons have paid to the Department of Revenue provided such persons were inducted or enlisted prior to the fifteenth day of June one thousand nine hundred forty-one or of any year thereafter while the present national emergency exists All persons selected or enlisting after the fifteenth day of June one thousand nine hundred forty-one or of any year thereafter as aforesaid shall be entitled upon application to the Department of Revenue as aforesaid to a refund of twenty-five per centum (25%) of the fee or fees paid by such persons

The State Treasurer is hereby authorized to make such refunds from the Motor License Fund upon requisition of the Department of Revenue and warrant of the Auditor General

(b) So much of the moneys of the Motor License Fund as shall be necessary to carry out the provisions of this act is hereby specifically appropriated from such fund for the purpose above stated

Section 14 Subsections (a) and (b) of section eight hundred and one of said act as amended by the act approved the twenty-ninth day of June one thousand nine hundred and thirty-seven (P. L. 2329) are hereby further amended to read as follows

Section 801 Required Lighting Equipment

(a) When Lights Must Be Displayed Every vehicle upon a highway within this Commonwealth during the period from [one (1)] one half (½) hour after sunset to [one (1)] one-half (½) hour before sunrise and at any other time when there is not sufficient light to render clearly discernible persons and vehicles on the highway at a distance of five hundred (500) feet ahead shall be equipped with lighted lamps and illuminating devices as in this section respectively required for different classes of vehicles

(b) Head Lamps on Motor Vehicles Every motor vehicle other than a motorcycle or bicycle with motor attached shall be equipped with two (2) head lamps no more and no less at the front of and on opposite sides of the motor vehicle which head lamps shall comply with the requirements and limitations set forth in this act and shall be of a type which at the time of their use are approved by the secretary

Section 15 Section eight hundred and two of said act as amended by the act approved the twenty-seventh day of June one thousand nine hundred and thirty-nine (P. L. 1135) is hereby further amended to read as follows

Section 802 Additional Permissible Lights and Devices

(a) Spot Lamps Any motor vehicle or motorcycle may be equipped with not to exceed one (1) spot lamp and every lighted spot lamp shall be so aimed and used upon approaching another vehicle that no part of the high intensity portion of the beam will be directed to the left of the prolongation of the extreme left side of the vehicle nor more than one hundred (100) feet ahead of the vehicle

(b) Auxiliary Driving Lamps Fog or Adverse Weather Lamps Any motor vehicle may be equipped with not more than a total of three (3) [nor less than two (2)] auxiliary driving lamps and fog or adverse weather lamps or combinations thereof not more nor less than two (2) auxiliary driving lamps and not more nor less than two (2) fog or adverse weather lamps mounted on the front spaced at a distance of not less than twenty (20) inches apart and of a height not less than twelve (12) inches nor more than forty-two (42) inches above the level surface upon which the vehicle stands which lamps shall comply with requirements and limitations set forth in this act and shall be of types which at the time of their use are approved by the secretary Auxiliary [or] fog or adverse weather lamps shall not be used in substitution of head lamps except under conditions of rain or fog rendering disadvantageous the use of head lamps

(c) Signal Lamps and Mechanical Signal Devices

1 Whenever a motor vehicle is required to be equipped with a signal lamp or a signal device it shall be so constructed and located on the vehicle as to give a signal of intention to stop or to turn right or left the signal shall be yellow white or red in color and shall be plainly visible in normal sunlight and at night from a distance of one hundred (100) feet to the front and from a distance of one hundred (100) feet to the rear of the vehicle but shall not project a glaring or dazzling light and all such signals shall be of types which at the time of their use are approved by the secretary except that a signal giving the intention to stop shall only be visible from a distance of one hundred (100) feet to the rear

2 When a vehicle is equipped with a mechanical signal the mechanical signal shall be self-illuminated when in use at the times mentioned in section eight hundred one (801) and shall be of a type which at the time of its use is approved by the secretary

3 On and after November first one thousand nine hundred and thirty-nine when a vehicle is equipped with an electrical signal device such device shall be of a

type which at the time of its use is approved by the secretary

Penalty Any person violating any of the provisions of this section shall upon summary conviction before a magistrate be sentenced to pay a fine of ten ($10) dollars and costs of prosecution and in default of the payment thereof shall undergo imprisonment for not more than five (5) days

Section 16 Section eight hundred two and one-tenth of said act which was added by the act approved the sixteenth day of July one thousand nine hundred and thirty-five (P. L. 1056) is hereby amended to read as follows

Section 802.1 Multiple Beam Road Lighting Equipment

Except as hereinafter provided the headlamps or the auxiliary driving lamps or combinations thereof on motor vehicles shall be so arranged that the driver may select at will between distributions of light projected to different elevations subject to the following requirements and limitations

(a) There shall be an uppermost distribution of light or composite beam so aimed and of such intensity as to reveal persons and vehicles at a distance of at least three hundred fifty (350) feet ahead for all conditions of loading The maximum intensity of this uppermost distribution of light or composite beam one (1) degree of arc or more above the horizontal level of the lamps when the vehicle is not loaded shall not exceed eight thousand (8000) apparent candlepower and at no other point of the distribution of light or composite beam shall there be an intensity of more than seventy-five thousand (75,000) apparent candlepower

(b) There shall be a lowermost distribution of light or composite beam so aimed that

1 When the vehicle is not loaded none of the high intensity portion of the light which is directed to the left of the prolongation of the extreme left side of the vehicle shall at a distance of twenty-five (25) feet ahead project higher than a level of [ten (10)] eight (8) inches below the level of the center of the lamp from which it comes

2 When the vehicle is not loaded none of the high intensity portion of the light which is directed to the right of the prolongation of the extreme left side of the vehicle shall at a distance of twenty-five (25) feet ahead project higher than a level of [five (5)] three (3) inches below the level of the center of the lamp from which it comes

3 In no event shall any of the high intensity of such lowermost distribution of light or composite beam project higher than a level of forty-two (42) inches above the level on which the vehicle stands at a distance of seventy-five (75) feet ahead

(c) Where one intermediate beam is provided the beam on the left side of the road shall be in conformity with subsection (b) of this section except when arranged in accordance with the practice specified in subsection (e)

(d) All road lighting beams shall be so aimed and of sufficient intensity to reveal a person or vehicle at a distance of at least one hundred (100) feet ahead

(e) All road lighting equipment manufactured and installed on and after January first one thousand nine hundred thirty-six shall be so arranged that whenever any beam is used which is not in conformity with subsection (a) of this section two (2) white or yellow lights one (1) on each side of the vehicle visible to an oncoming driver and to the driver of said vehicle shall be lighted except that other suitable alternate means may be provided for indicating to the driver behind the light when such beams are on Indicator lights shall not be connected otherwise than as required in this paragraph Beam indicator lights and front parking lights shall be so connected that neither of said lights shall be lighted when a beam is in use which conforms with subsection (b) one of this section Every new motor vehicle registered in this Commonwealth or on or after the first day of January one thousand nine hundred forty-two which has multiple beam road-lighting equipment shall be equipped with a beam indicator which shall be lighted whenever the uppermost distribution of light from the head lamps is in use and shall not otherwise be lighted Said indicator shall be so designed and located that when lighted it will be readily visible without glare to the driver of the vehicle so equipped

Penalty Any person violating any of the provisions of this section shall upon summary conviction before a magistrate be sentenced to pay a fine of ten ($10) dollars and costs of prosecution and in default of the payment thereof shall undergo imprisonment for not more than five (5) days

Section 17 Section eight hundred and five of said act is hereby amended to read as follows

Section 805 Use Test and Approval of Lamps

(a) It shall be unlawful for any person to use upon a motor vehicle upon a highway any electric headlamp lens reflector or headlight control device or any electric auxiliary driving lamp rear lamp electrical signal device mechanical signal device or signal lamp unless of a type which has been submitted to the secretary for test and for which a certificate of approval has been issued by the secretary and is then in effect as provided in this act

(b) The secretary is hereby authorized to adopt and enforce rules and uniform standard specifications as to the amount color and direction of light to be emitted by headlamps auxiliary driving lamps rear lamps lenses electrical signal devices mechanical signal devices and signal lamps and the secretary is authorized and required to determine whether any headlamps auxiliary driving lamps signal lamps lenses electrical signal devices mechanical signal devices and rear lamps submitted will comply with such rules and uniform standard specifications and the secretary may approve such headlamps auxiliary driving lamps signal lamps lenses electrical signal devices mechanical signal devices and rear lamps and to publish lists of such devices by name and type together with the permissible candelpower rating of the electric lamps or bulbs as he shall determine are lawful thereunder

(c) Any person desiring approval of any lighting device electrical signal device or mechanical signal device herein provided shall submit to the secretary two (2) sets of each type of device upon which approval is desired together with the fee provided in this act The secretary shall upon notice to the applicant submit such device to the United States Bureau of Standards or to such other recognized testing laboratory he may elect for a report as to the compliance of such device with the rules and uniform standards specifications adopted by the secretary Such devices will also be subject to any road tests or other tests as the secretary may deem necessary to determine that each type of headlamp auxiliary driving lamp rear lamp lens electrical signal device mechanical signal device and signal lamp they and their component parts are so constructed and mounted as to render them readily and universally adjustable to conform to the requirements as adopted by the secretary The secretary is authorized to refuse approval of any lighting device electrical signal device or mechanical signal device certified as complying with the specifications and requirements which the secretary determines will be in actual use unsafe or impracticable or would fail to comply with the provisions of this act or such requirements as may be adopted by the secretary

(d) The sceretary shall request the testing agency to submit a report of each type of device to the secretary in duplicate For those which are found to comply with the specifications and requirements the report shall include any special adjustments required and the candlepower rating of the bulbs for such conformance Reports of all tests shall be accessible to the public and a copy thereof shall be furnished by the secretary to the applicant for the test

Penalty Any person violating any of the provisions of subsection (a) of this section shall upon summary con-

viction before a magistrate be sentenced to pay a fine of ten ($10) dollars and costs of prosecution and in default of the payment thereof shall undergo imprisonment for not more than five (5) days

Section 18 Section eight hundred six and two-tenths of said act which was added by the act approved the twenty-ninth day of June one thousand nine hundred and thirty-seven (P. L. 2329) is hereby amended to read as follows

Section 806.2 Sale on Unapproved Vacuum or Pressure Hose Prohibited It shall be unlawful for any persons to sell or lease or to offer for sale or hire either separately or as a part of the equipment of a vehicle any vacuum hose for brake systems unless such hose is approved by the secretary and bears the trade-mark or name under which it is approved so as to be legible when installed and is accompanied by printed instructions as to the manner of installation or use necessary for compliance with the requirements of this act

Penalty Any person violating any of the provisions of this section shall upon summary conviction before a magistrate be sentenced to pay a fine of [fifty ($50)] ten ($10) dollars and costs of prosecution and in default of the payment thereof shall undergo imprisonment for not more than [ten (10)] five (5) days

Section 19 Section eight hundred and nine of said act as amended by the act approved the twenty-second day of June one thousand nine hundred and thirty-one (P. L. 751) is hereby further amended to read as follows

Section 809 Red Light Visible From in Front of Vehicles No person shall operate or move any vehicle except fire department [and] fire patrol apparatus or the private vehicles of those chiefs of fire departments assistant chiefs of fire departments or fire marshals who in accordance with a statement filed with the Pennsylvania Motor Police prior thereto use the same for answering fire or emergency calls upon a highway with a red light displayed on or showing to the front thereof

Penalty Any person violating any of the provisions of this section shall upon summary conviction before a magistrate be sentenced to pay a fine of ten ($10) dollars and costs of prosecution and in default of the payment thereof shall undergo imprisonment for not more than five (5) days

Section 20 Subsections (b) and (g) and the penalty clause of section eight hundred and thirteen of said act as amended by the act approved the twenty-seventh day of June one thousand nine hundred and thirty-nine (P. L. 1135) are hereby further amended to read as follows

Section 813 Official Inspection Stations

* * * *

(b) If the secretary finds after hearing had that the provisions of this act are not being complied with or that the business of an official inspection station in connection with the corrections adjustments repairs or inspection of motor vehicles trailers or semi-trailers is being improperly conducted or receives notice of the conviction of any person conducting an official inspection station of any violation of the provisions of this act he shall suspend the certificate of appointment of any such station and require the immediate surrender and return of the certificate of appointment together with all department forms Provided however That if the servant or employe of any such inspection station shall without the authorization knowledge or consent of his employer violate any of the provisions of this act in reference to the inspection of vehicles such violation or violations shall not be the cause of the suspension of the certificate of appointment as herein provided but such employe shall be subject to prosecution as hereinafter provided Any person whose certificate or appointment is suspended under the provisions of this subsection may within thirty (30) days from the date thereof appeal to the court of common pleas of the county wherein such official inspection station is located and such court is hereby vested with jurisdiction and it shall be its duty to set the matter down for hearing upon thirty (30) days' written notice to the secretary and thereupon to take testimony and examine into the facts of the case and to determine whether the petitioner is subject to suspension of his certificate of appointment under the provisions of this act When any hearing is held by the secretary to determine whether the provisions of this act are not being complied with or that the business of an official inspection station in connection with the corrections adjustments repairs of inspection of motor vehicles trailers or semi-trailers is being improperly conducted the person or persons accused of such violations shall be given notice thereof and shall be permitted to be present and represented by counsel

Penalty Any owner who operates such inspection station or any manager or operator thereof or any employe thereof violating any of the provisions of this section shall upon summary conviction before a magistrate be sentenced to pay a fine of twenty-five ($25.00) dollars and costs of prosecution and in default of the payment thereof shall undergo imprisonment for not more than ten (10) days

(g) Any peace officer who shall be in uniform and shall exhibit his badge or other sign of authority may stop any motor vehicle trailer or semi-trailer and require the owner or operator to demonstrate that such vehicles conform with the provisions of this act If such demonstration discloses the necessity for corrections adjustments or repairs to such vehicle the owner shall be notified that unless a certificate issued or executed by a representative of an official inspection station is submitted within five (5) days to the peace officer indicating that the necessary corrections adjustments or repairs have been made or that the registrations plates and card for such vehicle have been surrendered and returned to the department for cancellation and the vehicle removed from the highways information for the prosecution or arrest of the owner or operator will be made for the specific violation or violation of this act noted at the time of notification Provided That when service and emergency brakes applied simultaneously will not stop a motor vehicle trailer or semi-trailer within distance defined in this act or hold a motor vehicle trailer or semi-trailer on a descending grade not exceeding ten (10) per centum or when the lighting equipment is glaring or insufficient or not in operation or is not equipped with a mirror or windshield wiper as defined and required in this act the owner or operator may be required to correct the faulty condition before being permitted to proceed with the vehicle and may be prosecuted for the specific violation of this act

* * * *

Penalty Any [owner who operates such inspection station or any manager or operator thereof or any employe thereof] person violating any of the provisions of this section shall upon summary conviction before a magistrate be sentenced to pay a fine of twenty-five ($25) dollars and costs of prosecution and in default of the payment thereof shall undergo imprisonment for not more than ten (10) days

Section 21 Section eight hundred and fourteen of said act is hereby amended to read as follows

Section 814 Horns and Warning Devices

(a) Every motor vehicle when operated upon a highway shall be equipped with a horn or other warning device in good working order capable of emitting sound audible under normal conditions from a distance of not less than two hundred (200) feet and it shall be unlawful except as otherwise provided in this act for any vehicle to be equipped with or for any person to use upon a vehicle any siren bell compression or sparkplug whistle or for any person at any time to use a horn or other warning devices otherwise than as a reasonable warning or to make any unnecessary or unreasonably loud or harsh sound by means of a horn or other warning device

(b) Every police [and] fire department and fire patrol vehicle [and every] ambulance or the vehicle of the chief of any fire department assistant chief of any fire department or fire marshal who in accordance with a statement filed with the Pennsylvania Motor Police prior thereto uses the same for answering fire or emergency calls may

be equipped with a bell siren compression or sparkplug whistle of a type approved by the secretary

Penalty Any person violating any of the provisions of subsection (a) of this section shall upon summary conviction before a magistrate be sentenced to pay a fine of ten ($10) dollars and costs of prosecution and in default of the payment thereof shall undergo imprisonment for not more than five (5) days

Section 22 Section eight hundred sixteen and two-tenths of said act which was added by the act approved the twenty-ninth day of June one thousand nine hundred and thirty-seven (P. L. 2329) is hereby amended to read as follows

Section 816.2 Unlawful to Sell Equipment Not in Conformance with Act It shall be unlawful for any person to sell lease use install or repair either for himself or as the agent or employe of another or through such agent or employe any glass lighting devices signal devices brakes [vacuum or pressure hose] or any other kind of equipment whatsoever for use in any vehicle trailer or semi-trailer that is not in conformity with the provisions of this act or the regulations made thereunder

Penalty Any person violating any of the provisions of this section shall upon summary conviction before a magistrate be sentenced to pay a fine of ten ($10) dollars and costs of prosecution and in default of the payment thereof shall undergo imprisonment for not more than five (5) days

Section 23 Subsection (g) of section eight hundred and twenty-three subsection (a) of section eight hundred and twenty-four and clause (6) of subsection (b) of section eight hundred and twenty-eight of said act as amended by the act approved the twenty-seventh day of June one thousand nine hundred and thirty-nine (P. L. 1135) is hereby further amended to read as follows

Section 823 Official Inspections

* * * *

(g) Any peace officer who shall be in uniform and shall exhibit his badge or other sign of authority may stop any motor vehicle trailer or semi-trailer and require the owner or operator to display an official certificate [or other satisfactory proof of inspection] for the motor vehicle trailer or semi-trailer being operated It shall be unlawful for any such certificate to be displayed on a motor vehicle trailer or semi-trailer or by the owner or operator unless an official inspection of its mechanism or equipment shall have been made and the motor vehicle trailer or semi-trailer conforms to the provisions of this act

Section 824 Danger and Caution Signals

(a) Every motor bus and every motor omnibus for the carriage of passengers for hire except taxicabs and every commercial vehicle or combination of vehicles [having] authorized to carry a gross weight of eleven thousand (11,000) pounds or more and every trailer or semi-trailer designed for the living quarters or carriage of persons shall be equipped with at least three (3) red flags or dimensions not less than twelve by twelve (12 x 12) inches and a sufficient number of flares not less than three (3) or electric lanterns electric flashing signals or other signals capable of continuously producing three warning lights each visible from a distance of at least five hundred (500) feet for a period of at least eight (8) hours Provided however That the provisions of this section shall not apply to vehicles within the confines of a municipality or within a business or residence district

Every such flare lantern electric flashing signal or other signal shall be of a type approved by the secretary and he shall publish lists of those devices which he has approved as adequate for the purposes of this section

Section 828 School Buses and Safety Requirements

* * * *

(b) No person shall own or operate a school bus carrying school children on the highways of this Commonwealth in a school bus that in addition to the other requirements of this act does not conform with the following

* * * *

(6) There shall be at least thirteen (13) inches of seating space provided for each school child carried And there shall be a measurement of at least twelve (12) inches from the front of every seat to the back of the seat next to the rear All seats shall have spring cushions and all back rests shall be well padded and shall be securely fastened to the bus There shall be no longitudinal seats opposite to and facing each other within a distance of eighteen (18) inches and in all new buses purchased after the effective date of this act there shall be no longitudinal seats except in buses where fifty per centum or more of the pupils transported on any one trip of the school day are crippled

Section 24 Subsections (a) and (g) of section nine hundred and two and the penalty clause of section nine hundred and three of said act as amended by the act approved the twenty-ninth day of June one thousand nine hundred and thirty-seven (P. L. 2329) are hereby further amended to read as follows

Section 902 Size of Vehicles and Loads (a) No vehicle except fire department equipment threshing or binding equipment street sweepers and snow plows shall exceed a total maximum width including any load thereon of ninety-six (96) inches except that the limitations as to size of vehicles stated in this act shall not apply to vehicles loaded with hay or straw in bulk

* * * *

(g) No truck tractor and semi-trailer coupled together except fire department equipment shall exceed a total maximum length inclusive of load and bumpers of five hundred forty (540) inches excepting [that until but not after January first one thousand nine hundred forty-one any truck tractor and semi-trailer properly registered in this Commonwealth on the effective date of this act may when coupled together be of a total maximum length not exceeding seventy (70) feet excepting further] that nothing in this subsection shall prohibit the transportation of articles impossible of dismemberment the total length of which [do] does not exceed seventy (70) feet

Section 903 Weight of Vehicles and Loads

* * * *

Penalty Any person operating any vehicle or combination of vehicles upon any highway with a gross weight or axle load exceeding by more than five (5) per centum the maximum gross weight or axle load allowed and not exceeding by more than ten (10) per centum the maximum gross weight or axle load allowed shall upon summary conviction before a magistrate be sentenced to pay a fine of twenty-five ($25) dollars and costs of prosecution and in default of the payment thereof shall undergo imprisonment for not more than five (5) days and any person operating any vehicle or combination of vehicles on any highway with a gross weight or axle load exceeding by more than (10) per centum the maximum gross weight or axle load allowed shall upon summary conviction before a magistrate be sentenced to pay a fine of fifty ($50) dollars and costs of prosecutions and in default of the payment thereof shall undergo imprisonment for not more than ten (10) days

Section 25 The penalty clause of section nine hundred and three of said act as last amended by the act approved the twenty-ninth day of June one thousand nine hundred and thirty-seven (P. L. 2329) is hereby further amended to read as follows

Section 903 Weight of Vehicles and Loads

* * * *

Penalty [Any person operating any vehicle] Where any vehicle shall be operated upon any highway with a gross weight or axle load exceeding by more than five (5) per centum the maximum gross weight or axle load allowed and not exceeding by more than ten (10) per centum the maximum gross weight or axle load allowed the owner or operator thereof or both shall upon summary conviction before a magistrate be sentenced to pay a fine of twenty-five ($25) dollars and costs of prosecution and in default of the payment thereof shall undergo imprison-

ment for not more than five (5) days and [any person operating any vehicle on] where any vehicle shall be operated upon any highway with a gross weight or axle load exceeding by more than ten (10) per centum the maximum gross weight or axle load allowed the owner or operator thereof or both shall upon summary conviction before a magistrate be sentenced to pay a fine of fifty ($50) dollars and costs of prosecution and in default of the payment thereof shall undergo imprisonment for not more than ten (10) days Provided That where the owner of the vehicle is a corporation partnership or association the officers of such corporation or the members of such partnership or association violating the provisions of this section shall be subject to the penalties provided for herein And provided further That the operator of any such vehicle who is not its owner shall not be liable for such violation nor subject to the penalties set forth herein if he can establish by evidence that he did not have notice or knowledge of the overweight of such vehicle The secretary shall have authority to suspend the registrations of any resident owner to perate or to have his vehicle operated in this Commonwealth who shall fail to pay any fine imposed under the provisions of this section upon any such resident or nonresident owners and such registration or privilege to operate or to have his vehicles operated in this Commonwealth shall remain suspended until such fine has been paid The secretary upon reinstatement of the registration or operating privilege of any such resident or nonresident owner shall have the discretionary power to determine whether or not financial security for further violations shall be required Such security if required may be in the form of a bond cash or securities not exceeding in amount or value the sum of one hundred fifty ($150) dollars which shall be deposited with the State Treasurer until released upon order of the secretary

Section 26 Subsection (a) of section nine hundred and five of said act as amended by the act approved the fifth day of June one thousand nine hundred and thirty-seven (P. L. 1718) is hereby further amended to read as follows

Section 905 Permits for Excessive Size and Weight (a) The Secretary of Highways of this Commonwealth and local authorities in their respective jurisdiction may in their discretion upon application in writing accompanied by the fee provided in this act and good cause being shown therefor issue a special permit in writing authorizing the applicant to operate or move either a vehicle or combination of vehicles or a vehicle and load or a combination of vehicles and their load or loads of a size or weight exceeding the maximum specified in this act upon any highway under the jurisdiction of and for the maintenance of which the authorities granting the permit are responsible When a permit has been issued by the Secretary of Highways no other authorities shall require any further or additional permit for any portion of the route specified therein Every such permit shall be issued for a single trip and shall designate the route to be traversed subject to such rules regulations restrictions or conditions as shall be deemed necessary by the authority granting such permit Provided That upon request included in the application a combination permit may be issued for a single continuous round trip whether or not a load or loads may be transported for the entire trip but no substantial increase in the size or weight of vehicles or combination of vehicles or of load shall be made between intermediate points without supplemental permit The Secretary of Highways may in his discretion issue a single permit for any fixed number of movements across the highway or along the highways of vehicles or combinations thereof exceeding the maximum size or weight specified in this act at specified locations or within any area in the Commonwealth designated in the permit [Whenever any such permit shall have been issued for crossing the highway it shall be unlawful to move said vehicles along the highway] The movement of any vehicle or load requiring a permit shall impose the obligation on the permittee to restore or replace any section of highway or bridge damaged as a result of such movement whether or not such damage may be attributable to negligence on the part of the permittee Every such permit shall be carried in the vehicle to which it refers and shall be open to inspection by any peace officer or employe of the Department of Highways of this Commonwealth or to any person having collision with or suffering injury from such vehicle

Section 27 Clause 4 of subsection (b) and Clause (1) of subsection (d) of section one thousand and two of said act as amended by the act approved the twenty-seventh day of June one thousand nine hundred and thirty-nine (P. L. 1135) is hereby further amended to read as follows

Section 1002 Restrictions as to Speed

* * * *

(b) Subject to the provisions of subsection (a) of this section speeds in excess of the maximum limits hereinafter provided shall be unlawful

* * * * *

4 Twenty-five (25) or thirty-five (35) miles an hour speed limit All vehicles except those restricted by this act to lower maximum speeds within business or residential districts or public park areas where official signs erected by the proper authorities on the right-hand side of the highway facing the traffic to be controlled or on the left-hand side of one-way streets are displayed This limit shall be observed for a distance beyond said sign for not more than one-eighth (⅛) of a mile An additional sign shall be placed at intervals not greater than one-eighth (⅛) of a mile and any extension of such limited zone shall be marked by additional signs in like manner At the end of such limited zone there shall be an official sign similarly placed as to traffic indicating the end of the limited zone Provided however That cities of the first class and cities of the second class may by ordinance adopted in accordance with the provisions of section one thousand one hundred and three (i) of this act establish a speed limit of thirty-five (35) miles an hour to be effective in the business or residential districts within the limits of any such city except where official signs erected in conformity with the provisions of this subsection otherwise provide

* * * *

(d) (1) When the rate of speed of any vehicle is timed on any highway within a business or residence district where official speed limit signs are erected as provided in this section for the purpose of ascertaining whether or not the operator of such vehicle is violating a speed provision of this act such time shall be taken by not less than two (2) peace officers one of whom shall have been stationed at each end of a measured stretch and no conviction shall be had upon the unsupported evidence of one (1) peace officer except as hereinafter provided and no such measured stretch shall be less than one-eighth (⅛) of a mile in length Under all other conditions the rate of speed shall be timed for a distance of not less than one quarter (¼) mile by a peace officer using a motor vehicle painted predominately white and equipped with a speedometer tested for accuracy within a period of thirty (30) days prior to the alleged violation An official certificate from an official speedometer testing station showing such test was made that the speedometer was adjusted for accuracy the date thereof and the degree of accuracy of such speedometer after adjustment shall be competent and prima facie evidence of the fact that such certificate was issued by an official speedometer testing station appointed by the secretary and of the accuracy of the speedometer in every proceeding where an information is brought charging a volation of this section

Section 29 Section one thousand and three of said act is hereby amended to read as follows

Section 1003 Railroad Warning Signals Must Be Obeyed Whenever any person driving a vehicle approaches an interurban or steam railway grade crossing and a clearly visible and positive signal gives warning of the immediate approach of a railway train or car it shall be unlawful for the driver of the vehicle to fail to bring the vehicle to a complete stop before traversing such grade crossing

Penalty Any person violating any of the provisions of this section shall upon summary conviction before a

magistrate be sentenced to pay a fine of [ten ($10) dollars] one ($1) dollar and costs of prosecution and in default of the payment thereof shall undergo imprisonment for not more than [five (5)] three (3) days

Section 30 Section one thousand and fourteen of said act as amended by the act approved the twenty-second day of June one thousand nine hundred thirty-one (P. L. 751) is hereby further amended to read as follows

Section 1014 Exceptions to the Right of Way Rule

(a) The driver of a vehicle entering a highway from a private road or drive shall yield the right of way to all vehicles approaching on such highway

(b) The driver of a vehicle upon a highway shall yield the right of way to police [and] fire department and fire patrol vehicles [and] ambulances and the vehicles of those chiefs of fire departments assistant chiefs of fire departments and fire marshals who signify in writing their intention to use such vehicles while answering fire or emergency calls and file the written declaration prior to such use thereof with the Pennsylvania Motor Police when such vehicles are operated upon official business and the drivers thereof sound audible signal This provision shall not operate to relieve the driver of [a police or fire department vehicle or ambulance] any such vehicle from the duty to drive with due regard for the safety of all persons using the highway nor shall it protect the driver of any such vehicle from the consequence of an arbitrary exercise of such right of way

(c) The driver of a vehicle entering a through highway or stop intersection which has been established as such under provisions of this act shall yield the right of way to all vehicles approaching in either direction on such through highway This provision shall not operate to relieve the driver of any vehicle being operated on a through highway from the duty to drive with due regard for the safety of vehicles entering such through highway nor shall it protect the driver of any vehicle on a through highway from the consequence of an arbitrary exercise of such right of way

Penalty Any person violating any of the provisions of this section shall upon summary conviction before a magistrate be sentenced to pay a fine of ten ($10) dollars and costs of prosecution and in default of the payment thereof shall undergo imprisonment for not more than five (5) days

Section 31 Section one thousand and fifteen of said act as last amended by the act approved the twenty-ninth day of June one thousand nine hundred and thirty-seven (P. L. 2329) is hereby further amended to read as follows

Section 1015 What to do on Approach of Police or Fire Department Vehicle

(a) Upon the approach of any police [or] fire department and fire patrol vehicle [or] ambulance or the vehicle of the chief of any fire department assistant chief of any fire department or fire marshal who in accordance with a statement filed with the Pennsylvania Motor Police prior thereto uses the same for answering fire or emergency calls giving audible signal the driver of every other vehicle shall immediately drive the same to a position as near as possible and parallel to the right-hand edge or curb of the highway clear of any intersection or highways and shall stop and remain in such position unless otherwise directed by a peace officer until [the police or fire department vehicle or ambulance] such vehicle shall have passed

(b) It shall be unlawful for the driver of any vehicle street car or trackless trolley omnibus other than one on official business to follow any fire apparatus traveling in response to a fire alarm closer than five hundred (500) feet or to park such vehicle within five hundred (500) feet where fire apparatus has stopped in answer to a fire alarm

(c) Upon the approach of any police [or] fire department or fire patrol vehicle [or] ambulance or the vehicle of the chief of any fire department assistant chief of any fire department or fire marshal who in accordance with a statement filed with the Pennsylvania Motor Police prior thereto uses the same for answering fire or emergency calls giving audible signal the operator of every street car or trackless trolley omnibus shall immediately stop and remain in such position unless otherwise directed by a peace officer until [the police or fire department vehicle or omnibus] such vehicle shall have passed

Penalty Any person violating any of the provisions of this section shall upon summary conviction before a magistrate be sentenced to pay a fine of ten ($10) dollars and costs of prosecution and in default of the payment thereof shall undergo imprisonment for not more than five (5) days

Section 32 That section 1033 of said act as last amended by the act of June twenty-seven one thousand nine hundred and thirty-nine (P. L. 1135) is hereby further amended to read as follows

Section 1033 Vehicles carrying other vehicles

(a) No person shall on or after January first one thousand nine hundred and [forty-two] forty-four operate a vehicle on the highways of this Commonwealth having two levels for the carriage of other vehicles

(b) No person shall on or after January first one thousand nine hundred and [forty-two] forty-four operate a vehicle on the highways of this Commonwealth carrying other vehicles any part of which is carried at a height of more than one hundred fifteen (115) inches above the ground

(c) [No person shall operate a vehicle on the highways of this Commonwealth carrying any other vehicle the weight of which is directly above the cab of the carrier vehicle or directly over the head of the operator of such vehicle] No vehicle being transported on another single vehicle or combination vehicle and trailer shall be carried in such manner as to extend above the cab of the transporting vehicle and where such vehicle shall be transported on a combination truck tractor and semi-trailer the transported vehicle shall be loaded wholly upon the semi-trailer and shall not extend more than five feet beyond the front extremity of the semi-trailer

(d) No person shall on or after January first one thousand nine hundred and [forty-two] forty-four operate a vehicle on the highways of this Commonwealth carrying any other vehicle any axle of which is more than three (3) feet higher than any other axle on such carrier vehicle

Penalty Any person violating any of the provisions of this section shall upon summary conviction before a magistrate be sentenced to pay a fine of twenty-five ($25) dollars and costs of prosecution and in default of the payment thereof shall undergo imprisonment for not more than five (5) days

Section 33 Subsection (a) of section one thousand one hundred and three as amended by the act approved the fifth day of June one thousand nine hundred and thirty-seven (P. L. 1718) is hereby further amended to read as follows

Section 1103 Powers of Local Authorities

(a) Local authorities except as expressly authorized by this act shall have no power or authority to alter any speed limitations declared in this act or to enact or enforce any ordinance rule or regulation contrary to the provisions of this act except that local authorities shall have power to provide by ordinance for the regulation of traffic by means of peace officers or official traffic signals on any portion of the highway where traffic is heavy or continuous and may regulate or prohibit parking stopping or loading of vehicles or prohibit other than one-way traffic upon certain highways and may regulate the use of the highways by processions or assemblages and may regulate the kinds and classes of traffic and its turning on certain highways at all or certain hours and may regulate the transportation by motor vehicles of passengers for compensation within the limits of a city or from points beyond the city limits and make and enforce regulations for the operation of such vehicles not inconsistent with this act and designate certain streets upon which such vehicles may be operated

Provided however That any regulations of the kinds and classes of traffic on State Highway Routes within cities

shall be subject to the approval of the Secretary of Highways first had and obtained

And excepting further that any city of the first class and any city of the second class may by ordinance provide that the maximum speed in the business and residential districts within said city shall not exceed thirty-five (35) miles an hour

Local authorities may designate any highway or any part of a highway under their jurisdiction a "Play Highway" and may close such designated highway to general traffic where interference to traffic will not be serious Such highways or portions of highways shall be used for play purposes and shall be clearly designated by appropriate signs specifying the hours between which such highways shall be closed to general traffic

Local authorities may regulate parking by means of mechanical devices requiring the deposit of a coin or coins to cause or permit the device to be actuated and may fix the denomination of the coins to be deposited and the limit of time vehicles may be parked proportionate to the amount of money so deposited if official signs giving notice thereof are first posted conspicuously at points where any highway affected thereby joins other highways and if official signs giving notice of such charges and time limits are attached to each device All income received from the use of mechanical devices to regulate parking shall be deposited in a separate account and shall be appropriated and expended first for the purchase operation and maintenance of such mechanical devices and incidental costs arising from such regulation and any balance thereafter remaining may be expended only for general traffic regulation and for no other purpose

Section 34 Section one thousand one hundred and three of said act as amended by the act approved the twenty-second day of June one thousand nine hundred and thirty-one (P. L. 751) is hereby further amended by adding thereto after subsection (g) one new subsection to read as follows

Section 1103 Powers of Local Authorities

* * * * *

(h) Local authorities of cities of the first class and cities of the second class may by ordinance establish a speed limit of thirty-five (35) miles an hour to be effective in the business and residential districts within the limits of any such city except where official signs erected in conformity with the provisions of subsection (b) of section one thousand and two of this act otherwise provide In making such provision the local authorities of such cities shall provide that signs showing the said thirty-five (35) mile speed limit within said cities shall be posted at the entrance of such cities and at ten other locations at least within such cities and when so posted the said cities shall not be required to post any such signs elsewhere within the said cities

Section 35 Section one thousand one hundred and six of said act as amended by the act approved the fifth day of June one thousand nine hundred and thirty-seven (P. L. 1718) is hereby further amended to read as follows

Section 1106 Local Traffic Signs Local authorities in their respective jurisdiction may cause official signs in accordance with section one thousand one hundred and five of this act to be erected and maintained as may be appropriate to give notice of legal parking and other local ordinances rules and regulations shall not be enforceable against an alleged violator if at the time and place of the alleged violation an official sign giving notice thereof is not posted conspicuously by the municipalities making the same at points where any highway affected thereby joins other highways except as otherwise provided in this act

Section 36 Subsection (g) of section one thousand one hundred and ten of said act which was added by section fourteen of the act approved the fifth day of June one thousand nine hundred and thirty-seven (P. L. 1718) and amended by the act approved the ninth day of June one thousand nine hundred and thirty-nine (P. L. 317) and by the act approved the twenty-seventh day of June one thousand nine hundred and thirty-nine (P. L. 1135) is hereby further amended to read as follows

Section 1110 Erection of Traffic Signs Signals and Markings

* * * *

(g) Traffic signals electrically operated that have been erected prior to the passage of this act whenever reconstructed or the controllers or wiring are replaced shall be made to conform with the provisions of this act and the regulations of the Secretary of Highways but in any event all such signals except in cities of the second class A shall be made to so conform not later than January first one thousand nine hundred and forty-two and in cities of the second class A not later than January first one thousand nine hundred and forty-four unless extension of time shall be granted by the Secretary of Highways in each specified case

Section 37 Article eleven of said act is hereby amended by adding thereto after section one thousand one hundred and fourteen a new section to read as follows

Section 1115 Regulation of Traffic on Pennsylvania Turnpike (a) The Pennsylvania Turnpike Commission shall have the power by resolution to promulgate rules and regulations for the regulation of traffic by means of peace officers or official traffic signs or signals on any portion of any turnpike or highway under its supervision and control may establish one-way traffic lanes and may regulate or prohibit parking stopping or loading of vehicles or the use of the turnpike or any highway under its supervision and control by processions or assemblages the kinds and classes of traffic and its turning upon or the crossing of the medial strip or any other portion of such turnpikes or highways the transportation by vehicles of automobiles machinery and merchandise and the transportation of passengers and generally make and enforce regulations for the operation of same with due regard to the safety of the traveling public Provided however That such rules and regulations shall not be inconsistent with the provisions of this act

(b) The rules and regulations promulgated by the Pennsylvania Turnpike Commission governing the traffic upon any turnpike or highways under its supervision and control shall become effective upon the publication thereof in the manner which the commission shall prescribe A copy of all such rules and regulations which shall become effective shall be posted and remain posted so long as they are effective in a conspicuous place at all entrances to such turnpike or highway for the inspection of persons using such turnpike or highway

(c) Any person or persons violating any of the rules and regulations of said commission for which no penalty has been provided in Vehicle Code or other laws relating to vehicles shall upon summary conviction before a magistrate or justice of the peace be sentenced to pay a fine of ten dollars ($10) and costs of prosecution and in default of the payment thereof shall undergo imprisonment of not more than ten (10) days

Section 38 Section one thousand two hundred and one of said act as amended by the act approved the twenty-seventh day of June one thousand nine hundred and thirty-nine (P. L. 1135) is hereby further amended to read as follows

Section 1201 Limitations of Actions

(a) Informations charging violations of any of the summary provisions of this act by any person shall be brought before the nearest available magistrate within the city borough incorporated town or township where the alleged violation occurred except that local authorities in cities may establish a special magistrate's or traffic court before which such informations shall be brought Provided however That where there is no substantial difference between the respective distances from the place where the alleged violation occurred to the offices of more than one magistrate any such prosecution may be brought before any one of such magistrates or if there is no person holding the office of magistrate in

such city borough incorporated town or township then such information [shall] may be brought before [such nearest] any available magistrate in any [adjoining] city borough incorporated town or township adjoining such district wherein the alleged violation occurred and if there is no person holding the office of magistrate in such district then such information may be brought before any available magistrate in any district adjoining any district adjoining the district wherein the alleged violation occurred and if there is no person holding the office of magistrate in such district then such information may be brought before any magistrate in the county wherein the violation occurred except that informations charging violations of any of the provisions of this act which shall occur upon any highway under the supervision and control of any Pennsylvania Turnpike Commission now or hereafter created may be brought before any magistrate within any county wherein the alleged violation occurred and excepting further that where a special magistrate's or traffic court is set up in any city the information may be filed with that traffic court regardless of the availability or nearness of any other magistrate to the place where the offense was alleged to have been committed Provided however That such information must be filed in the special magistrate's or traffic court located in the city where the offense was alleged to have been committed Such informations shall be brought within fifteen (15) days except in the case where the information is brought against any person who has not been stopped by the officer at the time of the violation In such cases all information must be filed and mailed by registered letter to the violator within five (5) days of the date of the said violation after the commission of the alleged offense and not thereafter except that where an information is filed against a person prima facie guilty of a summary offense and it subsequently appears that a person other than the person named in the information was the offender an information may be filed against such other person within fifteen (15) days after his or her identity shall have been discovered and excepting further that information charging violations of the provisions of sections 207 210 212 406.1 601.1 and 620 (j) of this act may be brought within fifteen (15) days after it is discovered that a violation of any of these sections has been committed and excepting further that informations charging violations of the provisions of section one thousand and twenty-five (d) of this act may be brought against a person within fifteen (15) days after his or her identity shall have been discovered

(b) Where the offense committed is designated a felony or misdemeanor information may be filed as now provided by law

Section 39 Section one thousand two hundred and two of said act as amended by the act approved the twenty-ninth day of June one thousand nine hundred and thirty-seven (P. L. 2329) is hereby further amended to read as follows

Section 1202 Proceedings by Information and Warrant

(a) Summary proceedings under this act [may] or any violation of a local ordinance rule or regulation enacted under the authority thereof except as hereinafter provided shall be commenced by the filing of information which information must be filed in the name of the Commonwealth and within the period of seven (7) days after information has been lodged the magistrate shall send by registered mail to the person charged at the address shown by the records of the department a notice in writing of the filing of the information together with a copy thereof and a notice to appear within ten (10) days of the date of the written notice at which time the person charged shall appear and may plead guilty and pay fine and costs imposed waive a hearing and post bail or request a hearing at the date of which shall be fixed by the magistrate at a time not less than five (5) nor more than ten (10) days from the date of such appearance Provided however That the person charged in lieu of a personal appearance as described above may plead guilty and pay by registered mail the fine and costs imposed or request by registered mail a hearing Where the person charged requests by registered mail a hearing the magistrate shall fix a date for such hearing at a time not less than ten (10) nor more than twenty (20) days from the date such request was received and notice of such hearing shall be sent to the person charged by the magistrate within five (5) days of the receipt of such request

1 If the person named in the information shall not voluntarily appear within ten (10) days of the date of the written notice a warrant shall then issue and may be served by a peace officer having authority to serve warrants in the county in which the alleged violation has been committed

If the person charged cannot be served within such county then the magistrate shall deputize a peace officer having authority to serve warrants in the county wherein the person charged resides or may be found to serve such warrant

2 The peace officer serving such warrant shall take the defendant before a magistrate within the city borough incorporated town or township in which the defendant is found or if there is no person holding the office of magistrate in such city borough incorporated town or township then the defendant shall be taken before a magistrate in any adjoining city borough incorporated town or township who shall take bail either for the defendant's appearance before the magistrate who issued the warrant or for his appearance for trial in the proper court if a summary hearing is waived

(b) Where the offense committed is designated a felony or misdemeanor information may be filed and warrant served as now provided by law

(c) Whenever an arrest is made upon view under any of the provisions of and as limited by this act the officer making the arrest shall forthwith make and file with the magistrate before whom the arrested person is taken an information setting forth in detail the offense and at once furnish a copy thereof to the person arrested

(d) Any person so arrested shall be given the opportunity of having an immediate hearing or of giving bail as provided in this act for a hearing before the magistrate to be held at a date not more than ten (10) days from the date of such arrest or of waiving a hearing and giving bail for his appearance in court

Section 40 Section one thousand two hundred and seven of said act as last amended by the act approved the twenty-seventh day of June one thousand nine hundred and thirty-nine (P. L. 1135) is hereby further amended to read as follows

Section 1207 Disposition of Fines and Forfeitures

(a) All fines and penalties collected under the provisions of this act for violations of the same and all bail forfeited shall be paid to the department and transmitted to the State Treasury and credited to the "General Fund" except those collected for violations of the provisions of section [nine hundred and three (903)] nine hundred and five (905) one thousand and two (1002) one thousand and eleven (1011) one thousand and fifteen (1015) one thousand and eighteen (1018) one thousand and twenty (1020) one thousand and twenty-six (1026) one thousand and twenty-eight (1028) of this act committed within cities boroughs incorporated towns and townships which fines and penalties and all bail forfeited shall be paid to the treasurer of the city borough incorporated town or township wherein the violation occurred to be used by such city borough incorporated town or township for the construction repair and maintenance of the highways thereof Provided That all fines and penalties collected and all bail forfeited for violations of the provisions of section one thousand and sixteen (1016) committed within cities boroughs incorporated towns and townships shall be paid to the treasury of the city borough incorporated town or township wherein the violation occurred to be used by such

city borough incorporated town or township for the construction repair and maintenance of the highways thereof And provided further That all fines and penalties collected and all bail forfeited for violations of the provisions of subsection (f) of section six hundred twenty (620) shall be paid to the treasury of the county wherein the violation occurred to be used by such county for the payment of physicians' fees for the examination of persons accused of violating the provisions of the said section [Any] and any balance remaining in the treasury of the county at the expiration of the calendar year and not payable for physicians' services rendered shall be used for county highway purposes And provided further That all fines and penalties collected and all bail forfeited for violations of the provisions of sections nine hundred and five (905) one thousand and two (1002) one thousand and eleven (1011) one thousand and fifteen (1015) one thousand and sixteen (1016) one thousand and eighteen (1018) one thousand and twenty (1020) one thousand and twenty-six (1026) and one thousand and twenty-eight (1028) of this act upon any highway under the supervision and control of any Pennsylvania Turnpike Commission now or hereafter created shall be paid to the county commissioners of each of the respective counties wherein the violations occurred who shall distribute semi-annually all such moneys received from such fines penalties and bail forfeited equally among the several boroughs incorporated towns and townships bordering upon such highways in each such county All such moneys received by such boroughs incorporated towns and townships shall be used for the construction repair and maintenance of the highways thereof

(b) Sworn statements of all fines and penalties so collected and all bail forfeited shall also be made by the magistrate or other officer imposing or receiving the same to the secretary upon forms furnished by the department such reports shall be made monthly not later than the tenth (10th) day of the following month

Penalty Any magistrate or other officer who shall fail to make such monthly reports and returns or either of them shall be guilty of a misdemeanor in office and upon conviction thereof in a court of quarter sessions shall be sentenced to pay a fine of five hundred ($500.00) dollars and costs of prosecution or undergo imprisonment for not more than sixty days or suffer both such fine and imprisonment

Section 41 Section one thousand two hundred and eleven of said act as amended by the act approved the twenty-seventh day of June one thousand nine hundred and thirty-nine (P. L. 1135) is hereby further amended to read as follows

Section 1211 Limitation of Authority for Pennsylvania Motor Policemen Such employes of the Commonwealth as are designated as Pennsylvania Motor Policemen are hereby declared to be peace officers and are hereby given police power and authority throughout the Commonwealth to arrest on view on Sunday or any other day when in uniform without writ rule order or process any person violating any of the provisions of this act in addition to any other power or authority conferred by law except such motor policeman shall have no authority to arrest on view any person violating any of the provisions of subsections (d) or (e) of section eight hundred thirteen (813) or subsections (c) (d) (e) or (f) of section eight hundred twenty-three (823) of this act

Whenever an arrest of any person is made upon view on Sunday or any other day under the provisions of this section the officer making the arrest shall forthwith take the defendant before the nearest available magistrate in the city borough incorporated town or township where the alleged offense occurred except that informations charging violations of any of the provisions of this act which shall occur upon any highway under the supervision and control of any Pennsylvania Turnpike Commission now or hereafter created may be brought before any magistrate within any county wherein the alleged violation occurred and excepting further that local authorities in cities may establish a special magistrate's or traffic court before which such informations shall be brought Provided however That where there is no substantial difference between the respective distances from the place where the alleged violation occurred to the offices of more than one magistrate any such prosecution may be brought before any one of such magistrates or if there is no magistrate available in such district then the officer [shall forth with] may take the defendant to [such nearest] any available magistrate in any [adjoining city borough incorporated town] [or township] district adjoining the district wherein the alleged violation occurred and if there is no person holding the office of magistrate in such district then the officer may take the defendant to any available magistrate in any district adjoining the district wherein the alleged violation occurred and if there is no person holding the office of magistrate in such district then the officer may take the defendant to any magistrate in the county wherein the violation occurred [and] except where a special magistrate's or traffic court is set up in any city the information may be filed with that traffic court regardless of the availability or nearness of any other magistrate to the place where the offense was alleged to have been committed Provided however That such information must be filed in the special magistrate's or traffic court located in the city where the offense was alleged to have been committed The officer making the arrest shall make and file with the magistrate before whom the arrested person is taken an information setting forth in detail the offense and at once furnish a copy thereof to the person arrested

Any person so arrested on any day other than Sunday shall be given the opportunity of having an immediate hearing or of waiving a hearing or of giving bail and any person so arrested on Sunday shall be given the opportunity of giving bail which shall be accepted by the magistrate the same as on any other day as provided in this act for a hearing before the magistrate to be held at a date not more than ten days from the date of such arrest or of waiving a hearing and giving bail for his appearance in court

Section 42 Subsection (c) of section one thousand two hundred and twelve of said act as amended by the act approved the twenty-second day of June one thousand nine hundred and thirty-one (P. L. 751) is hereby further amended to read as follows

Section 1212 Enforcement of Local Ordinances

* * * * *

(c) Any city borough incorporated town township or county which enforces an ordinance rule or regulation on a matter concerning which authority is expressly delegated to said authorities by this act or for traffic matters not covered by this act may impose a fine of not more than fifty ($50) dollars to be collected by summary conviction before any magistrate [as fines and penalties are now by law collected] as provided in this act In the event of nonpayment of fines and costs of prosecution the magistrate may sentence any person convicted of violating an ordinance rule or regulation to undergo imprisonment for a period of not exceeding ten (10) days Provided That any person so convicted shall have the right of appeal as in other cases of summary conviction And further provided That any person accused of violating a local ordinance rule or regulation enforced under the authority of this act may waive summary hearing and give bond in a sum equal to double the amount of the maximum fine and costs that might be imposed for appearance for trial before a judge of the court of quarter sessions or in the county court or in the municipal court in counties wherein such courts exist and thereupon the magistrate shall within fifteen (15) days return the information to the said court and if any person so accused shall be convicted in such court of the offense charged he shall be fined as prescribed by said ordinance rule or regulation or in event of non-payment of such fine and costs of prosecution to suffer imprisonment for a period not to exceed ten (10) days All fines and bail forfeited as provided for in this section shall be paid to the treasurer of such city borough incorporated town or township for the construction repair and maintenance of the highways thereof

Section 43 Subsection (b) of section one thousand two hundred and fourteen and section one thousand two hundred and fifteen of said act are hereby amended to read as follows

Section 1214 Duty to Report Accidents

* * * * *

(b) Local authorities may require the reporting of motor vehicle acidents [in such form as they deem advisable] occurring within their jurisdiction but such reports shall only be made on forms prescribed by the department and such local reports shall not conflict with the necessity for reporting such accidents to the department

Section 1215 Garage Keeper to Report Damaged Motor Vehicles The person in charge of any garage or repair shop to which is brought any motor vehicle which shows evidence of having been struck by any bullet shall report to the nearest police station or sheriff's office within [twenty-four (24)] eight (8) hours after such motor vehicle is received giving the name engine number manufacturer's serial number registration plate number and the name and address of the owner or operator of such vehicle

Penalty Any person violating any of the provisions of this section shall upon summary conviction before a magistrate be sentenced to pay a fine of ten ($10) dollars and costs of prosecution and in default of the payment thereof shall undergo imprisonment for not more than five (5) days

Section 44 Subsection (c) of section one thousand two hundred and eighteen of said act is hereby amended to read as follows

Section 1218 Signals and Investigations by Officers

* * * * *

(c) Any peace officer or department employe who shall be in uniform or shall exhibit a badge or other sign of authority shall have the right to inspect any motor vehicle in any public garage or repair shop or upon any parking or used car lot for the purpose of locating stolen motor vehicles [and] investigating the title and registration of motor vehicles and determining whether motor vehicles are in a safe condition for operation upon the highways and for such purpose the owner of any such garage [or] repair shop or parking or used car lot shall permit any such peace officer or department employe without let or hindrance to make investigation as herein authorized

Section 45 Article twelve of said act is hereby amended by adding thereto after section one thousand two hundred and twenty-two three new sections to read as follows

Section 1223 Medical Examination by Physicians Fee

Where any person charged with violating any of the provisions of section six hundred and twenty (f) of this act shall be examined by a physician such examination shall be made by a physician whose office is within the city borough incorporated town or township where the alleged violation occurred or if such physician or physicians shall not be in their offices or shall refuse to make an examination or there shall not be a physician having an office within such city borough incorporated town or township then such examination shall be made by a physician having an office in any other city borough incorporated town or township within the county wherein the alleged violation occurred

The physician's fee for the medical examination of any person charged with violating the provisions of section six hundred and twenty (f) of this act and for any appearances as a witness that may be necessary shall be deemed to be an item of the costs when prosecution is brought Such fee shall be ten ($10) dollars and shall be paid by the county to the examining physician upon authorization of the district attorney in those cases where no bill of indictment charging any person with such violation is presented to the grand jury and in all other cases as now provided by law Provided however That no fees shall be paid under the provisions of this section to a physician whenever such examination could have been made by a physician receiving compensation at regular intervals whose regular duties include the duty of making such examinations And provided further That all said fees shall be paid from fines and penalties collected and bail forfeited under the provisions of subsection (f) of section six hundred and twenty of this act

Section 1224 Notice by Registered Mail of Suspension or Revocation of License Privileges

Wherever under the provisions of this act the secretary is required to give notice of the suspension or revocation of any license privilege such notice may be given by registered mail

Section 1225 Any person who shall wilfully and maliciously break injure destroy or deface any motor vehicle or any part or accessory thereof which motor vehicle part or accessory shall belong to another shall be guilty of a misdemeanor and upon conviction shall be sentenced to pay a fine not exceeding one hundred dollars ($100.00) or suffer imprisonment not exceeding six months or both at the discretion of the court

On the question,

Will the House adopt the report of the Committee of Conference?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows, viz:

YEAS—203

Achterman,	French,	Lyons,	Royer,
Auker,	Gallagher,	Malloy,	Rush,
Baker,	Gates,	Marks,	Sarge,
Balthaser,	Gerard,	Maxwell,	Sarraf,
Baugher,	Gillan,	McClanaghan,	Scanlon,
Bentley,	Gillette,	McClester,	Schwab,
Bentzel,	Goodwin,	McDermott,	Serrill,
Boles,	Greenwood,	McDowell,	Shaffer,
Boney,	Gross,	McFall,	Shaw,
Boorse,	Gryskewicz,	McIntosh,	Shepard,
Bower,	Gyger,	McKinney,	Simons,
Bradley,	Habbyshaw,	McLanahan,	Skale,
Breth,	Haberlen,	McLane,	Snyder,
Bretherick,	Haines,	McMillen,	Sollenberger,
Brown,	Hall,	McSurdy,	Sorg,
Brunner, C. H.,	Hamilton,	Melchiorre,	Stambaugh,
Brunner, P. A.,	Hare,	Mihm,	Stank,
Burns,	Harkins,	Modell,	Stine,
Burris,	Harmuth,	Monks,	Stockham,
Cadwalader,	Harris,	Mooney,	Tarr,
Chervenak,	Heatherington,	Moran,	Tate,
Chudoff,	Helm,	Moul,	Taylor,
Cochran,	Hering,	Muir,	Thompson, E. F.,
Cohen, M. M.,	Herman,	Munley,	Thompson, R. L.,
Cohen, R. E.,	Hersch,	Nagel,	Trout,
Cook,	Hewitt,	Nunemacher,	Turner,
Cooper,	Hirsch,	O'Brien,	Van Allsburg,
Cordier,	Holland,	O'Connor,	Verona,
Corrigan,	Huntley,	O'Dare,	Vincent,
Croop,	Imbrie,	O'Mullen,	Vogt,
Cullen,	James,	O'Neill,	Voldow,
Dalrymple,	Jefferson,	Owens,	Wagner,
Dennison,	Jones, G. E.,	Petrosky,	Watkins,
DiGenova,	Jones, P. N.,	Pettit,	Weingartner,
Dix,	Keenan,	Polaski,	Weiss,
Dolon,	Kenehan,	Polen,	Welsh, E. B.,
D'Ortona,	Kline,	Powers,	Welsh, M. J.,
Duffy,	Knoble,	Prosen,	Wilkinson,
Early,	Kolankiewicz,	Rank,	Williams,
Eckels,	Komorofski,	Rausch,	Winner,
Elder,	Krise,	Readinger,	Wolf,
Elliott,	Lee, E. A.,	Reagan,	Wood, L. H.,
Ely,	Lee, T. H.,	Reese, D. P.,	Wood, N.,
Falkenstein,	Leisey,	Reese, R. E.,	Woodring,
Finestone,	Leonard,	Reynolds,	Woodside,
Fisher,	Lesko,	Rhea,	Wright,
Fiss,	Levy,	Riley,	Yeakel,
Fleming,	Leydic,	Rooney,	Yester,
Fletcher,	Lichtenwalter,	Rose, S.,	Young,
Flynn,	Longo,	Rose, W. E.,	Kilroy,
Foor,	Lovett,	Rosenfeld,	Speaker.

NAYS—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative, and the report of the Committee of Conference was adopted.

Ordered, That the Clerk inform the Senate accordingly.

SENATE MESSAGES

AMENDED HOUSE BILL RETURNED FOR CONCURRENCE

The Clerk of the Senate being introduced, returned bill from the House of Representatives numbered and entitled as follows:

HOUSE BILL No. 931.

An Act to further amend section six of the act approved the first day of July one thousand nine hundred and thirty-seven (P. L. 2603) entitled "An act relating to vocational education creating vocational school districts for the purpose of conducting systems of vocational schools departments or classes providing for their government prescribing their powers and duties conferring powers and imposing duties on school districts and on the State Board for Vocational Education and providing for referendum in certain cases" fixing the rate of the annual tax levy on real estate and authorizing the computation and entry for collection purposes in tax duplicates of the county or school districts of the taxes due to vocational school districts and the separate accounting and return thereof and making further provision with reference to the bond of tax collectors

With the information that the Senate has passed the same with amendments, in which the concurrence of the House of Representatives is requested.

The SPEAKER. The Clerk will read the amendments.

The Clerk read the amendments as follows:

Amend the title, page 2, line 2, by striking out at the end of said line the words "or school districts".

Amend Section 1, page 3, line 3, by inserting light-faced brackets before and after the word "school"; also same line by inserting after the word "school" the word "county"; also same page, line 4, by inserting a light-faced bracket before the word "in"; also same page, at the beginning of line 5, by inserting a light-faced bracket after the word "districts"; also at the end of same line by inserting light-faced brackets before and after the word "school"; also same line by inserting after the word "school" the word "county"; also on page 4, line 21, by striking out after the syllable "ments" the word "either"; also same page by striking out in lines 21 to 23 inclusive the words "or with the various school districts or tax collectors of the municipal subdivisions involved"; also same page, line 25, by striking out after the word "columns" the word "either"; also same page, at the beginning of line 26, by striking out the words "or school".

On the question,

Will the House concur in the amendments made by the Senate?

Mr. ACHTERMAN. Mr. Speaker, I move that the House non-concur in the amendments made by the Senate

The motion was agreed to.

Ordered, That the Clerk inform the Senate accordingly.

SENATE INSISTS ON AMENDMENTS NON-CONCURRED IN BY HOUSE

The Clerk of the Senate being introduced, informed that the Senate has insisted upon its amendments, non-concurred in by the House of Representatives, to House Bill No. 654, entitled:

An Act authorizing counties, cities, except cities of the first class, boroughs towns townships school districts poor districts and institution districts at any sale of real property for the nonpayment of taxes or municipal claims to take title jointly in proportion to their tax claims provide for the management of such real property and for the resale and conveyance of their interests to a purchaser

Mr. BENTLEY. Mr. Speaker, I move that the House recede from its non-concurrence in the amendments made and insisted upon by the Senate and concur in the Senate amendments.

On the question,

Will the House agree to the motion?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows, viz:

YEAS—203

Achterman,	Foor,	Lovett,	Rosenfeld,
Auker,	French,	Lyons,	Royer,
Baker,	Gallagher,	Malloy,	Rush,
Balthaser,	Gates,	Marks,	Serge,
Baugher,	Gerard,	Maxwell,	Sarraf,
Bentley,	Gillan,	McClanaghan,	Scanlon,
Bentzel,	Gillette,	McClester,	Schwab,
Boles,	Goodwin,	McDermott,	Serrill,
Boney,	Greenwood,	McDowell,	Shaffer,
Boorse,	Gross,	McFall,	Shaw,
Bower,	Gryskewicz,	McIntosh,	Shepard,
Bradley,	Gyger,	McKinney,	Simons,
Breth,	Habbyshaw,	McLanahan,	Skale,
Bretherick,	Haberlen,	McLane,	Snyder,
Brown,	Haines,	McMillen,	Sollenberger,
Brunner, C. H.,	Hall,	McSurdy,	Sorg,
Brunner, P. A.,	Hamilton,	Melchiorre,	Stambaugh,
Burns,	Hare,	Mihm,	Stank,
Burris,	Harkins,	Modell,	Stine,
Cadwalader,	Harmuth,	Monks,	Stockham,
Chervenak,	Harris,	Mooney,	Tarr,
Chudoff,	Heatherington,	Moran,	Tate,
Cochran,	Helm,	Moul,	Taylor,
Cohen, M. M.,	Hering,	Muir,	Thompson, E. F.,
Cohen, R. E.,	Herman,	Munley,	Thompson, R. L.,
Cook,	Hersch,	Nagel,	Trout,
Cooper,	Hewitt,	Nunemacher,	Turner,
Cordier,	Hirsch,	O'Brien,	Van Allsburg
Corrigan,	Holland,	O'Connor,	Verona,
Croop,	Huntley,	O'Dare	Vincent,
Cullen,	Imbrie,	O'Mullen,	Vogt,
Dalrymple,	James,	O'Neill,	Voldow,
Dennison,	Jefferson,	Owens,	Wagner,
DiGenova,	Jones, G. E.,	Petrosky,	Watkins,
Dix,	Jones, P. N.,	Pettit,	Weingartner,
Dolon,	Keenan,	Polaski,	Weiss,
D'Ortona,	Kenehan,	Polen,	Welsh, E. B.,
Duffy,	Kline,	Powers,	Welsh, M. J.,
Early,	Knoble,	Prosen,	Wilkinson,
Eckels,	Kolankiewicz,	Rank,	Williams,
Elder	Komorofski,	Rausch,	Winner,
Elliott,	Krise,	Readinger,	Wolf,
Ely,	Lee, E. A.,	Reagan,	Wood, L. H.,
Falkenstein,	Lee, T. H.,	Reese, D. P.,	Wood, N.,
Finestone,	Leisey,	Reese, R. E.,	Woodring,
Fisher,	Leonard,	Reynolds,	Woodside,
Fiss,	Lesko,	Rhea,	Wright,
Fleming,	Levy,	Riley,	Yeakel,
Fletcher,	Leydic,	Rooney,	Yester,
Flynn,	Lichtenwalter,	Rose, S.,	Young,
	Longo,	Rose, W. E.,	Kilroy, Speaker

NAYS—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative, and the amendments were concurred in.

Ordered, That the Clerk inform the Senate accordingly.

AMENDED HOUSE BILLS RETURNED FOR CONCURRENCE

The Clerk of the Senate being introduced, returned bill from the House of Representatives numbered and entitled as follows:

HOUSE BILL No. 1728.

An Act relating to the compatibility of office of members of the Boards and officers of the Authorities incorporated under the Municipality Authorities Act as amended and supplemented

With the information that the Senate has passed the same with amendments, in which the concurrence of the House of Representatives is requested.

The SPEAKER. The Clerk will read the amendments.

The Clerk read the amendments as follows:

Amend Section 1, page 1, line 5, by inserting after the word "supplemented" the words "hertofore or hereafter appointed"; also in line 6, by striking out after the word "Authority" the words "heretofore or hereafter."

On the question,

Will the House concur in the amendments made by the Senate?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows, viz:

YEAS—203

Achterman,	Foor,	Longo,	Rose, S.,
Auker,	French,	Lovett,	Rose, W. E.,
Baker,	Gallagher,	Lyons,	Rosenfeld,
Balthaser,	Gates,	Malloy,	Royer,
Baugher,	Gerard,	Marks,	Sarge,
Bentley,	Gillan,	Maxwell,	Sarraf,
Bentzel,	Gillette,	McClanaghan,	Scanlon,
Boles,	Goodwin,	McClester,	Schwab,
Boney,	Greenwood,	McDermott,	Serrill,
Boorse,	Gross,	McDowell,	Shaffer,
Bower,	Gryskewicz,	McFall,	Shaw,
Bradley,	Gyger,	McIntosh,	Shepard,
Breth,	Habbyshaw,	McKinney,	Simons,
Bretherick,	Haberlen,	McLanahan,	Skale,
Brown,	Haines,	McLane,	Snyder,
Brunner, C. H.,	Hall,	McMillen,	Sollenberger,
Brunner, P. A.,	Hamilton,	McSurdy,	Sorg,
Burns,	Hare,	Melchiorre,	Stambaugh,
Burris,	Harkins,	Mihm,	Stank,
Cadwalader,	Harmuth,	Modell,	Stine,
Chervenak,	Harris,	Monks,	Stockham,
Chudoff,	Heatherington,	Mooney,	Tarr,
Cochran,	Helm,	Moran,	Tate,
Cohen, M. M.,	Hering,	Moul,	Taylor,
Cohen, R. E.,	Herman,	Muir,	Thompson, E. F.,
Cook,	Hersch,	Munley,	Thompson, R. L.,
Cooper,	Hewitt,	Nagel,	Trout,
Cordier,	Hirsch,	Nunemacher,	VanAllsburg,
Corrigan,	Holland,	O'Brien,	Verona,
Croop,	Huntley,	O'Connor,	Vincent,
Cullen,	Imbrie,	O'Dare,	Vogt,
Dalrymple,	James,	O'Mullen,	Voldow,
Dennison,	Jefferson,	O'Neill,	Wagner,
DiGenova,	Jones, G. E.,	Owens,	Watkins,
Dix,	Jones, P. N.,	Petrosky,	Weingartner,
Dolon,	Keenan,	Pettit,	Weiss,
D'Ortona,	Kenehan,	Polaski,	Welsh, E. B.,
Duffy,	Kline,	Polen,	Welsh, M. J.,
Early,	Knoble,	Powers,	Wilkinson,
Eckels,	Kowankiewicz,	Prosen,	Williams,
Elder,	Komorofski,	Rank,	Winner,
Elliott,	Krise,	Rausch,	Wolf,
Ely,	Lee, E. A.,	Readinger,	Wood, L. H.,
Falkenstein,	Lee, T. H.,	Reagan,	Wood, N.,
Finestone,	Leisey,	Reese, D. P.,	Woodring,
Fisher,	Leonard,	Reese, R. E.,	Woodside,
Fiss,	Lesko,	Reynolds,	Wright,
Fleming,	Levy,	Rhea,	Yeakel,
Fletcher,	Leydic,	Riley,	Yester,
Flynn,	Lichtenwalter,	Rooney,	Young,
			Kilroy, Speaker.

NAYS—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative, and the amendments were concurred in.

Ordered, That the Clerk inform the Senate accordingly.

The Clerk of the Senate being introduced, returned bill from the House of Representatives numbered and entitled as follows:

HOUSE BILL No. 1727.

An Act providing that proceedings acts and bonds issued by Authorities incorporated under the Municipality Authorities Act as amended and supplemented shall not be invalid by reason of certain circumstances

With the information that the Senate has passed the same with amendments, in which the concurrence of the House of Representatives is requested.

The SPEAKER. The Clerk will read the amendments.

The Clerk read the amendments as follows:

Amend title, page 1, line 1, by striking out after the word "that" the words "proceedings acts and"; also in same line by inserting after the word "bonds" the words "notes and other evidences of indebtedness";.

Amend Section 1, page 1, line 1, by striking out after the word "No" the words "proceedings heretofore taken and no acts", and inserting in lieu thereof the following: "bonds notes or other evidences of indebtedness"; also in line 2, by striking out after the word "heretofore" the word "done" and inserting in lieu thereof the word "issued;" also in line 4, by striking out after the word "supplemented" the words "and no bonds heretofore issued by such Authorities"; also in line 8, by striking out after the word "of" the words "such proceedings the taking of such action or"; also in line 9, by inserting after the word "bonds" the words "notes or other evidences of indebtedness"; also on page 2, line 1, by striking out after the word "Such" the words "proceedings acts or"; also in line 2, by inserting after the word "bonds" the words "notes or other evidences of indebtedness"; also in same line, by striking out after the word "valid" the following: "The provisions of this act shall not validate any proceedings acts or bonds issued by any Authority the validity of such proceedings acts or bonds issued which is now the subject of any action in any court of this Commonwealth.

On the question,

Will the House concur in the amendments made by the Senate?

Mr. HARKINS. Mr. Speaker, I move that the House non-concur in the amendments made by the Senate.

The motion was agreed to.

Ordered, That the Clerk inform the Senate accordingly.

The Clerk of the Senate being introduced, returned bill from the House of Representatives numbered and entitled as follows:

HOUSE BILL No. 1766.

A Supplement to the act, approved the eighteenth day of July, one thousand nine hundred seventeen (P. L. 1043), entitled "An act establishing a public school employes' retirement system, and creating a retirement board for the administration thereof; establishing certain funds from contributions by the Commonwealth and contributing employes, defining the uses and purposes thereof and the manner of payments therefrom, and providing for the guaranty by the Commonwealth of certain of said funds; imposing powers and duties upon boards having the employment of public school employes; exempting annuities, allowances, returns, benefits, and rights from

taxation and judicial process; and providing penalties," defining the rights and obligations of members of the School Employes' Retirement Association engaged in active military service.

With the information that the Senate has passed the same with amendments, in which the concurrence of the House of Representatives is requested:

The SPEAKER. The Clerk will read the amendments.

The Clerk read the amendments as follows:

Amend the beginning of the title, page 1, by striking out the words "A Supplement" and inserting in lieu thereof the words "An Act"; also same page, at the beginning of line 1 of the title, by inserting after the word "To" the words "add clause six to section thirteen of"; also the same page, line 14, by inserting after the word "the" and before the word "rights" the words "disability retirement"; also at the end of the same line by striking out the words "and obligations"; also same page, line 16, by striking out the word "engaged" and inserting in lieu thereof the words "who engage".

Amend section 1 to 5 inclusive by striking out all of lines 1 to 25 inclusive on page 2, lines 1 to 29 inclusive on page 3, lines 1 to 28 inclusive on page 4, lines 1 to 29 inclusive on page 5, lines 1 to 28 inclusive on page 6 and lines 1 to 11 inclusive on page 7 as follows:

"Section 1 Definitions The following words and phrases as used in this act unless a different meaning is plainly required by the context shall have the following meanings

(1) "The act to which this is a supplement" shall mean the act approved the eighteenth day of July one thousand nine hundred seventeen (P. L. 1043) entitled "An act establishing a public school employes' retirement system and creating a retirement board for the administration thereof establishing certain funds from contributions by the Commonwealth and contributing employes defining the uses and purposes thereof and the manner of payments therefrom and providing for the guaranty by the Commonwealth of certain of said funds imposing powers and duties upon boards having the employment of public school employes exempting annuities allowances returns benefits and rights from taxation and judicial process and providing penalties" and all amendments thereto passed finally before the effective date of this act

(2) "Employe" shall mean any person who is an employe as defined in the act to which this is a supplement

(3) "Employer" shall mean the Commonwealth school district or other agency by which an employe is paid

(4) "Salary deductions" shall mean the amount certified by the Public School Employes' Retirement Board and either (a) deducted from the salary of a contributor to the School Employes' Retirement Fund and paid by the treasurer of each employer into the fund created by the act to which this is a supplement through the Department of Revenue under the provisions of section seven of said act or (b) deducted from any grant-in-aid subsidy or benefit payable or paid by the Commonwealth of Pennsylvania to an employe or his dependent or dependents while in active military service as defined in this act and paid into the Retirement Fund by the State Treasurer through the Department of Revenue

(5) "Board" shall mean the Public School Employes' Retirement Board created by the act to which this is a supplement

(6) "Active military service" shall mean full time service in the armed forces of the United States under a requisition from or by executive order of the President of the United States or in the armed forces organized for the defense of the Commonwealth of Pennsylvania by the authority of this Commonwealth

Section 2 An employe who enters into active military service may elect to continue to pay into the School Employes' Retirement Fund his salary deductions on the basis of his salary on the date of his entry into such active military service Such election shall be in writing on the form prescribed by the board and it shall be filed with the board within thirty (30) days after the effective date of this act or within thirty (30) days after the member's induction into active military service By such election an employe shall authorize and direct the treasurer of his employer to pay into the School Employes' Retirement Fund an amount certified to such treasurer by the board as the member's salary deduction The treasurer shall deduct such amount from any moneys payable to such employe or his dependent or dependents under the provisions of the act approved the seventh day of June one thousand nine hundred seventeen (P. L. 600) entitled "An act providing that appointive officers and employes employed by the Commonwealth of Pennsylvania in its civil service or by any department bureau commission or office thereof or by any county municipality township or school district shall not be deemed or held to have resigned or abandoned their offices or employments by reason of enlistment enrollment or draft in the military or naval service of the United States or any branch or unit thereof in time of war or contemplated war prohibiting the removal from their offices or employments of such officers and employes during the period of their service in the Army or Navy directing that one-half of the salaries or wages of such officers or employes as have dependent wives children or parents and not exceeding two thousand dollars per annum be paid during the term of their service in the Army or Navy to such dependents authorizing the employment during said term of substitutes to perform the duties theretofore performed by such officers or employes respectively and providing for the compensation of such substitutes" or under any act of assembly extending the benefits of said act to employes or providing for the payment of grants-in-aid or subsidies to an employe while in active military service or under any law now in force or hereafter enacted and the treasurer of the employer shall pay the amount so deducted into the fund created by the act to which this is a supplement

Section 3 An employe who does not elect to pay into the School Employes' Retirement Fund during the period of his active military service an amount equal to his salary deductions may during the period of such active military service and for a further period of forty (40) days after completion of such active military service pay into the School Employes' Retirement Fund an amount which shall be equal to the salary deductions multiplied by the number of the monthly periods during which he or she was absent from school employment in active military service to the credit of the annuity savings account in such manner as may be agreed upon by the employe and the board but in no event shall such payments be made in installments less than sufficient to pay such amount by the time the member attains superannuation retirement age

Section 4 An employe who complies with the provisions of section two or section three of this act shall after such election be classified by the board as an employe in active military service and shall thereafter during such active military service and for a period of forty (40) days after the completion of such active military service be entitled to all benefits to which he or she may be entitled upon the date of entry into active military service under the provisions of the act to which this is a supplement as fully as though such employe continued to be in the actual employ and service of the employer at the salary such employe had been receiving on the date of his or her entry into active military service Provided however That such employe shall not have the right to retire upon disability under the provisions of section thirteen of the act to which this is a supplement except as hereinafter provided If such member returns to the actual employ and service of the employer within a period of forty (40) days after such active military service the employer shall certify such member as an employe with active military service

Section 5 An employe who does not file with the board an election to pay his salary deductions into the School Employes' Retirement Fund as provided in section two of this act shall be classified as a nonpaying member

in active military service of the School Employes' Retirement Association until he shall return to the actual employ and service of his or her employer or until such member complies with section three of this act in the manner provided or for the period of such active military service and for forty (40) days after the completion of such active military service Such member shall enjoy all the benefits to which the member was entitled on the date of entry into active military service under any law of the Commonwealth of Pennsylvania relating to the School Employes' Retirement Association and the School Employes' Retirement Fund Provided however That such member shall not have the right to retire upon disability under the provisions of section thirteen of the act to which this is a supplement except as hereinafter provided If such member returns to the actual employ and service of his or her employer within a period of forty (40) days after such active military service the employer shall certify such member as an employe with active military service"

and inserting in lieu thereof the following:

"Section 1 Section thirteen of the act approved the eighteenth day of July one thousand nine hundred and seventeen (P. L. 1043) entitled "An act establishing a public school employes' retirement system and creating a retirement board for the administration thereof establishing certain funds from contributions by the Commonwealth and contributing employes defining the uses and purposes thereof and the manner of payments therefrom and providing for the guaranty by the Commonwealth of certain of said funds imposing powers and duties upon boards having the employment of public school employes exempting annuities allowances returns benefits and rights from taxation and judicial process and providing penalties" is hereby amended by adding at the end thereof a new clause to read as follows

Section 13 Retirement upon disability shall be made and discontinued as follows

* * * * *".

Amend Section 6, page 7, at the beginning of line 12, by striking out before the figure "6" the word "Section"; also same page, line 13, by inserting after the word "service" the words "for active military service consisting of full time service in the armed forces of the United States under a requisition from or by executive order of the President of the United States or in the armed forces organized for the defense of the Commonwealth of Pennsylvania by the authority of this Commonwealth"; also same page by striking out in lines 13 and 14 the words "for active military service"; also same page, line 18, by striking out the words "medical" and inserting in lieu thereof the word "mental"; also same page, line 21, by inserting after the word "examination" the words "The form and content of the examination and the certificates made pursuant thereto shall be prescribed by the board with the advice of the board's actuary and a physician or a psychiatrist to be employed by the board for that purpose"; also on page 8, by striking out in lines 3 to 4 inclusive the words to which the member was entitled under the act to which this is a supplement on the date of entry into active military service" and inserting in lieu thereof the words "of this act"; also same page by striking out in lines 14 to 16 inclusive the words "of the act to which this is a supplement or the benefit of section eight of this act or the benefits of the act to which this is a supplement" and inserting in lieu thereof the words "of this act or the benefits of this act"; also same page, at the end of line 17, by inserting after the word "as" the word "an"; also same page, by striking out in lines 18 to 23, inclusive the words "Such employe shall enjoy all the rights incident to membership in the Retirement System except the right to retire for disability or upon disability and to receive a disability retirement allowance Such member's salary deduction shall be reduced accordingly"; also same page, at the end of line 26, by inserting after the word "service" the following: "All employes who shall have been engaged in active military service and who shall have returned to the employment or service of his or her employer without examination or certification shall be classified by the board as employes without disability rights All persons classified as employes without disability rights shall enjoy all the rights incident to membership in the Retirement System except the right to retire for disability or upon disability and to receive a disability retirement allowance Such member's salary deduction shall be reduced accordingly The amount by which the salary deduction of an employe without disability rights to be paid into the fund shall be reduced shall be determined by the board in accordance with tables to be prepared and certified by the actuary",

Amend Section 7 to 10 inclusive by striking out all of lines 27 to 29 inclusive on page 8 and all of lines 1 to 22 inclusive on page 9 as follows:

"Section 7 The form and content of the examination and certificate required by section six of this act shall be prescribed by the board with the advice of the board's actuary and a physician or psychiatrist to be by the board employed for that purpose

Section 8 All employes who shall have been engaged in active military service and who shall have returned to the employment or service of his or her employer without examination or certification as required by sections six and seven of this act shall be classified by the board as employes without disability rights Such employe shall enjoy all the rights incident to membership in the Retirement System except the right to retire for disability or upon disability and to receive a disability retirement allowance Such member's salary deduction shall be reduced accordingly

Section 9 The amount by which the salary deduction of an employe without disability rights to be paid into the fund shall be reduced shall be determined by the board in accordance with tables to be prepared and certied by the actuary

Section 10 The provisions and benefits of this act shall be applied and extended to all employes who were members of the School Employes' Retirement System on October fifteenth one thousand nine hundred forty."

Amend Section 11, page 9, at the beginning of line 23, by striking out after the word "Section" the figures "11" and inserting in lieu thereof the figure "2."

On the question,

Will the House concur in the amendments made by the Senate?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows, viz:

YEAS—203

Achterman,	French,	Lyons,	Royer,
Auker,	Gallagher,	Malloy,	Rush,
Baker,	Gates,	Marks,	Sarge,
Balthaser,	Gerard,	Maxwell,	Sarraf,
Baugher,	Gillan,	McClanaghan,	Scanlon,
Bentley,	Gillette,	McClester,	Schwab,
Bentzel,	Goodwin,	McDermott,	Serrill,
Boles,	Greenwood,	McDowell,	Shaffer,
Boney,	Gross,	McFall,	Shaw
Boorse,	Gryskewicz,	McIntosh,	Shepard,
Bower,	Gyger,	McKinney,	Simons,
Bradley,	Habbyshaw,	McLanahan,	Skale,
Breth,	Haberlen,	McLane,	Snyder,
Bretherick,	Haines,	McMillen,	Sollenberger,
Brown,	Hall,	McSurdy,	Sorg,
Brunner C. H.,	Hamilton,	Melchiorre,	Stambaugh,
Brunner, P A.,	Hare,	Mihm,	Stank,
Burns,	Harkins,	Modell,	Stine,
Burris,	Harmuth,	Monks,	Stockham,
Cadwalader,	Harris,	Mooney,	Tarr,
Chervenak,	Heatherington,	Moran,	Tate,
Chudoff,	Helm,	Moul,	Taylor,
Cochran,	Hering,	Muir,	Thompson, E. F.,
Cohen, M M.,	Herman,	Munley,	Thompson, R. L.,
Cohen, R E.,	Hersch,	Nagel,	Trout,
Cook,	Hewitt,	Nunemacher,	Turner,
Cooper,	Hirsch,	O'Brien,	Van Allsburg,
Cordier,	Holland,	O'Connor,	Verona,
Corrigan,	Huntley,	O'Dare,	Vincent,

Croop,	Imbrie,	O'Mullen,	Vogt,
Cullen,	James,	O'Neill,	Voldow,
Dalrymple	Jefferson,	Owens,	Wagner,
Dennison,	Jones, G. E.,	Petrosky,	Watkins,
DiGenova,	Jones, P. N.,	Pettit,	Weingartner,
Dix,	Keenan,	Polaski,	Weiss,
Dolon,	Kenehan,	Polen,	Welsh, E. B.,
D'Ortona	Kline,	Powers,	Welsh, M. J.,
Duffy,	Knoble,	Prosen,	Wilkinson,
Early,	Kolanklewicz,	Rank,	Williams,
Eckels,	Komorofski,	Rausch,	Winner,
Elder,	Krise,	Readinger,	Wolf,
Elliott,	Lee, E. A.,	Reagan,	Wood, L. H.,
Ely,	Lee, T. H.,	Reese, D. P.,	Wood, N.,
Falkenstein,	Leisey,	Reese, R. E.,	Woodring,
Finestone,	Leonard,	Reynolds,	Woodside,
Fisher,	Lesko,	Rhea,	Wright,
Fiss,	Levy,	Riley,	Yeakel,
Fleming,	Leydic,	Rooney,	Yester,
Fletcher,	Lichtenwalter,	Rose, S.,	Young,
Flynn,	Longo,	Rose, W. E.,	Kilroy,
Foor,	Lovett,	Rosenfeld,	Speaker.

NAYS—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative, and the amendments were concurred in.

Ordered, That the Clerk inform the Senate accordingly.

CONFERENCE REPORT ON SENATE BILL No. 624

Mr. POLEN presented the report of the Committee of Conference on the part of the House on Senate Bill No. 624.

The report was read by the Clerk.

The SPEAKER. This being a Senate bill the report will be printed by the Senate, and placed in the files of the Members of the House.

CONFERENCE REPORT ON SENATE BILL No. 1308

Mr. MELCHIORRE presented the report of the Committee of Conference on the part of the House on Senate Bill No. 1308.

The report was read by the Clerk.

The SPEAKER. This being a Senate bill the report will be printed by the Senate, and placed in the files of the Members of the House.

RECESS

The SPEAKER. If there is no objection the Chair is about to declare a recess for fifteen minutes. Is there objection? The Chair hears none and a recess is declared.

AFTER RECESS

The SPEAKER. The time of recess having expired the House was called to order.

The SPEAKER. (Elmer Kilroy) in the Chair.

REPORT OF COMMITTEE OF CONFERENCE ON HOUSE BILL No. 803

Mr. TATE. Mr. Speaker, I desire to call up the report of the Committee of Conference on House Bill No. 803, Printer's No. 1201.

The report was read by the Clerk as follows:

To the Members of the Senate and House of Representatives:

We, the undersigned, Committee of Conference on the part of the Senate and House of Representatives for the purpose of considering House Bill No. 803, entitled:

An Act to amend section six hundred and forty-three of the act approved the twenty-fourth day of June one thousand nine hundred and thirty-nine (P. L. 872) entitled 'An act to consolidate amend and revise the penal laws of the Commonwealth,' by prohibiting certain persons from persons from employing minors under fifteen years of age to sing, dance, act or exhibit in any place where wines or spirituous or malt liquors are sold or given away or any place connected therewith and prohibiting certain persons from employing minors under fifteen years of age; and providing penalties for the violation of the provisions of this act".

Respectfully submit the following bill as our report:

A. H. Letzler
A. Evans Kephart
Anthony J. DiSilvestro
(Committee on the Part of the Senate.)

James H. J. Tate
Earl Chudoff
W. A. Fletcher
(Committee on the part of the House of Representatives.)

An Act to amend section six hundred and forty-three of the act approved the twenty-fourth day of June one thousand nine hundred and thirty-nine (P. L. 872) entitled "An act to consolidate amend and revise the penal laws of the Commonwealth" by prohibiting certain persons from permitting or employing minors under eighteen years of age to sing dance act or exhibit in any place where wines or spirituous or malt liquors are sold or given away or any place connected therewith and prohibiting certain persons from employing minors under fifteen years of age and providing penalties for the violation of the provisions of this act

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section six hundred and forty-three of the act approved the twenty-fourth day of June one thousand nine hundred and thirty-nine (P. L. 872) entitled "An act to consolidate amend and revise the penal laws of the Commonwealth" is hereby amended to read as follows

Section 643 Employment of Minors in Places where Liquors are Sold or Given Away and Elsewhere [in Dance Houses Theatres and Saloons] Whoever having the care custody or control of any minor under the age of [fifteen (15)] eighteen (18) years [sells gives away or] permits the employment of or being a proprietor or manager employs or permits such child to sing dance act or exhibit in any place [dance house or in any concert saloon theatre or place of entertainment] where wines or spirituous or malt liquors are sold or given away or [with which any place for the sale of wines or spirituous or malt liquors is directly or indirectly] any place connected therewith by any passage-way or entrance or being the proprietor or manager of any dance house [or any concert saloon] theatre or place of entertainment employs any [such] minor under the age of fifteen (15) years is guilty of a misdemeanor and upon conviction thereof [in a summary proceeding] shall be sentenced to pay a fine not exceeding one hundred dollars ($100) and in default in the payment of such fine and costs shall be sentenced to imprisonment not exceeding three (3) months

On the question,

Will the House adopt the report of the Committee of Conference?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows, viz:

YEAS—203

Achterman,	French,	Lyons,	Rush,
Auker,	Gallagher,	Malloy,	Sarge,
Baker,	Gates,	Marks,	Sarraf,
Balthaser,	Gerard,	Maxwell,	Scanlon,
Baugher,	Gillan,	McClanaghan,	Schwab,
Bentley,	Gillette,	McClester,	Serrill,
Bentzel,	Goodwin,	McDermott,	Shaffer,
Boles,	Greenwood,	McDowell,	Shaw,
Boney,	Gross,	McFall,	Shepard,
Boorse,	Gryskewicz,	McIntosh,	Simons,
Bower,	Gyger,	McKinney,	Skale,
Bradley,	Habbyshaw,	McLanahan,	Snyder,
Breth,	Haberlen,	McLane,	Sollenberger,
Bretherick,	Haines,	McMillen,	Sorg,
Brown,	Hall,	McSurdy,	Stambaugh,
Brunner, C. H.,	Hamilton,	Melchiorre,	Stank,
Brunner, P. A.,	Hare,	Mihm,	Stine,
Burns,	Harkins,	Modell,	Stockham,
Burris,	Harmuth,	Monks,	Tarr,
Cadwalader,	Harris,	Mooney,	Tate,
Chervenak,	Heatherington,	Moran,	Taylor,
Chudoff,	Helm,	Moul,	Thompson, E. F.
Cochran,	Hering,	Muir,	Thompson, R. L.,
Cohen, M. M.,	Herman,	Munley	Trout,
Cohen, R. E.,	Hersch,	Nagel	Turner,
Cook,	Hewitt,	Nunemacher	VanAllsburg,
Cooper,	Hirsch,	O'Brien,	Verona,
Cordier,	Holland,	O'Connor,	Vincent,
Corrigan,	Huntley,	O'Dare,	Vogt,
Croop,	Imbrie,	O'Mullen,	Voldow,
Cullen,	James,	O'Neill,	Wagner,
Dalrymple,	Jefferson,	Owens,	Watkins,
Dennison,	Jones, G. E.,	Petrosky,	Weingartner,
DiGenova,	Jones, P. N.,	Pettit,	Weiss,
Dix,	Keenan,	Polaski,	Welsh, E. B.,
Dolon,	Kenehan,	Polen,	Welsh, M. J.,
D'Ortona,	Kline,	Powers,	Wilkinson,
Duffy,	Knoble,	Prosen,	Williams,
Early,	Kolankiewicz,	Rank,	Winner,
Eckels,	Komorofski,	Rausch,	Wolf,
Elder,	Krise,	Readinger,	Wood, L. H.,
Elliott,	Lee, E. A.,	Reagan,	Wood, N.,
Ely,	Lee, T. H.,	Reese, D. P.,	Woodring,
Falkenstein,	Leisey,	Reese, R. E.,	Woodside,
Finestone,	Leonard,	Reynolds,	Wright,
Fisher,	Lesko,	Rhea,	Yeakel,
Fiss,	Levy,	Riley,	Yester,
Fleming,	Leydic,	Rooney,	Young,
Fletcher,	Lichtenwalter,	Rose, S.,	Kilroy,
Flynn,	Longo,	Rose, W. E.,	Speaker.
Foor,	Lovett,	Rosenfeld,	
		Royer,	

NAYS—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative, and the report of the Committee of Conference was adopted.

Ordered, That the Clerk inform the Senate accordingly.

BILLS SIGNED BY SPEAKER

Bills numbered and entitled as follows having been prepared for presentation to the Governor, and the same being correct, the titles were publicly read as follows:

HOUSE BILL No. 605.

An Act making an appropriation to the Pennsylvania State College for expenditure by the School of Mineral Industries thereof, under the supervision of the Department of Mines, for the purpose of developing new uses and markets for anthracite and bituminous coal.

HOUSE BILL No. 654.

An Act authorizing counties cities except cities of the first class boroughs towns townships school districts poor districts and institution districts at any sale of real property for the nonpayment of taxes or municipal claims to take title jointly in proportion to their tax claims provide for the management of such real property and for the resale and conveyance of their interests to a purchaser

HOUSE BILL No. 1213.

An Act to amend an act approved the seventh day of June one thousand nine hundred seventeen (P. L. 600) entitled "An act providing that appointive officers and employes employed by the Commonwealth of Pennsylvania in its civil service or by any department bureau commission or office thereof or by any county municipality township or school district shall not be deemed or held to have resigned or abandoned their offices or employments by reason of enlistment enrollment or draft in the military or naval service of the United States or any branch or unit thereof in time of war or contemplated war prohibiting the removal from their offices or employments of such officers and employes during the period of their service in the Army or Navy directing that one-half of the salaries or wages of such officers or employes as have dependent wives children or parents and not exceeding two thousand dollars per annum be paid during the term of their service in the Army or Navy to such dependents authorizing the employment during said term of substitutes to perform the duties theretofore performed by such officers or employes respectively and providing for the compensation of such substitutes" by more fully defining the times during which the benefits shall be payable and the amounts thereof and to whom payable and removing employes of school districts from the provisions of said act

HOUSE BILL No. 1465.

An Act to amend the act approved the twenty-ninth day of April one thousand nine hundred and thirty-seven (P. L. 487) entitled "An act to provide for the permanent personal registration of electors in boroughs towns and townships as a condition of their right to vote at elections and primaries and their enrollment as members of political parties as a further condition of their right to vote at primaries prescribing certain procedure for the conduct of elections and primaries and the challenge and proof of qualifications of electors requiring the county commissioners of the various counties to act as a registration commission therefor and prescribing the powers and duties of citizens parties political bodies registration commissions commissioners registrars inspectors of registration and other appointees of registration commissions county election boards election officers municipal officers departments and bureaus police officers courts judges prothonotaries sheriffs county commissioners peace officers county treasurers county controllers registrars of vital statistics certain public utility corporations real estate brokers rental agents and boards of school directors and imposing penalties" as amended by requiring and providing for the registration of persons in military service before they shall be entitled to vote at any election.

HOUSE BILL No. 1466.

An Act to amend the act approved the third day of June one thousand nine hundred and thirty-seven (P. L. 1333) entitled "An act concerning elections including general municipal special and primary elections the nomination of candidates primary and election expenses and election contests creating and defining membership of county boards of elections imposing duties upon the Secretary of the Commonwealth courts county boards of elections county commissioners imposing penalties for violation of the act and codifying revising and consolidating the laws relating thereto and repealing certain acts and parts of act relating to elections" by changing the procedure for and regulating voting in elections by persons in actual military service conferring powers and imposing duties upon the Secretary of the Commonwealth courts county boards of elections and county commissioners providing for reimbursement of counties for actual expenses in-

curred for canvassing the vote of electors in actual military service.

HOUSE BILL No. 1467.

An Act to amend the act approved the first day of June one thousand nine hundred thirty-seven (P. L. 1132) entitled "An act to provide for the permanent personal registration of electors in cities of the second class A as a condition of their right to vote at elections and primaries and their enrollment as members of political parties as a further condition of their right to vote at primaries prescribing certain procedure for the conduct of elections and primaries and the challenge and proof of qualifications of electors and prescribing the powers and duties of citizens parties political bodies registration commissions commissioners registrars inspectors of registration and other appointees of registration commission county election boards election officers municipal officers departments and bureaus police officers courts judges prothonotaries sheriffs county commissioners peace officers county treasurers county controllers registrars of vital statistics certain public utility corporations real estate brokers rental agents and boards of school directors and imposing penalties" as amended by requiring and providing for the registration of persons in military service to entitle them to vote at any election

HOUSE BILL No. 1468.

An Act to amend the act approved the twenty-fifth day of May one thousand nine hundred thirty-seven (P. L. 814) entitled "An act to provide for the permanent personal registration of electors in cities of the second class as a condition of the right to vote at elections and primaries and their enrollment as members of political parties as a further condition of their right to vote at primaries prescribing certain procedure for the conduct of elections and primaries and the challenge and proof of qualifications of electors and prescribing the powers and duties of citizens parties political bodies registration commissions commissioners registrars inspectors of registration and other appointees of registration commissions county election boards election officers municipal officers departments and bureaus police officers courts judges prothonotaries sheriffs county commissioners peace officers county treasurers county controllers registrars of vital statistics certain public utility corporations real estate brokers rental agents and boards of school directors and imposing penalties" as amended by requiring and providing for the registration of persons in military service to entitle them to vote at any election.

HOUSE BILL No. 1469.

An Act to amend the act approved the twenty-fifth day of May one thousand nine hundred thirty-seven (P. L. 849) entitled "An act to provide for the permanent personal registration of electors in cities of the third class as a condition of their right to vote at elections and primaries and their enrollment as members of political parties as a further condition of their right to vote at primaries prescribing certain procedure for the conduct of elections and primaries and the challenge and proof of qualifications of electors and prescribing the powers and duties of citizens parties political bodies registration commissions commissioners registrars inspectors of registration and other appointees of registration commissions county election boards election officers municipal officers departments and bureaus police officers courts judges prothonotaries sheriffs county commissioners peace officers county treasurers county controllers registrars of vital statistics certain public utility corporations real estate brokers rental agents and boards of school directors imposing penalties and repealing existing legislation" as amended by requiring and providing for the registration of persons in military service to entitle them to vote at any election.

HOUSE BILL No. 1526.

An Act to amend section two hundred seven of the act approved the twenty-fourth day of June one thousand nine hundred and thirty-one (P. L. 1206) entitled "An act concerning townships of the first class amending revising consolidating and changing the law relating thereto" further prescribing method by which second class townships may be classified as first class townships and providing for the costs and holding of special elections for that purpose

HOUSE BILL No. 1728.

An Act relating to the compatibility of office of members of the Boards and officers of the Authorities incorporated under the Municipality Authorities Act as amended and supplemented

HOUSE BILL No. 1766.

An Act to add clause six to section thirteen of the act approved the eighteenth day of July one thousand nine hundred seventeen (P. L. 1043) entitled "An act establishing a public school employes' retirement system and creating a retirement board for the administration thereof establishing certain funds from contributions by the Commonwealth and contributing employes defining the uses and purposes thereof and the manner of payments therefrom and providing for the guaranty by the Commonwealth of certain of said funds imposing powers and duties upon boards having the employment of public school employes exempting annuities allowances returns benefits and rights from taxation and judicial process and providing penalties" defining the disability retirement rights of members of the School Employes' Retirement Association who engage in active military service

Whereupon,

The SPEAKER, in the presence of the House, signed the same.

MR. LOVETT IN THE CHAIR

RESOLUTION

GAME AND FISH

Mr. GRYSKEWICZ offered the following resolution and asked and obtained unanimous consent for its immediate consideration.

The resolution was read, as follows:

In the House of Representatives, July 12, 1941.

Resolved, That the House of Representatives of the Commonwealth of Pennsylvania hereby protests against the continuance by the Commonwealth of the stocking of our public lands and streams with game and fish which will benefit only a few who can afford membership in clubs owning or leasing large tracts of land, and the moneys contributed by sportsmen throughout the Commonwealth shall be used only for replenishing of game and fish for the enjoyment of all licensed hunters and fishermen.

On the question,

Will the House adopt the resolution?

Mr. TARR. Mr. Speaker, I would ask favorable action on this resolution due to the fact that certain interests in the Commonwealth of Pennsylvania are making an attempt at the present time to appropriate for themselves land which has been stocked by the Commonwealth out of the game funds of the Commonwealth, which were paid by sportsmen, for their own selfish use. I am very glad the resolution was introduced because no doubt it will bring to the attention of the sportsmen of the state that some of the best hunting land in Pennsylvania, forty thousand

acres is about to be or has been leased by a group of so called Philadelphia sportsmen. It is high time that we of the General Assembly and the sportsmen of the Commonwealth wake up to the fact that if we do not focus the attention of the sportsmen of the state on these lands we will soon be without any such lands. I would respectfully ask that this House unanimously adopt this resolution.

On the question recurring,

Will the House adopt the resolution?

It was adopted.

THE SPEAKER (Elmer Kilroy) IN THE CHAIR

The SPEAKER. The Chair thanks the gentleman from Westmoreland, Mr. Lovett, for presiding.

PERMISSION TO ADDRESS HOUSE

Mr. GATES asked and obtained unanimous consent to address the House.

Mr. Speaker, the confusion and the misunderstanding that has arisen in this House in the last two weeks reminds me very much of an incident that happened back in the country town where I live. A stranger came into our town who had imbibed a little too freely.

He staggered across the street to a policeman on the corner and said to the policeman, "Would you please tell me where the other side of the street is"?

The policeman being a man of understanding and heart, took the fellow kindly by the arm and pointing said, "My dear friend, it is right over there."

The stranger looked at him with disgust in his eye and said, "I'll be damned. I was just over there and they told me it was over here."

My friends of the legislature and my colleagues, I believe in the closing days of this particular session we have sunk to a new low in the workings of democracy in the state of Pennsylvania. We have transgressed not only the laws of man but we have transgressed today the laws of God. You men of this House were elected by your constituents because they believed you to be honorable, honest and trustworthy, and in the services that I have seen you perform in this House on both sides of the House I will gladly say that you all have tried to do the very best that you possibly could under the circumstances that have confronted you. But in the last two weeks the actions of this House have been influenced by vested interests. In a few minutes I hope to call upon this House to rise above petty politics, to rise to a new height of independence in the state of Pennsylvania and to say to these particular interests that they are not interested in you, they are not interested in me, they are not interested in the people of the state of Pennsylvania, but they are only interested in their own selfish gains.

Mr. Speaker, I read an editorial in the Pittsburgh Post-Gazette a few days ago, one of the leading newspapers in western Pennsylvania. In that editorial it said that they would not support a Representative and they would not support a Senator who voted for adjournment until a new reapportionment act was on the statute books. But I say to you, Mr. Speaker, that patience has ceased to be a virtue in this scramble of ours. The cost of this session, as I understand, will be over two million dollars, and you men who come from different parts of the state, representing entirely different interests, can now meet on common ground when you discuss the ever increasing tax burden of the people of my state and your state.

I believe you will say with me that this session probably has been longer than any other for one hundred years.

In a few moments, Mr. Speaker, I shall offer for the consideration of this House a resolution to which I hope sincerely you will unanimously consent. Before I do that, however, I would like to ask unanimous consent for this resolution, which is not a privileged resolution, to be read by the Clerk at this time, and unanimously endorsed by this body.

I therefore present this resolution and move for its immediate consideration.

The SPEAKER. Will the House give its unanimous consent for the resolution to be read and for its immediate consideration?

Mr. LOVETT. I object.

The SPEAKER. The Chair hears objection and consent is not granted. The resolution will be referred under the rules.

RESOLUTION INTRODUCED AND REFERRED

By Mr. GATES. (Concurrent) RESOLUTION No. 110.

In the House of Representatives, July 12, 1941.

Resolved (if the Senate concur), That all bills be dropped from the calendar of the House of Representatives and from the calendar of the Senate, that all conference committees appointed in the House of Representatives and the Senate be discharged, and that this Regular Session of the General Assembly adjourn sine die immediately.

Referred to the Committee on Rules.

SENATE MESSAGE

RESOLUTION CONCURRED IN BY SENATE

The Clerk of the Senate being introduced, informed that the Senate has concurred in the resolution from the House of Representatives, as follows:

In the House of Representatives, July 12, 1941.

Be It Resolved (if the Senate concur), That the Governor shall, at an appropriate time, issue his proclamation designating and calling upon the schools, the Boy Scouts of America, other organizations devoted to promoting the interests and welfare of youth and the citizens of the Commonwealth in general to observe the birthday of Daniel Carter Beard, the great benefactor of boyhood, which is the twenty-first day of June.

This day shall be known as "Youth's Day," and shall be observed on the twenty-second day of June, one thousand nine hundred and forty-two, the twenty-first falling on a Sunday.

In pursuance of said proclamation of the Governor, appropriate exercises observing the anniversary of Daniel Beard's birth, reaffirming the principles so long advocated by him and furthering the interests and welfare of youth in general shall be held.

REPORT OF COMMITTEE OF CONFERENCE ON HOUSE BILL No. 1176.

Mr. ACHTERMAN. Mr. Speaker, I desire to submit

the report of the Committee of Conference on House Bill No. 1176.

The SPEAKER. The report will lie over for printing under the rules.

CONFERENCE REPORT ON SENATE BILL No. 298

Mr. ACHTERMAN presented the report of the Committee of Conference on the part of the House on Senate Bill No. 298.

The report was read by the Clerk.

The SPEAKER. This being a Senate Bill the report will be printed by the Senate, and placed in the files of the Members of the House.

CONFERENCE REPORT ON SENATE BILL No. 236

Mr. REUBEN E. COHEN presented the report of the Committee of Conference on the part of the House on Senate Bill No. 236.

The report was read by the Clerk.

Mr. REUBEN E. COHEN. Mr. Speaker, in asking the Members of the Democratic party at the proper time to vote in support of this conference report, I am doing so with the full knowledge of the obstinacy on the part of the Republican party against our efforts to liberalize this phase of the Workmen's Compensation Law in Pennsylvania, an attitude which is quite opposed to the attitude expressed by the leader of that party. We know we are making a very small advance forward in the ultimate fight to give Pennsylvania a truly liberal workmen's compensation system. I will not debate the particular items of the bill; that was done at length the other day, I only want to tell the Republican party here and now that my party has just begun to fight for a real, honest-to-God Workmen's Compensation Law.

The SPEAKER. This being a Senate bill the report will be printed by the Senate, and placed in the files of the Members of the House.

PERMISSION TO ADDRESS HOUSE

Mr. TAYLOR asked and obtained unanimous consent to address the House.

Mr. Speaker, I want at this time to take jovial exception to the remarks of the gentleman from Armstrong, Mr. Gates. He spoke about the differences between the House and Senate, and he proposes to adjourn sine die,—I don't know which pronunciation is correct.

It reminds me very much of the story I have told in the House on a number of occasions, in which two Lancaster County Dutchmen met one day.

One Dutchman said to the other, "Now, Jake, you know this war in Germany is getting bad now."

He said, "Oh, yes, Louie, it is getting bad now."

Louie said to Jake, "You know, I wouldn't be a bit surprised if we have an invasion in the United States one of these days."

He said, "Do you think these Dutchmen would come over and fight in the United States?"

Louie said, "Yes."

"Then," Jake said, "there won't be any fight in Lancaster County because the battlefield is over in Gettysburg."

I might say to the gentleman from Armstrong the battle is not in the House; it is over in the Senate.

PERMISSION TO ADDRESS HOUSE

Mr. TROUT asked and obtained unanimous consent to address the House.

Mr. Speaker, I wish to take exception to part of the statement made by the gentleman from Dauphin, Mr. Taylor. There has never been a Pennsylvania Dutchman in Lancaster County by the name of "Louie."

The SPEAKER. The Chair would like to know whether the gentleman from Dauphin, Mr. Taylor, knows any good bedtime stories.

Mr. TAYLOR. Mr. Speaker, I know a lot of them, but I would not dare tell them here.

SENATE MESSAGE

SENATE ADOPTS CONFERENCE COMMITTEE REPORT ON SENATE BILL No. 51

The Clerk of the Senate being introduced, informed that the Senate has adopted the report of the Committee of Conference on the subject of the difference existing between the two Houses on Senate Bill numbered and entitled as follows:

SENATE BILL No. 51.

An Act authorizing and empowering school districts of the first and second class to furnish food including milk to undernourished and poor school children in their districts and providing that the acceptance and distribution of surplus commodities furnished by the Federal Government to such school districts shall not affect or limit the provisions hereof.

REPORT OF COMMITTEE OF CONFERENCE ON SENATE BILL No. 51

Mr. BRADLEY. Mr. Speaker, I desire to call up the report of the Committee of Conference on Senate Bill No. 51, Printer's No. 614.

The report was read by the Clerk as follows:

To the Members of the Senate and House of Representatives:

We, the undersigned, Committee of Conference on the part of the Senate and House of Representatives for the purpose of considering Senate Bill No. 51, entitled:

"An act authorizing and empowering school districts of the first and second class to furnish food including milk to undernourished and poor school children in their districts and providing that the acceptance and distribution of surplus commodities furnished by the Federal Government to such school districts shall not affect or limit the provisions hereof"

Respectfully submit the following bill as our report:

A. Evans Kephart
G. Harold Watkins
Henry E. Lanius
(Committee on part of the Senate.)

Joseph P. Bradley
Elmer F. McSurdy
Harry P. O'Neill
(Committee on the part of the House of Representatives.)

An Act authorizing and empowering school districts of the first and second class to furnish food including milk to undernourished and poor school children in their districts and providing that the acceptance and distribution of surplus commodities furnished by the Federal Government to such school districts shall not affect or limit the provisions hereof

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 That the directors of school districts of the first and second class be and they are hereby authorized and empowered to furnish food including milk to the undernourished and poor school children attending the schools within their district at the expense of the school district The provisions of this act shall not be limited or affected by the acceptance and distribution by school directors of surplus commodities made available by the Federal Government

Section 2 The provisions of this Act shall become effective immediately upon its final enactment

On the question,

Will the House adopt the report of the Committee of Conference?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows, viz:

YEAS—203

Achterman,	French,	Lyons,	Rosenfeld,
Auker,	Gallagher,	Malloy,	Royer,
Baker,	Gates,	Marks,	Rush,
Balthaser,	Gerard,	Maxwell,	Sarge,
Baugher,	Gillan,	McClanaghan,	Sarraf,
Bentley,	Gillette,	McClester,	Scanlon,
Bentzel,	Goodwin,	McDermott,	Schwab,
Boles,	Greenwood,	McDowell,	Serrill,
Boney,	Gross,	McFall,	Shaffer,
Boorse,	Gryskewicz,	McIntosh,	Shaw,
Bower,	Gyger,	McKinney,	Shepard,
Bradley,	Habbyshaw,	McLanahan,	Simons,
Breth,	Haberlen,	McLane,	Skale,
Bretherick,	Haines,	McMillen,	Snyder,
Brown,	Hall,	McSurdy,	Sollenberger,
Brunner, C. H.,	Hamilton,	Melchiorre,	Sorg,
Brunner, P. A.,	Hare,	Mihm,	Stambaugh,
Burns,	Harkins,	Modell,	Stank,
Burris,	Harmuth,	Monks,	Stine,
Cadwalader,	Harris,	Mooney,	Stockham,
Chervenak,	Heatherington,	Moran,	Tarr,
Chudoff,	Helm,	Moul,	Tate,
Cochran,	Hering,	Muir,	Taylor,
Cohen, M. M.,	Herman,	Munley,	Thompson, E. F.,
Cohen, R. E.,	Hersch,	Nagel,	Thompson, R.,
Cook,	Hewitt,	Nunemacher,	Trout,
Cooper,	Hirsch,	O'Brien,	Turner,
Cordier,	Holland,	O'Connor,	Van Allsburg,
Corrigan,	Huntley,	O'Dare,	Verona,
Croop,	Imbrie,	O'Mullen,	Vincent,
Cullen,	James,	O'Neill,	Vogt,
Dalrymple,	Jefferson,	Owens,	Voldow,
Dennison,	Jones, G. E.,	Petrosky,	Wagner,
DiGenova,	Jones, P. N.,	Pettit,	Watkins,
Dix,	Keenan,	Polaski,	Weingartner,
Dolon,	Kenehan,	Polen,	Weiss,
D'Ortona,	Kline,	Powers,	Welsh, E. B.,
Duffy,	Knoble,	Prosen,	Welsh, M. J.,
Early,	Kolankiewicz,	Rank,	Wilkinson,
Eckels,	Komorofski,	Rausch,	Williams,
Elder,	Krise,	Readinger,	Winner,
Elliott,	Lee, E. A.,	Reagan,	Wolf,
Ely,	Lee, T. H.,	Reese, D. P.,	Wood, L. H.,
Falkenstein,	Leisey,	Reese, R. E.,	Wood, N.,
Finestone,	Leonard,	Reynolds,	Woodring,
Fisher,	Lesko,	Rhea,	Woodside,
Fiss,	Levy,	Riley,	Wright,
Fleming,	Leydic,	Rooney,	Yeakel,
Fletcher,	Lichtenwalter,	Rose, S.,	Yester,
Flynn,	Longo,	Rose, W. E.,	Young,
Foor,	Lovett,		Kilroy.
			Speaker.

NAYS—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative, and the report of the Committee of Conference was adopted.

Ordered, That the Clerk inform the Senate accordingly.

SENATE MESSAGE

SENATE ADOPTS CONFERENCE COMMITTEE REPORT ON SENATE BILL No. 624

The Clerk of the Senate being introduced, informed that the Senate has adopted the report of the Committee of Conference on the subject of the difference existing between the two Houses on Senate Bill numbered and entitled as follows:

SENATE BILL No. 624.

An Act to further amend clause seven of section one thousand two hundred ten of the act, approved the eighteenth day of May, one thousand nine hundred eleven (P. L. 309), entitled "An act to establish a public school system in the Commonwealth of Pennsylvania, together with the provisions by which it shall be administered, and prescribing penalties for the violation thereof; providing revenue to establish and maintain the same, and the method of collecting such revenue; and repealing all laws, general, special, or local, or any parts thereof, that are or may be inconsistent therewith," by increasing the minimum salaries of teachers and providing annual increments in school districts of the fourth class and requiring the Commonwealth to make certain payments on account of such salaries.

REPORT OF COMMITTEE OF CONFERENCE ON SENATE BILL No. 624

Mr. POLEN. Mr. Speaker, I desire to call up the report of the Committee of Conference on Senate Bill No. 624, Printer's No. 615.

The report was read by the Clerk as follows:

To the Members of the Senate and House of Representatives:

We, the undersigned, Committee of Conference on the part of the Senate and House of Representatives for the purpose of considering Senate Bill No. 624, entitled:

"An Act to further amend clause seven of section one thousand two hundred ten of the act, approved the eighteenth day of May, one thousand nine hundred eleven (P. L. 309), 'An act to establish a public school system in the Commonwealth of Pennsylvania, together with the provisions by which it shall be administered, and prescribing penalties for the violation thereof; providing revenue to establish and maintain the same, and the method of collecting such revenue; and repealing all laws general, special or local or any parts thereof that are or may be inconsistent therewith" by increasing the minimum salaries of teachers and providing annual increments in school districts of the fourth class and requiring the Commonwealth to make certain payments on account of such salaries"

Respectfully submit the following bill as our report:

Frederick L. Homsher
Howard I. James
Frank W. Ruth
(Committee on the part of the Senate.)

J. Dean Polen
Francis E. Pettit
D. Raymond Sollenberger
(Committee on the part of the House of Representatives.)

An Act to further amend clause seven of section one

thousand two hundred ten of the act approved the eighteenth day of May one thousand nine hundred eleven (P. L. 309) entitled "An act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith" by increasing the minimum salaries of teachers and providing annual increments in school districts of the fourth class and requiring the Commonwealth to make certain payments on account of such salaries

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Clause seven of section one thousand two hundred ten of the act approved the eighteenth day of May one thousand nine hundred eleven (P. L. 309) entitled "An act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith" as last amended by the act approved the twenty-third day of May one thousand nine hundred twenty-three (P. L. 328) is hereby further amended to read as follows

Section 1210 One The minimum salaries of all teachers supervisors principals and superintendents in the public schools of the Commonwealth except as otherwise hereinafter provided shall be paid by the several classes of districts in which such persons are employed in accordance with the following schedules

* * * *

Seven Districts of the fourth class Elementary teachers minimum [monthly salary one hundred dollars ($100)] annual salary one thousand dollars ($1,000) minimum annual increment fifty dollars ($50) minimum number of increments two (2) high school teachers minimum [monthly salary one hundred thirty dollars ($130)] annual salary of one thousand two hundred dollars ($1,200) minimum annual increment fifty dollars ($50) minimum number of increments two (2) The first increments provided for hereby shall apply for the school year one thousand nine hundred forty-two one thousand nine hundred forty-three

In addition to the payments now required by law to be made by the Commonwealth to school districts of the fourth class on account of salaries of members of the teaching staff the Commonwealth shall pay for each elementary and high school teacher the full amount of the excess prescribed by these amendments over the minimum salary theretofore required by law on the basis of the length of the school term maintained in the district during the school year one thousand nine hundred forty one thousand nine hundred forty-one

Provided that the salaries of teachers employed under contract prior to the effective date of these amendments at annual salaries greater than the minimum salaries hereby prescribed shall in no case be decreased through the operation of these amendments

Section 2 The provisions of this act shall become effective immediately upon final enactment

On the question,

Will the House adopt the report of the Committee of Conference?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows, viz:

YEAS—203

Achterman,	French,	Lyons,	Royer,
Auker,	Gallagher,	Malloy,	Rush,
Baker,	Gates,	Marks,	Sarge,
Balthaser,	Gerard,	Maxwell,	Sarraf,
Baugher,	Gillan,	McClanaghan	Scanlon,
Bentley,	Gillette,	McClester,	Schwab,
Bentzel,	Goodwin,	McDermott,	Serrill,
Boles,	Greenwood,	McDowell,	Shaffer,
Boney,	Gross,	McFall,	Shaw,
Boorse,	Gryskewicz,	McIntosh,	Shepard,
Bower,	Gyger,	McKinney,	Simons,
Bradley,	Habbyshaw,	McLanahan,	Skale,
Breth,	Haberlen,	McLane,	Snyder,
Bretherick,	Haines,	McMillen,	Sollenberger,
Brown,	Hall,	McSurdy,	Sorg,
Brunner, C. H.,	Hamilton,	Melchiorre,	Stambaugh,
Brunner, P. A.,	Hare,	Mihm,	Stank,
Burns,	Harkins,	Modell,	Stine,
Burris,	Harmuth,	Monks,	Stockham,
Cadwalader,	Harris,	Mooney,	Tarr,
Chervenak,	Heatherington,	Moran,	Tate,
Chudoff,	Helm,	Moul,	Taylor,
Cochran,	Hering,	Muir,	Thompson, E. P.,
Cohen, M. M.,	Herman,	Munley,	Thompson, R. L.,
Cohen, R. E.,	Hersch,	Nagel,	Trout,
Cook,	Hewitt,	Nunemacher,	Turner,
Cooper,	Hirsch,	O'Brien,	Van Allsburg,
Cordier,	Holland,	O'Connor,	Verona,
Corrigan,	Huntley,	O'Dare,	Vincent,
Croop,	Imbrie,	O'Mullen,	Vogt,
Cullen,	James,	O'Neill,	Voldow,
Dalrymple,	Jefferson,	Owens,	Wagner,
Dennison,	Jones, G. E.,	Petrosky,	Watkins,
DiGenova,	Jones, P. N.,	Pettit,	Weingartner,
Dix,	Keenan,	Polaski,	Weiss,
Dolon,	Kenehan,	Polen,	Welsh, E. B.,
D'Ortona,	Kline,	Powers,	Welsh, M. J.,
Duffy,	Knoble,	Prosen,	Wilkinson,
Early,	Kolankiewicz,	Rank,	Williams,
Eckels,	Komorofski,	Rausch,	Winner,
Elder,	Krise,	Readinger,	Wolf,
Elliott,	Lee, E. A.,	Reagan,	Wood, L. H.,
Ely,	Lee, T. H.,	Reese, D. P.,	Wood, N.,
Falkenstein,	Leisey,	Reese, R. E.,	Woodring,
Finestone,	Leonard,	Reynolds,	Woodside,
Fisher,	Lesko,	Rhea,	Wright,
Fiss,	Levy,	Riley,	Yeakel,
Fleming,	Leydic,	Rooney,	Yester,
Fletcher,	Lichtenwalter,	Rose, S.,	Young,
Flynn,	Longo,	Rose, W. E.,	Kilroy,
Foor,	Lovett,	Rosenfeld,	Speaker.

NAYS—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative, and the report of the Committee of Conference was adopted.

Ordered, That the Clerk inform the Senate accordingly.

PERMISSION TO ADDRESS HOUSE

Mr. GATES asked and obtained unanimous consent to address the House.

Mr. Speaker, in answer to the gentleman from Dauphin, Mr. Taylor, I wonder if he thinks the House is in the same position as the gentleman in Harrisburg the other day, who was imbibing quite freely, and was strolling down the street. The policemen were watching very carefully, as he was acting very suspiciously, but they decided to let him go until he stopped in front of the bank down on Market Street. When he got there, he pulled an envelope out of his pocket and started to write. At that, the policeman got suspicious enough to go up and tap him on the shoulder:

He said, "My dear friend, what are you doing?"

The man staggered around a little bit and said, "I am just writing myself a letter."

The policeman said, "What's in the letter, will you please tell me?"

The man said, "How in the h---- do I know? I won't get it until tomorrow."

SENATE MESSAGE

SENATE ADOPTS CONFERENCE COMMITTEE REPORT ON SENATE BILL No. 46

The Clerk of the Senate being introduced, informed that the Senate has adopted the report of the Committee of Conference on the subject of the difference existing between the two Houses on Senate Bill numbered and entitled as follows:

SENATE BILL No. 46.

An Act authorizing the county treasurer in counties of the first second third fourth fifth sixth seventh and eighth classes to appoint a solicitor and providing for his salary payable out of the treasury from which the county treasurer is paid

REPORT OF COMMITTEE OF CONFERENCE ON SENATE BILL No. 46

Mr. PRESLEY N. JONES. Mr. Speaker, I desire to call up the report of the Committee of Conference on Senate Bill No. 46, Printers No. 621.

The report was read by the Clerk as follows:

To the Members of the Senate and House of Representatives:

We, the undersigned, Committee of Conference on the part of the Senate and House of Representatives for the purpose of considering Senate Bill No. 46, entitled:

"An Act authorizing the county treasurer in counties of the first, second, third, fourth, fifth, sixth, seventh and eighth classes to appoint a solicitor and providing for his salary payable out of the treasury from which the county treasurer is paid."

Respectfully submit the following bill as our report:

L. E. Chapman,
A. H. Letzler,
Joseph M. Barr,
(Committee on the Part of the Senate.)

I. Edward Prosen,
Presley N. Jones,
Wm. E. Habbyshaw.
(Committee on the part of the House of Representatives.)

An Act authorizing the county treasurer in counties of the first second third fourth fifth sixth seventh and eighth classes to appoint a solicitor and providing for his salary payable out of the treasury from which the county treasurer is paid

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The treasurer of any county of the first second third fourth fifth sixth seventh and eighth classes may designate and appoint one person learned in the law to act as his solicitor at an annual salary payable out of the treasury from which the county treasurer is paid such salary to be fixed by the salary board and in those counties where there is no salary board by the county commissioners except that in counties of the first class such salary shall be fixed by the county treasurer Provided however That such salary shall not exceed the following amounts In counties of the first class four thousand two hundred dollars ($4,200) in counties of the second class four thousand two hundred dollars ($4,200) in counties of the third class three thousand dollars ($3,000) in counties of the fourth class one thousand dollars ($1,000) in counties of the fifth class eight hundred dollars ($800) in counties of the sixth class six hundred dollars ($600) in counties of the seventh class four hundred dollars ($400) and in counties of the eighth class three hundred dollars ($300) Such solicitor shall advise the treasurer upon all such legal matters as may be submitted to him and shall conduct any litigation desired by the county treasurer He shall hold office at the pleasure of the treasurer

Section 2 This act shall become effective immediately upon final enactment

On the question,

Will the House adopt the report of the Committee of Conference?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows, viz:

YEAS—203

Achterman,	French,	Lyons,	Royer,
Auker,	Gallagher,	Malloy,	Rush,
Baker,	Gates,	Marks,	Sarge,
Balthaser,	Gerard,	Maxwell,	Sarraf,
Baugher,	Gillan,	McClanaghan,	Scanlon,
Bentley,	Gillette,	McClester,	Schwab,
Bentzel,	Goodwin,	McDermott,	Serrill,
Boles,	Greenwood,	McDowell,	Shaffer,
Boney,	Gross,	McFall,	Shaw,
Boorse,	Gryskewicz,	McIntosh,	Shepard,
Bower,	Gyger,	McKinney,	Simons,
Bradley,	Habbyshaw,	McLanahan	Skale,
Breth,	Haberlen,	McLane,	Snyder,
Bretherick,	Haines,	McMillen,	Sollenberger,
Brown,	Hall,	McSurdy,	Sorg,
Brunner, C. H.,	Hamilton,	Melchiorre,	Stambaugh,
Brunner, P. A.,	Hare,	Mihm,	Stank,
Burns,	Harkins,	Modell,	Stine,
Burris,	Harmuth,	Monks,	Stockham,
Cadwalader,	Harris,	Mooney,	Tarr,
Chervenak,	Heatherington,	Moran,	Tate,
Chudoff,	Helm,	Moul,	Taylor,
Cochran,	Hering,	Muir,	Thompson, E. F.,
Cohen, M. M.,	Herman,	Munley,	Thompson, R. L.,
Cohen, R. E.,	Hersch,	Nagel,	Trout,
Cook,	Hewitt,	Nunemacher,	Turner,
Cooper,	Hirsch,	O'Brien,	Van Allsburg,
Cordier,	Holland,	O'Connor,	Verona,
Corrigan,	Huntley,	O'Dare,	Vincent,
Croop,	Imbrie,	O'Mullen,	Vogt,
Cullen,	James,	O'Neill,	Voldow,
Dalrymple,	Jefferson,	Owens,	Wagner,
Dennison,	Jones, G. E.,	Petrosky,	Watkins,
DiGenova,	Jones, P. N.,	Pettit,	Weingartner,
Dix,	Keenan,	Polaski,	Weiss,
Dolon,	Kenehan,	Polen,	Welsh, E. B.,
D'Ortona,	Kline,	Powers,	Welsh, M. J.,
Duffy,	Knoble,	Prosen,	Wilkinson,
Early,	Kolankiewicz,	Rank,	Williams,
Eckels,	Komorofski,	Rausch,	Winner,
Elder,	Krise,	Readinger,	Wolf,
Elliott,	Lee, E. A.,	Reagan,	Wood, L. H.,
Ely,	Lee, T. H.,	Reese, D. P.,	Wood, N.,
Falkenstein,	Leisey,	Reese, R. E.,	Woodring,
Finestone,	Leonard,	Reynolds,	Woodside,
Fisher,	Lesko,	Rhea,	Wright,
Fiss,	Levy,	Riley,	Yeakel,
Fleming,	Leydic,	Rooney,	Yester,
Fletcher,	Lichtenwalter,	Rose, S.,	Young,
Flynn,	Longo,	Rose, W. E.,	Kilroy,
Foor,	Lovett,	Rosenfeld,	Speaker.

NAYS—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative and the report of the Committee of Conference was adopted.

Ordered, That the Clerk inform the Senate accordingly.

SENATE MESSAGE

SENATE ADOPTS CONFERENCE COMMITTEE REPORT ON SENATE BILL No. 236

The Clerk of the Senate being introduced, informed that the Senate has adopted the report of the Committee of Conference on the subject of the difference existing be-

tween the two Houses on Senate Bill numbered and entitled as follows:

SENATE BILL No. 236.

An Act to amend section six hundred fifty-four of article six of the act approved the seventeenth day of May one thousand nine hundred and twenty-one (P. L. 682) entitled "An act relating to insurance amending revising and consolidating the law providing for the incorporation of insurance companies and the regulation supervision and protection of home and foreign insurance companies Lloyds associations reciprocal and inter-insurance exchanges and fire insurance rating bureaus and the regulation and supervision of insurance carried by such companies associations and exchanges including insurance carried by the State Workmen's Insurance Fund providing penalties and repealing existing laws" providing for appeals from any classification rule rate or schedule of the Insurance Commissioner affecting insurance of employes and employers under the Workmen's Compensation Act of one thousand nine hundred and fifteen and the supplements and amendments thereto.

REPORT OF COMMITTEE OF CONFERENCE ON SENATE BILL No. 236

Mr. REUBEN E. COHEN. Mr. Speaker, I desire to call up the report of the Committee of Conference on Senate Bill No. 236, Printer's No. 621.

The report was read by the Clerk as follows:

To the Members of the Senate and House of Representatives:

We, the undersigned, Committee of Conference on the part of the Senate and House of Representatives for the purpose of considering Senate Bill No. 236, entitled:

"An Act to amend section six hundred fifty-four of article six of the act, approved the seventeenth day of May, one thousand nine hundred and twenty-one (P. L. 682), entitled 'An act relating to insurance, amending, revising, and consolidating the law providing for the incorporation of insurance companies, and the regulation, supervision and protection of home and foreign insurance companies, * *' providing for appeals from any classification, rule, rate or schedule of the Insurance Commissioners affecting insurance of employes and employers under the Workmen's Compensation Act of one thousand nine hundred and fifteen and the supplements and amendments thereto, and exempting the State Workmen's Insurance Fund from the control of the Rating Bureau and the Insurance Commissioner."

Respectfully submit the following bill as our report:

C. A. P. Bartlett
Henry I. Wilson
John H. Dent
(Committee on the part of the Senate.)

Reuben E. Cohen
David M. Boies
David P. Reese, Jr.
(Committee on the part of the House of Representatives.)

An Act to amend section six hundred fifty-four of article six of the act approved the seventeenth day of May one thousand nine hundred and twenty-one (P. L. 682) entitled "An act relating to insurance amending revising and consolidating the law providing for the incorporation of insurance companies and the regulation supervision and protection of home and foreign insurance companies Lloyds associations reciprocal and inter-insurance exchanges and fire insurance rating bureaus and the regulation and supervision of insurance carried by such companies associations and exchanges including insurance carried by the State Workmen's Insurance Fund providing penalties and repealing existing laws" providing for appeals from any classification rule rate or schedule of the Insurance Commissioner affecting insurance of employes and employers under the Workmen's Compensation Act of one thousand nine hundred and fifteen and the supplements and amendments thereto

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section six hundred fifty-four of article six of the act approved the seventeenth day of May one thousand nine hundred and twenty-one (P. L. 682) entitled "An act relating to insurance amending revising and consolidating the law providing for the incorporation of insurance companies and the regulation supervision and protection of home and foreign insurance companies Lloyds associations reciprocal and inter-insurance exchanges and fire insurance rating bureaus and the regulation and supervision of insurance carried by such companies associations and exchanges including insurance carried by the State Workmen's Insurance Fund providing penalties and repealing existing laws" is hereby amended to read as follows

Section 654 Classification of Risks Underwriting Rules Premium Rates and Schedule and Merit Rating Plans The classification of risks underwriting rules premium rates and schedule or merit rating plans for insurance of employers and employes under "The Workmen's Compensation Act of nineteen hundred and fifteen" and acts amendatory thereof shall be [established] proposed annually by one or more rating bureaus said rating bureau or bureaus to be situate within the Commonwealth of Pennsylvania subject to supervision and to examination by the Insurance Commissioner and approved by the Insurance Commissioner as adequately equipped to compile rates on an equitable and impartial basis Such schedule or merit rating plans shall be applied only by the approved rating bureau or bureaus and in the preparation of schedules no employer shall be discriminated against or penalized because of physical impairment of any employe or because of the number of dependents of any employe

The classification of risks underwriting rules premium rates and schedule of merit or rating plans for insurance of employers and employes under "The Workmen's Compensation Act of nineteen hundred and fifteen" and acts amendatory thereof shall be filed with and shall be subject to review by the Insurance Commissioner and the Insurance Commissioner shall by order modify amend or approve the same Any person corporate or otherwise aggrieved by such order classification rule rate or schedule issued by the Insurance Commissioner may obtain a review thereof before the Insurance Commissioner and if still aggrieved by such reviewed order classification rule rate or schedule may obtain a further review thereof in the Common Pleas Court of Dauphin County of the Commonwealth of Pennsylvania by filing in the said court a written petition praying that the order classification rule rate or schedule issued by the Insurance Commissioner be modified amended or set aside in whole or in part The judgment and decree of said court modifying or enforcing or setting aside in whole or in part any such action of the Insurance Commissioner shall be final subject to review by the Superior Court of the Commonwealth of Pennsylvania upon certiorari or certificate as in such cases made or provided The commencement of proceedings under this section shall not unless specifically ordered by the court operate as a stay of the Insurance Commissioner's order

No risk classification underwriting rule premium rate or schedule or merit rating plan shall take effect without the consent of the Insurance Commissioner and he may withdraw his approval whenever in his judgment the same is inadequate or discriminates unfairly between risks of essentially the same hazard

Neither the State Workmen's Insurance Fund nor any insurance corporation mutual association or company shall issue renew or carry any policy or contract of insurance against liability under "The Workmen's Compen-

sation Act of one thousand nine hundred and fifteen" and acts amendatory thereof except in accordance with the classifications underwriting rules premium rates and schedules or merit rating [promulgated] proposed by the rating bureau aforesaid for the risk insured and as modified amended or approved by the Insurance Commissioner for such insurer

A complete copy of every policy or a true copy of the substantive provisions of any policy or contract of insurance against liability under "The Workmen's Compensation Act of one thousand nine hundred and fifteen" or acts amendatory thereof and a true copy of every endorsement upon any such policy and of every agreement pertaining thereto shall be filed with the rating bureau aforesaid within a reasonable time after the effective date of any such policy endorsement contract or agreement

Section 2 The action shall become effective immediately upon final enactment

On the question,

Will the House adopt the report of the Committee of Conference?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows, viz:

YEAS—202

Achterman,	French,	Malloy,	Rush,
Auker,	Gallagher,	Marks,	Sarge,
Baker,	Gates,	Maxwell,	Sarraf,
Balthaser,	Gerard,	McClanaghan,	Scanlon,
Baugher,	Gillan,	McClester,	Schwab,
Bentley,	Gillette,	McDermott,	Serrill,
Bentzel,	Goodwin,	McDowell,	Shaffer,
Boies,	Greenwood,	McFall,	Shaw,
Boney,	Gross,	McIntosh,	Shepard,
Boorse,	Gryskewicz,	McKinney,	Simons,
Bower,	Gyger,	McLanahan,	Skale,
Bradley,	Habbyshaw,	McLane,	Snyder,
Brown,	Haberlen,	McMillen,	Sollenberger,
Breth,	Haines,	McSurdy,	Sorg,
Bretherick,	Hall,	Melchiorre,	Stambaugh,
Brown,	Hamilton,	Mihm,	Stank,
Brunner, C. H.,	Hare,	Modell,	Stine,
Brunner, P. A.,	Harkins,	Monks,	Stockham,
Burns,	Harmuth,	Mooney,	Tarr,
Burris,	Harris,	Moran,	Tate,
Cadwalader,	Heatherington,	Moul,	Taylor,
Chervenak,	Helm,	Muir,	Thompson, E. F.,
Chudoff,	Hering,	Munley	Thompson, R. L.,
Cochran,	Herman,	Nagel	Trout,
Cohen, M. M.,	Hersch,	Nunemacher	Turner,
Cohen, R. E.,	Hewitt,	O'Brien,	VanAllsburg,
Cook,	Hirsch,	O'Connor,	Verona,
Cooper,	Holland,	O'Dare,	Vincent,
Cordier,	Huntley,	O'Mullen,	Vogt,
Corrigan,	Imbrie,	O'Neill,	Voldow,
Croop,	James,	Owens,	Wagner,
Cullen,	Jefferson,	Petrosky,	Watkins,
Dalrymple,	Jones, G. E.,	Pettit,	Weingartner,
Dennison,	Jones, P. N.,	Polaski,	Weiss,
DiGenova,	Keenan,	Polen,	Welsh, E. B.,
Dix,	Kenehan,	Powers,	Welsh, M. J.,
Dolon,	Kline,	Prosen,	Wilkinson,
D'Ortona,	Knoble,	Rank,	Williams,
Duffy,	Kolankiewicz,	Rausch,	Winner,
Early,	Komorofski,	Readinger,	Wolf,
Eckels,	Krise,	Reagan,	Wood, L. H.,
Elder,	Lee, E. A.,	Reese, D. P.,	Wood, N.,
Elliott,	Lee, T. H.,	Reese, R. E.,	Woodring,
Ely,	Leisey,	Reynolds,	Woodside,
Falkenstein,	Leonard,	Rhea,	Wright,
Finestone,	Lesko,	Riley,	Yeakel,
Fisher,	Levy,	Rooney,	Yester,
Fiss,	Leydic,	Rose, S.,	Young,
Fleming,	Lichtenwalter,	Rose, W. E.,	Kilroy,
Fletcher,	Longo,	Rosenfeld,	
Flynn,	Lyons,	Royer,	Speaker.
Foor,			

NAYS—1

Lovett,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative, and the report of the Committee of Conference was adopted.

Ordered, That the Clerk inform the Senate accordingly.

REPORT OF COMMITTEE OF CONFERENCE ON HOUSE BILL No. 1729

Mr. STINE. Mr. Speaker, I desire to call up the report of the Committee of Conference on House Bill No. 1729, Printer's No. 1203.

The report was read by the Clerk as follows:

To the Members of the Senate and House of Representatives:

We, the undersigned, Committee of Conference on the part of the Senate and House of Representatives for the purpose of considering House Bill No. 1729 entitled:

"An Act to add section fourteen and one-tenth to the act, approved the seventh day of August, one thousand nine hundred and thirty-six (P. L. 106), entitled, as amended 'An act relating to flood control; prescribing the powers and duties of the Water and Power Resources Board of the Department of Forests and Waters in relation to the creation of flood control districts, adoption of plans for flood control works and improvements, carrying into effect of such plans, assistance, aid and cooperation with public and private agencies and the Federal Government in Federal flood control works and improvements, and entering into compacts and agreements with other states for flood control works and improvements; conferring the power of eminent domain; providing for the setting off of benefits; imposing certain charges upon the Commonwealth; providing for appeals; and conferring certain powers on municipalities, counties, and townships, and the Department of Highways,' authorizing the Secretary of Highways and the various political subdivisions, with the approval of the Water and Power Resources Board, to grant easements and flowage rights to the Federal Government, over certain highways, roads, streets, bridges and adjacent lands."

Respectfully submit the following bill as our report:

Montgomery F. Crowe
G. Harold Watkins
Joseph M. Barr
(Committee on the Part of the Senate)

Russell S. Stine
Clayton E. Moul
W. W. Muir
(Committee on the Part of the House of Representatives)

An Act to add section fourteen and one-tenth to the act approved the seventh day of August one thousand nine hundred and thirty-six (P. L. 106) entitled as amended "An act relating to flood control prescribing the powers and duties of the Water and Power Resources Board of the Department of Forests and Waters in relation to the creation of flood control districts adoption of plans for flood control works and improvements carrying into effect of such plans assistance aid and cooperation with public and private agencies and the Federal Government in Federal flood control works and improvements and entering into compacts and agreements with other states for flood control works and improvements conferring the power of eminent domain providing for the setting off of benefits imposing certain charges upon the Commonwealth providing for appeals and conferring certain powers on municipalities counties and townships and the Department of Highways" authorizing the Secretary of Highways and the various political subdivisions with the approval of the Water and Power Resources Board to grant easements and flowage rights to the Federal Government over certain highways roads streets bridges and adjacent lands

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The act approved the seventh day of August

one thousand nine hundred and thirty-six (P. L. 106) entitled as amended "An act relating to flood control prescribing the powers and duties of the Water and Power Resources Board of the Department of Forests and Waters in relation to the creation of flood control districts adoption of plans for flood control works and improvements carrying into effect of such plans assistance aid and cooperation with public and private agencies and the Federal Government in Federal flood control works and improvements and entering into compacts and agreements with other states for flood control works and improvements conferring the power of eminent domain providing for the setting off of benefits imposing certain charges upon the Commonwealth providing for appeals and conferring certain powers on municipalities counties and townships and the Department of Highways" which was reenacted and amended by the act approved the tenth day of March one thousand nine hundred and thirty-seven (P. L. 43) is hereby further amended by adding thereto after section fourteen a new section to read as follows

Section 14.1 Easements Over Highways et cetera Given to Federal Government The Secretary of Highways for the Commonwealth and the authorities of each municipality may with the approval of the Water and Power Resources Board grant easements or flowage rights to the Government of the United States or any agency thereof over and to submerge during the emergency caused by floods or threatened floods the highways streets roads bridges and lands adjacent thereto which are owned or maintained by the Commonwealth or by the respective municipalities as the case may be in any flood area

Section 2 The provisions of this act shall become effective immediately upon final enactment

On the question,

Will the House adopt the report of the Committee of Conference?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows, viz:

YEAS—203

Achterman,	French,	Lyons,	Royer,
Auker,	Gallagher,	Malloy,	Rush,
Baker,	Gates,	Marks,	Sarge,
Balthaser,	[illegible]ard,	Maxwell,	Sarraf,
Baugher,	[illegible]an,	McClanaghan,	Scanlon,
Bentley,	Gillette,	McClester,	Schwab,
Bentzel,	Goodwin,	McDermott,	Serrill,
Boies,	Greenwood,	McDowell,	Shaffer,
Boney,	Gross,	McFall,	Shaw,
Boorse,	Gryskewicz,	McIntosh,	Shepard,
Bower,	Gyger,	McKinney,	Simons,
Bradley,	Habbyshaw,	McLanahan,	Skale,
Breth,	Haberlen,	McLane,	Snyder,
Bretherick,	Haines,	McMillen,	Sollenberger,
Brown,	Hall,	McSurdy,	Sorg,
Brunner, C. H.,	Hamilton,	Melchiorre,	Stambaugh,
Brunner, P. A.,	Hare,	Mihm,	Stank,
Burns,	Harkins,	Modell,	Stine,
Burris,	Harmuth,	Monks,	Stockham,
Cadwalader,	Harris,	Mooney,	Tarr,
Chervenak,	Heatherington,	Moran,	Tate,
Chudoff,	Helm,	Moul,	Taylor,
Cochran,	Hering,	Muir,	Thompson, E. F.,
Cohen, M. M.,	Herman,	Munley,	Thompson, R. L.,
Cohen, R. E.,	Hersch,	Nagel,	Trout,
Cook,	Hewitt,	Nunemacher,	Turner,
Cooper,	Hirsch,	O'Brien,	VanAllsburg,
Cordier,	Holland,	O'Connor,	Verona,
Corrigan,	Huntley,	O'Dare,	Vincent,
Croop,	Imbrie,	O'Mullen,	Vogt,
Cullen,	James,	O'Neill,	Voldow,
Dalrymple,	Jefferson,	Owens,	Wagner,
Dennison,	Jones, G. E.,	Petrosky,	Watkins,
DiGenova,	Jones, P. N.,	Pettit,	Weingartner,
Dix,	Keenan,	Polaski,	Weiss,
Dolon,	Kenehan,	Polen,	Welsh, E. B.,
D'Ortona,	Kline,	Powers,	Welsh, M. J.,
Duffy,	Knoble,	Prosen,	Wilkinson,
Early,	Kolsunkiewicz,	Rank,	Williams,
Eckels,	Komorofski,	Rausch,	Winner,
Elder,	Krise,	Readinger,	Wolf,
Elliott,	Lee, A.,	Reagan,	Wood, L. H.,
Ely,	Lee, T. H.,	Reese, D. P.,	Wood, N.,
Falkenstein,	Leisey,	Reese, R. E.,	Woodring,
Finestone,	Leonard,	Reynolds,	Woodside,
Fisher,	Lesko,	Rhea,	Wright,
Fiss,	Levy,	Riley,	Yeakel,
Fleming,	Leydic,	Rooney,	Yester,
Fletcher,	Lichtenwalter,	Rose, S.,	Young,
Flynn,	Longo,	Rose, W. E.,	Kilroy,
Foor	Lovett,	Rosenfeld,	Speaker.

NAYS—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative, and the report of the Committee of Conference was adopted.

Ordered, That the Clerk inform the Senate accordingly.

PERMISSION TO ADDRESS HOUSE

Mr. McMILLEN asked and obtained unanimous consent to address the House.

Mr. Speaker, one time in examinations in school I asked a question, "What are the two great enemies of society?" I expected, of course, to get the answer, "Poverty and ignorance".

There happened to be a boy in that class of more than average ability—he was exceptional. When I came to his paper, he wrote as his answer, "The Democrats and the Republicans."

I think in the way history will be written about the fighting on the other side, he was wrong. He should have added, "A few of the Democrats."

QUESTION OF INFORMATION

Mr. MAXWELL. Mr. Speaker, I rise to a question of information.

The SPEAKER. The gentleman from Westmoreland will state his question of information.

Mr. MAXWELL. Mr. Speaker, what day is it now?

The SPEAKER. This is Saturday, fourteen minutes to eleven.

Mr. MAXWELL. I wish, Mr. Speaker, you would inform the hotels of Harrisburg that today is still Saturday.

PERMISSION REQUESTED TO HOLD COMMITTEE MEETING

Mr. SKALE. Mr. Speaker, I ask unanimous consent for the Committee on Banking to meet during the session of the House.

The SPEAKER. Will the House give its unanimous consent? Is there objection? The Chair hears objection and consent is not granted.

PERMISSION TO ADDRESS HOUSE

Mr. REUBEN E. COHEN asked and obtained unanimous consent to address the House.

Mr. Speaker, hearing the remarks of the gentleman from Indiana, Mr. McMillen, the gentleman from Westmoreland, Mr. Maxwell and the gentleman from Philadelphia, Mr. Skale reminds me of the story of what the thread said to the needle at the Nudist camp, "sew what?".

PERMISSION TO ADDRESS HOUSE

Mr. CHARLES H. BRUNNER asked and obtained unanimous consent to address the House.

Mr. Speaker, a few minutes ago we had a resolution introduced into the House for the purpose of adjourning immediately and thereafter a member, the gentleman from Armstrong, Mr. Gates stood up and gave us some more of his thoughts along the lines of legislation, which proves that some people can never be satisfied.

Hearing that I am reminded of a little story about the gentleman who obtained a room in a rooming house with the understanding that the landlady would supply each day for him a lunch to take to work. The first day he went to work she packed for him a sandwich and three pieces of fruit. When he returned from work she asked how he had enjoyed his lunch. He said there wasn't much bread in it. So the next day she gave him two sandwiches, and upon his return from work she again asked him and he said, "There still isn't enough bread in it."

Finally the third day she put eight sandwiches in his lunch and upon his return he still said he didn't have enough bread, whereupon she went down the street and bought one of those three foot long sandwich loaves. She sliced it lengthwise and put in it lots of meat and made a big sandwich like some of those fish I want to catch after the session is over, wrapped it up and gave it to him with his lunch. The next day when he came back she asked, "How did you like your lunch today?" He said, "All right, but you are back to two pieces of bread again."

SENATE MESSAGES

SENATE ADOPTS CONFERENCE COMMITTEE REPORT ON HOUSE BILL No. 551

The Clerk of the Senate being introduced, informed that the Senate has adopted the report of the Committee of Conference on the subject of the difference existing between the two Houses on House Bill numbered and entitled as follows:

HOUSE BILL No. 551.

A Supplement to the act approved the twenty-seventh day of June one thousand nine hundred thirty-nine (Appropriation Acts page 60) entitled "An act to provide for the ordinary expenses of the Executive Legislative and judicial Departments of the Commonwealth interest on the public debt and the support of the Public schools for two years beginning June first one thousand nine hundred and thirty-nine and for the payment of bills incurred and remaining unpaid at the close of the fiscal year ending May thirty-first one thousand nine hundred and thirty-nine" providing for a deficiency in the appropriation to the Department of Property and Supplies for the fiscal biennium ending May thirty-first one thousand nine hundred forty-one providing for payment out of revenues of the fiscal biennial period beginning June first one thousand nine hundred forty-one and preventing lapsing

SENATE ADOPTS CONFERENCE COMMITTEE REPORT ON HOUSE BILL No. 692

The Clerk of the Senate being introduced, informed that the Senate has adopted the report of the Committee of Conference on the subject of the difference existing between the two Houses on House Bill numbered and entitled as follows:

HOUSE BILL No. 692.

An act to amend the act approved the ninth day of April one thousand nine hundred and twenty-nine (P. L. 177) entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereto and the administrative departments, boards, commissions and officers thereof including the boards of trustees of State Normal Schools or Teachers Colleges abolishing creating, reorganizing or authorizing the reorganization of certain administrative departments, boards and commissions defining the powers and duties of the Governor and other executive and administrative officers and of the several administrative departments, boards, commissions and officers fixing the salaries of the Governor, Lieutenant Governor and certain other executive and administrative officers providing for the appointment of certain administrative officers and of all deputies and other assistants and employes in certain departments, boards and commissions and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments, boards and commissions shall be determined" as amended by making further provision for the granting of easements or rights-of-way or other interests in upon, across over, under or along lands and waters of the Commonwealth making further provision for the granting of commissions to certain air pilots authorizing the Pennsylvania Historical Commission to change certain admission fees conferring power upon the Department of Property and Supplies to control and supervise certain buildings devised to the Commonwealth authorizing the micro filming of records in the various administrative departments, boards or commissions and apthorizing the leasing of Indiantown Gap Military Reservation any state airport or landing field and certain other real estate of the Commonwealth to the United States.

REPORT OF COMMITTEE OF CONFERENCE ON HOUSE BILL No. 481

Mr. ACHTERMAN. Mr. Speaker, I desire to call up the report of the Committee of Conference on House Bill No. 481, Printer's No. 1204.

The report was read by the Clerk as follows:

To the Members of the Senate and House of Representatives:

We, the undersigned, Committee of Conference on the part of the Senate and House of Representatives for the purpose of considering House Bill No. 481, entitled:

"An Act to amend sections eighteen and nineteen of the act, approved the second day of July, one thousand nine hundred and thirty-five (P. L. 589) entitled 'An act to safeguard human health and life by providing for the issuance of permits to and regulation of persons and entities selling milk and milk products, conferring powers and imposing duties on the Secretary of Health, the Advisory Health Board and otherwise providing for the administration of the act; and imposing penalties,' eliminating the power of the Advisory Health Board to make certain rules and regulations; establishing a Dairy Advisory Council in the Department of Health; conferring powers and imposing duties thereon; providing for appeals to courts of common pleas; and requiring local ordinances, rules and regulations in certain cases to conform to the provisions of this act."

Respectfully submit the following bill as our report:

Harry Shapiro,
George B. Scarlett,
(Committee on the part of the Senate.)
Carleton T. Woodring,
Clayton E. Moul,
Frank E. Snyder.
(Committee on the part of the House of Representatives.)

An Act to amend sections eighteen and nineteen of the act approved the second day of July one thousand nine

hundred and thirty-five (P. L. 589) entitled "An act to safeguard human health and life by providing for the issuance of permits to and regulation of persons and entities selling milk and milk products conferring powers and imposing duties on the Secretary of Health the Advisory Health Board and otherwise providing for the administration of the act and imposing penalties" eliminating the power of the Advisory Health Board to make certain rules and regulations establishing a Dairy Advisory Council in the Department of Health conferring powers and imposing duties thereon providing for appeals to courts of common pleas and requiring local ordinances rules and regulations in certain cases to conform to the provisions of this act

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Sections eighteen and nineteen of the act approved the second day of July one thousand nine hundred and thirty-five (P. L. 589) entitled "An act to safeguard human health and life by providing for the issuance of permits to and regulation of persons and entities selling milk and milk products conferring powers and imposing duties on the Secretary of Health the Advisory Health Board and otherwise providing for the administration of the act and imposing penalties" are hereby amended to read as follows

Section 18 The provisions of this act and the regulations made thereunder shall [not be taken nor deemed to] repeal existing municipal ordinances [nor to] prevent municipalities from enacting and enforcing new ordinances [for the further protection of the public health Provided That this] inconsistent with the provisions of this act or with the rules and regulations of the Department of Health This section shall become effective on September first one thousand nine hundred forty-two or at anytime prior thereto in the event that the Dairy Advisory Council shall have at anytime prior to said date adopted and promulgated rules and regulations This act shall be considered as establishing uniform requirements and regulations [and that nothing herein contained shall be deemed to prevent municipalities from ordaining and enforcing such additional requirements in excess of the requirements and regulations hereunder as may be deemed necessary from tim to time for the preservation of public health and to require applications from and to issue permits to such persons as may be defined by local ordinances]

Section 19 [The advisory health board of the State Department of Health is hereby authorized to adopt and promulgate rules and regulations for the proper enforcement of this act]

a There is hereby created and established in the Department of Health a Board to be known and designated as the Dairy Advisory Council The Dairy Advisory Council shall consist of seven (7) members

The Secretary of Agriculture or his authorized representative shall be the Chairman of the Council The Secretary of Health or his authorized representative shall be a member of the Council One member shall be a person actually connected with the Health Department of one of the municipalities of the Commonwealth and shall be appointed by the Secretary of Health The other four members shall be appointed by the Secretary of Agriculture Two members shall be persons familiar with and possessing either training or experience in dairying and the production of milk Two members shall be persons who through training or experience are familiar with the operation of milk plants and the handling and distribution of milk

The Secretary of Health or his authorized representative is hereby authorized to convene meetings of the Dairy Advisory Council whenever in his opinion such meetings are necessary and shall convene meetings thereof at any time upon the request in writing of three members thereof and he shall be the custodian of the records and proceedings of such Council.

The members of the Dairy Advisory Council other than those employed and paid by the Commonwealth or a municipality shall be paid at the rate of ten dollars per day while actually engaged in the work of the Council and shall receive their necessary traveling expenses

The term of office of all appointed members of the Dairy Advisory Council shall run concurrently with the term of the office of the Governor of the Commonwealth and until their successors shall have been appointed

b The Dairy Advisory Council shall adopt and promulgate rules and regulations not inconsistent with the provisions of this Act for its proper administration and enforcement on or before September first one thousand nine hundred forty-two Such rules and regulations shall repeal any and all municipal ordinances or regulations inconsistent therewith and shall preclude municipalities from enacting and enforcing new ordinances inconsistent therewith Such rules and regulations shall be adopted only after a public hearing for the consideration thereof notice of which hearing shall be mailed at least seven (7) days prior thereto to each applicant for or holder of a permit and to any other person who shall have requested notice of public hearings and notice of such hearing shall be given to the public in such newspaper or newspapers as will afford an opportunity to all persons affected to attend such a hearing Such rules and regulations shall be filed in the office of the Secretary shall be open to inspection by the public and copies thereof shall be mailed at least seven (7) days prior to the effective date thereof to each applicant for or holder of a permit and to any other person who shall have requested such copies provided however that such mailing shall not be a condition precedent to the validity of such rule or regulation Such rules and regulations may contain all provisions necessary to carry into effect the intent of the provisions of the Act concerning quality or grades of milk and milk products standards of milk plants and equipment standards of physical condition of dairy farms and cattle sanitary requirements of dairy farms and milk plants sanitary requirements relating to shipping transporting and delivering milk and milk products qualifications and classification of approved inspectors and all other standards practices or sanitary requirements necessary to the effective administration and enforcement of this Act

c Any person aggrieved by any decision made by the Dairy Advisory Council may within twenty (20) days after the decision or adoption of such rule or regulation file an appeal therefrom in the Court of Common Pleas of Dauphin County or of the County in which such person resides or has his principal place of business No such appeal shall be permitted to act as a supersedeas except on special order of the court A special order of court permitting the appeal to act as a supersedeas may be made only after reasonable notice to the Secretary of Health The appeal from the action of the Dairy Advisory Council shall be by petition against the Secretary of Health officially as defendant alleging therein in brief detail the action of the Dairy Advisory Council complained of and praying for a reversal thereof Such petition shall specify the petitioner's objections to the action of the Dairy Advisory Council and shall state the reasons in support of such objections All averments in the petition reciting facts shall be supported by oath or affirmation and the petition shall include as part thereof under oath or affirmation an averment that the appeal is not filed for the purpose of delay Upon service of a summons upon the Secretary of Health returnable at least ten (10) days from the date of service the Secretary of Health may on or before the return day file a motion to dismiss the appeal raising questions of law or attacking the form or sufficiency of the petition If such motion is not sustained the Secretary of Health shall be given leave to file an answer within not less than ten (10) days after the order of court overruling the motion Upon the filing of the answer by the Secretary of Health the case shall be at issue without further pleadings and upon application of either party the case shall be advanced and heard without further delay

The Secretary of Health shall on the return day of such summons certify to the court the record of the proceedings before the Dairy Advisory Council to which the petition refers Such record shall include the testimony if any taken relative thereto the findings of facts of the Dairy Advisory Council and a copy of the rules and regulations complained of in the petition

Mere technical irregularities in the procedure of the

Dairy Advisory Council shall not be the basis of the decision of the court In an appeal from the decision and action of the Dairy Advisory Council the case shall be heard upon the record certified to the court by the Secretary of Health No evidence shall be received at the hearing of an appeal but if any party shall satisfy the court that evidence has been discovered since the hearing before the Dairy Advisory Council that could not have been obtained for use at that hearing by the exercise of reasonable diligence and will materially affect the merits of the case the court may in its discretion remand the record and proceedings to the Dairy Advisory Council with directions to take such after-discovered evidence and after consideration thereof to make such findings and so modify the decision rules and regulations complained of in the petition as the Dairy Advisory Council may deem proper and re-certify and re-submit to the court the record together with such additional supplemental findings decision rules and regulations as the Dairy Advisory Council shall have issued Whereupon the court of common pleas shall proceed with the hearing of said appeal on the original and supplemental record

On the question,

Will the House adopt the report of the Committee of Conference?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows, viz:

YEAS—163

Achterman,	Gallagher,	Lyons,	Rush,
Auker,	Gates,	Malloy,	Sarge,
Balthaser,	Gillan,	Maxwell,	Scanlon,
Baugher,	Gillette,	McClanaghan,	Schwab,
Bentzel,	Greenwood,	McDermott,	Serrill,
Boney,	Gross,	McDowell,	Shepard,
Bower,	Gryskewicz,	McFall,	Simons,
Bradley,	Gyger,	McIntosh,	Skale,
Breth,	Habbyshaw,	McLanahan,	Snyder,
Brunner, P. A.,	Haberlen,	McLane,	Sollenberger,
Burns,	Haines,	McMillen,	Sorg,
Burris,	Hall,	McSurdy,	Stambaugh,
Chervenak,	Hamilton,	Melchiorre,	Stank,
Chudoff,	Hare,	Modell,	Stine,
Cochran,	Harris,	Monks,	Stockham,
Cohen, M. M.,	Helm,	Moul,	Tarr,
Cohen, R. E.,	Hering,	Munley,	Tate,
Cook,	Herman,	Nagel,	Taylor,
Corrigan,	Hersch,	Nunemacher,	Thompson, E. F.,
Croop,	Hewitt,	O'Brien,	VanAllsburg,
Cullen,	Hirsch,	O'Connor	Vincent,
Dalrymple,	Huntley,	O'Dare,	Vogt,
Dennison,	Imbrie,	O'Mullen,	Voldow,
DiGenova,	James,	O'Neill,	Wagner,
Dix,	Jefferson,	Owens,	Watkins,
Dolon,	Jones, G. E.,	Petrosky,	Weingartner,
D'Ortona,	Jones, P. N.,	Pettit,	Weiss,
Duffy,	Kenehan,	Polaski,	Welsh, E. B.,
Early,	Kline,	Polen,	Welsh, M. J.,
Eckels,	Kolankiewicz,	Prosen,	Wilkinson,
Elder,	Komorofski,	Rank,	Williams,
Elliott,	Krise,	Rausch,	Wolf,
Ely,	Lee, E. A.,	Readinger,	Wood, N.,
Falkenstein,	Lee, T. H.,	Reagan,	Woodring,
Finestone,	Leisey,	Reese, D. P.,	Woodside,
Fisher,	Lesko,	Reese, R. E.,	Wright,
Fiss,	Levy,	Riley,	Yeakel,
Fletcher,	Leydic,	Rooney,	Young,
Flynn,	Lichtenwalter,	Rose, S.,	Kilroy,
Foor	Longo,	Rose, W. E.,	Speaker.
French,	Lovett,	Rosenfeld,	

NAYS—41

Baker,	Fleming,	Marks,	Royer,
Bentley,	Gerard,	McClester,	Sarraf,
Boles,	Goodwin,	McKinney,	Shaffer,
Boorse,	Harkins,	Mihm,	Shaw,
Bretherick,	Harmuth,	Mooney,	Thompson, R. L.,
Brown,	Heatherington,	Moran,	Trout,
Brunner, C. H.,	Holland,	Muir,	Turner,
Cadwalader,	Keenan,	Powers,	Verona,
Cooper,	Knoble,	Reynolds,	Winner,
Cordier,	Leonard,	Rhea,	Wood, L. H.,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative, and the report of the Committee of Conference was adopted.

Ordered, That the Clerk inform the Senate accordingly.

SENATE MESSAGES

SENATE ADOPTS CONFERENCE COMMITTEE REPORT ON SENATE BILL No. 594

The Clerk of the Senate being introduced, informed that the Senate has adopted the report of the Committee of Conference on the subject of the difference existing between the two Houses on Senate Bill numbered and entitled as follows:

SENATE BILL No. 594.

An Act to amend the act approved the twenty-fourth day of June one thousand nine hundred and thirty-seven (P. L. 2051) entitled "An act relating to public assistance providing for and regulating assistance to certain classes of persons designated and defined as dependent children aged persons blind persons and other persons requiring relief providing for the administration of this act by the Department of Public Assistance and county boards of assistance hereby created for this purpose authorizing the Department of Public Assistance to cooperate with and to accept and disburse moneys received from the United States Government for assistance to such persons providing for the liquidation of the State Emergency Relief Board Boards of Trustees of the Mothers' Assistance Fund and Boards of Trustees of Pension Fund for the Blind ond repealing laws relating to mothers' assistance pensions for the blind old age assistance and the State Emergency Relief Board" as amended by redefining assistance to include work relief providing for the appointment of an administrator to supervise coordinate and regulate work relief projects authorizing the Department of Public Assistance with the approval of the Governor to contribute funds to and cooperate in the operation of work relief projects subject to certain provisions and conditions making certain acts unlawful and imposing penalties

AMENDED HOUSE BILL RETURNED FOR CONCURRENCE

The Clerk of the Senate being introduced, returned bill from the House of Representatives numbered and entitled as follows:

HOUSE BILL No. 1768.

An Act to further amend the act approved the fifth day of December one thousand nine hundred thirty-six (P. L. of 1937 page 2897) entitled "An act establishing a system of unemployment compensation to be administered by the Department of Labor and Industry and its existing and newly created agencies with personnel (with certain exceptions) selected on a civil service basis requiring employers to keep records and make reports and certain employers to pay contributions based on payrolls to provide moneys for the payment of compensation to certain unemployed persons providing procedure and administrative details for the determination payment and collection of such contributions and the payment of such compensation providing for cooperation with the Federal Government and its agencies creating certain special funds in the custody of the State Treasurer and prescribing penalties" by providing therein as to the replacement of certain moneys received pursuant to the provisions of Section three hundred two of the Federal Social Security Act as amended

With the information that the Senate has passed the same with amendments, in which the concurrence of the House of Representatives is requested.

The SPEAKER. The Clerk will read the amendments.

The Clerk read the amendments as follows:

Amend Section 1, page 3, line 1, by striking out the words "a new section" and inserting in lieu thereof the words "new sections"; also same page, line 2, by inserting after the word "one-tenth" the words "Section six hundred two and two-tenths"; also on page 4, by inserting between lines 4 and 5 the following:

"Section 602.2 All moneys received from the Social Security Board under Title Three of the Social Security Act or the provisions of the Wagner-Peyser Act and all moneys made available by the Commonwealth or its political subdivisions and matched by moneys granted to the Commonwealth pursuant to the provisions of the Wagner-Peyser Act shall be expended solely for the purposes and in the amounts found necessary by the Social Security Board for the proper and efficient administration of this Act."

Amend Section 2, page 4, at the end of line 7, by striking out the word "forty-two" and inserting in lieu thereof the word "forty-one".

On the question,

Will the House concur in the amendments made by the Senate?

Mr. WOODSIDE. Mr. Speaker, this bill as amended by the Senate contains the amendments to the Pennsylvania Unemployment Compensation Law which are required by the acts of Congress, and which have been approved by the Social Security Board in Washington. If this bill is not enacted into law with the amendments made by the Senate the Federal Social Security Board will not approve any further administrative expenses for the administration of the Unemployment Compensation Fund. It, therefore, becomes one of the most important "must" bills.

I, therefore, ask the members of the House to vote to concur in the amendments made by the Senate.

On the question recurring,

Will the House concur in the amendments made by the Senate?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows, viz:

YEAS—81

Auker,	Gillan,	Leydic,	Simons,
Boorse,	Gillette,	Lichtenwalter,	Snyder,
Bower,	Greenwood,	Lyons,	Sollenberger,
Bretherick,	Gross,	McClester,	Sorg,
Brunner, C. H.,	Gyger,	McDowell,	Stambaugh,
Cadwalader,	Habbyshaw,	McKinney,	Stockham,
Cook,	Haines,	McMillen,	Taylor,
Cooper,	Hall,	McSurdy,	Thompson, R. L.,
Cordier,	Hare,	Muir,	Trout,
Dalrymple,	Helm,	O'Dare,	Turner,
Dennison,	Hewitt,	Rank,	VanAllsburg,
Dix,	Huntley,	Reagan,	Wagner,
Eckels,	Imbrie,	Reese, D. P.,	Watkins,
Elder,	James,	Rhea,	Weingartner,
Ely,	Jones, G. E.,	Riley,	Wilkinson,
Fisher,	Kline,	Rose, S.,	Winner,
Fiss,	Knoble,	Rose, W. E.,	Wood, L. H.,
Fleming,	Krise,	Royer,	Wood, N.,
Fletcher,	Lee, E. A.,	Sarge,	Woodside,
Foor,	Lee, T. H.,	Serrill,	Yeakel,
Gates,			

NAYS—122

Achterman,	French,	McDermott,	Rooney,
Baker,	Gallagher,	McFall,	Rosenfeld,
Balthaser,	Gerard,	McIntosh,	Rush,
Baugher,	Goodwin,	McLanahan,	Sarraf,
Bentley,	Gryskewicz,	McLane,	Scanlon,
Bentzel,	Haberlen,	Melchiorre,	Schwab,
Boles,	Hamilton,	Mihm,	Shaffer,
Boney,	Harkins,	Modell,	Shaw,
Bradley,	Harmuth,	Monks,	Shepard,
Breth,	Harris,	Mooney,	Skale,
Brown,	Heatherington,	Moran,	Stank,
Brunner, P. A.,	Hering,	Moul,	Stine,
Burns,	Herman,	Munley,	Tarr,
Burris,	Hersch,	Nagel,	Tate,
Chervenak,	Hirsch,	Nunemacher,	Thompson, E. F.,
Chudoff,	Holland,	O'Brien,	Verona,
Cochran,	Jefferson,	O'Connor	Vincent,
Cohen, M. M.,	Jones, P. N.,	O'Mullen,	Vogt,
Cohen, R. E.,	Keenan,	O'Neill,	Voldow,
Corrigan,	Kenehan,	Owens,	Weiss,
Croop,	Kolankiewicz,	Petrosky,	Welsh, E. B.,
Cullen,	Komorofski,	Pettit,	Welsh, M. J.,
DiGenova,	Leonard,	Polaski,	Williams,
Dolon,	Lesko,	Polen,	Wolf,
D'Ortona,	Levy,	Powers,	Woodring,
Duffy,	Longo,	Prosen,	Wright,
Early,	Lovett	Rausch,	Yester,
Elliott,	Malloy,	Readinger,	Young,
Falkenstein,	Marks,	Reese, R. E.,	Kilroy,
Finestone,	Maxwell,	Reynolds,	Speaker.
Flynn,	McClanaghan,		

Less than the majority required by the Constitution having voted in the affirmative, the question was determined in the negative and the amendments were not concurred in.

Ordered, That the Clerk inform the Senate accordingly.

REPORT OF COMMITTEE OF CONFERENCE ON SENATE BILL No. 594

Mr. ACHTERMAN. Mr. Speaker, I desire to call up the report of the Committee of Conference on Senate Bill No. 594, Printer's No. 618.

The report was read by the Clerk as follows:

To the Members of the Senate and House of Representatives:

We, the undersigned, Committee of Conference on the part of the Senate and House of Representatives for the purpose of considering Senate Bill No. 594, entitled:

"An Act to amend the act approved the twenty-fourth day of June one thousand nine hundred and thirty-seven (P. L. 2051) entitled 'An act relating to public assistance * * *' as amended by redefining assistance to include work relief providing for the appointment of an Administrator to supervise coordinate and regulate work relief projects authorizing the Department of Public Assistance with the approval of the Governor to contribute funds to and cooperate in the operation of work relief projects subject to certain provisions and conditions making certain acts unlawful and imposing penalties."

Respectfully submit the following bill as our report:

James A. Geltz
Weldon B. Heyburn
Harry Shapiro
(Committee on the Part of the Senate.)

Leo A. Achterman
William A. Shaw
Robert E. Woodside, Jr.
(Committee on the part of the House of Representatives.)

An Act to amend the act approved the twenty-fourth day of June one thousand nine hundred and thirty-seven (P. L. 2051) entitled "An act relating to public assistance providing for and regulating assistance to certain classes of persons designated and defined as dependent children aged persons blind persons and other persons requiring relief providing for the administration of this act by the Department of Public Assistance and county boards of assistance hereby created for this purpose authorizing the Department of Public Assistance to cooperate with and to accept and disburse moneys received from the United States Government for assistance to

such persons providing for the liquidation of the State Emergency Relief Board Boards of Trustees of the Mothers' Assistance Fund and Boards of Trustees of Pension Fund for the Blind and repealing laws relating to mothers' assistance pensions for the blind old age assistance and the State Emergency Relief Board" as amended by redefining assistance to include work relief providing for the appointment of an administrator to supervise coordinate and regulate work relief projects authorizing the Department of Public Assistance with the approval of the Governor to contribute funds to and cooperate in the operation of work relief projects subject to certain provisions and conditions making certain acts unlawful and imposing penalties

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section two of the act approved the twenty-fourth day of June one thousand nine hundred and thirty-seven (P. L. 2051) entitled "An act relating to public assistance providing for and regulating assistance to certain classes of persons designated and defined as dependent children aged persons blind persons and other persons requiring relief providing for the administration of this act by the Department of Public Assistance and county boards of assistance hereby created for this purpose authorizing the Department of Public Assistance to cooperate with and to accept and disburse moneys received from the United States Government for assistance to such persons providing for the liquidation of the State Emergency Relief Board Boards of Trustees of the Mothers' Assistance Fund and Boards of Trustees of Pension Fund for the Blind and repealing laws relating to mothers' assistance pensions for the blind old age assistance and the State Emergency Relief Board" as last amended by the act approved the twenty-sixth day of June one thousand nine hundred thirty-nine (P. L. 1089) and the act approved the twenty-sixth day of June one thousand nine hundred thirty-nine (P. L. 1091) is hereby further amended to read as follows

Section 2 Definitions As used in this act unless otherwise indicated

"Assistance" means assistance in money milk goods shelter medical care work relief or services provided from or with State or Federal funds for indigent persons who reside in Pennsylvania and need assistance to enable them to maintain for themselves and their dependents a decent and healthful standard of living and for indigent homeless or transient persons The word assistance shall be construed to include pensions for those blind persons who are entitled to pensions as provided in this act and to include also burial for those indigent persons who were receiving assistance at the time of their death

"General Assistance" means assistance provided from or with State funds only to persons entitled under this act to assistance other than dependent children aged persons and blind persons

"Local Board" means any county board of assistance established under the provisions of this act

The masculine pronoun includes the feminine

Section 2 Section four of said act as amended by the act approved the twenty-sixth day of June one thousand nine hundred thirty-nine (P. L. 1089) and the act approved the twenty-sixth day of June one thousand nine hundred thirty-nine (P. L. 1091) is hereby further amended by adding after clause (k) a new clause to be known as clause (l) and to read as follows

Section 4 General Powers and Duties of Department of Public Assistance The Department of Public Assistance shall have the power and its duty shall be

* * * * *

(l) Subject to the approval of the Governor to contribute to the cost of any cooperate in the operation of work relief projects approved by him and submitted by any State administrative department board or commission or by any political subdivision of the Commonwealth under and subject to the following provisions and conditions

1 That all work relief projects under this act shall be voluntary on the part of any political subdivision of the Commonwealth

2 That employment on such projects shall be limited to employable persons receiving general assistance

3 That compensation for work on such projects shall be the prevailing rate of pay for that type of employment in the locality in which the employment is being performed

4 That funds contributed to any such project by the Department of Public Assistance shall be used only for the purpose of paying the labor cost of such project and such contribution shall not exceed an amount equivalent to fifty per centum (50%) of the amount of general assistance grant that would otherwise be payable to the recipients of general assistance who are employed upon any such project

5 That the Governor shall appoint and fix the compensation of an administrator who shall serve directly under the Governor and whose duty it shall be to examine all proposed work relief project agreements and the financial arrangements pertaining thereto for the purpose of recommending to the Governor whether or not such projects should be approved or disapproved Subject to the approval of the Governor the administrator shall also have the power and duty to determine all disputes regarding prevailing rates and to supervise coordinate and regulate the operation of all work relief projects

6 That all proposed work relief project agreements shall be in writing and approved by the sponsors thereof

7 It is hereby declared to be the legislative intent that the work relief authorized by this act shall not be in competition with work relief of the Federal Works Progress Administration The Federal Works Progress Administration shall have precedence in requisitioning available employables receiving general assistance from he Department of Public Assistance No work relief project shall in any event be in substitution of existing projects sponsored under existing Federal Work programs or work which the State or political subdivisions have undertaken or contracts entered into by them so as to decrease the Federal funds available for work projects or so as to displace any present or contemplated employment but the work relief to which such employables are assigned shall be in addition and supplementary to any existing Federal Work projects or to any existing projects work or contracts now being performed undertaken or to be performed or undertaken in the usual and regular course of the needs and requirements of the State or any political subdivision Provided however That the foregoing limitation shall not be construed to prevent the State undertaking operating or completing Federal Works Projects which because of employment quotas lack of funds or for any other reason the Federal Works Project Administration may be found to be unable to undertake operate or complete

8 That upon the termination of the employment of any employe assigned to any work relief project the general assistance grant to such employe shall be resumed immediately if such employe is otherwise eligible for assistance

9 That the Speaker of the House of Representatives upon his request shall have authority to examine any and all records books or papers in the office of the Administrator relating to work relief projects undertaken or to be undertaken under the provisions of this act and for this purpose shall have free and full access to any and all such records books or papers

10 That any employe assigned to any project shall be dismissed if such employe shall be a member of a political committee or an officer of a political organization or shall solicit make or receive a contribution for political purposes or shall injure or benefit another employe or threaten or promise to do so because of with-

holding a contribution for political purposes because of any past or future vote or because of taking or refraining from taking any political action

Section 3 Section thirteen of said act as amended by the act approved the twenty-sixth day of June one thousand nine hundred thirty-nine (P. L. 1091) is hereby further amended by adding after subsection (b) a new subsection to read as follows

Section 13 Penalties

* * * * *

(c) It shall be unlawful for any person directly or indirectly to promise any employment position work compensation or other benefit provided for in clause (1) of section four of this act to any person as consideration favor or reward for any political activity or for the support of or opposition to any candidate in any election or any political party

It shall be unlawful for any person directly or indirectly to deprive attempt to deprive or threaten to deprive by any means any person of any employment position work compensation or other benefit provided for in clause (1) of section four of this act on account of race creed color or any support of or opposition to any candidate or any political party in any election

It shall be unlawful for any person administering or supervising work relief projects under the provisions of clause (1) of section four of this act to use such authority or influence for the purpose of interfering with an election or affecting the results thereof

Any person violating the provisions of this subsection shall be immediately removed from any position or office if any held under the provisions of clause (1) of section four of this act and in addition whereof he shall be sentenced to pay a fine not to exceed one thousand dollars ($1,000) and to imprisonment not to exceed one (1) year or both

Section 4 This act shall become effective immediately upon final enactment

On the question,

Will the House adopt the report of the Committee of Conference?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows, viz:

YEAS—154

Achterman,	Gates,	McClanaghan,	Scanlon,
Auker,	Gerard,	McClester,	Serrill,
Balthaser,	Gillan,	McDermott,	Shaffer,
Baugher,	Gillette,	McDowell,	Shaw,
Bentley,	Greenwood,	McIntosh,	Shepard,
Boles,	Gross,	McKinney,	Simons,
Boorse,	Gyger,	McMillen,	Snyder,
Bower,	Habbyshaw,	McSurdy,	Sollenberger,
Breth,	Haberlen,	Melchiorre,	Sorg,
Bretherick,	Haines,	Mihm,	Stambaugh,
Brown,	Hall,	Modell,	Stank,
Brunner, C. H.,	Hare,	Monks,	Stine,
Brunner, P. A.,	Harkins,	Moul,	Stockham,
Burris,	Harmuth,	Muir,	Tate,
Cadwalader,	Harris,	Nunemacher,	Taylor,
Chervenak,	Helm,	O'Brien,	Thompson, E. F.,
Cohen, R. E.,	Hering,	O'Dare,	Thompson, R. L.,
Cook,	Hersch,	O'Mullen,	Trout,
Cooper,	Hewitt,	Owens,	Turner,
Cordier,	Holland,	Polaski,	Van Allsburg,
Corrigan,	Huntley,	Powers,	Verona,
Cullen,	Imbrie,	Prosen,	Voldow,
Dalrymple,	James,	Rank,	Wagner,
Dennison,	Jones, G. E.,	Rausch,	Watkins,
DiGenova,	Keenan,	Readinger,	Weingartner,
Dix,	Kenehan,	Reagan,	Weiss,
D'Ortona,	Kline,	Reese, D. P.,	Welsh, E. B.,
Early,	Knoble,	Reese, R. E.,	Welsh, M. J.,
Eckels,	Kolankiewicz,	Reynolds,	Wilkinson,
Elder,	Krise,	Rhea,	Winner,
Ely,	Lee, E. A.,	Riley,	Wolf,
Falkenstein,	Lee, T. H.,	Rooney,	Wood, L. H.,
Finestone,	Leisey,	Rose, S.,	Wood, N.,
Fisher,	Leonard,	Rose, W. E.,	Woodring,
Fiss,	Leydic,	Rosenfeld,	Woodside,
Fleming,	Lichtenwalter,	Royer,	Yeakel,
Fletcher,	Lovett,	Rush,	Young,
Flynn,	Lyons,	Sarge,	Kilroy, Speaker
Foor,	Marks,		

NAYS—49

Baker,	French,	Levy,	O'Neill,
Bentzel,	Gallagher,	Longo,	Petrosky,
Boney,	Goodwin,	Malloy,	Pettit,
Bradley,	Gryskewicz,	Maxwell,	Polen,
Burns,	Hamilton	McFall,	Sarraf,
Chudoff,	Heatherington,	McLanahan,	Schwab,
Cochran,	Herman,	McLane,	Skale,
Cohen, M. M.,	Hirsch,	Mooney,	Tarr,
Croop,	Jefferson,	Moran,	Vincent,
Dolon,	Jones, P. N.,	Munley,	Vogt,
Duffy,	Komorofski,	Nagel,	Williams,
Elliott,	Lesko,	O'Connor,	Wright,
			Yester,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative, and the report of the Committee of Conference was adopted.

Ordered, That the Clerk inform the Senate accordingly.

SENATE ADOPTS CONFERENCE COMMITTEE REPORT ON SENATE BILL No. 1308

The Clerk of the Senate being introduced, informed that the Senate has adopted the report of the Committee of Conference on the subject of the difference existing between the two Houses on Senate Bill numbered and entitled as follows:

SENATE BILL No. 1308.

An Act to amend section one further amend section three and to reenact section six of the act approved the twenty-second day of May one thousand nine hundred thirty-three (P. L. 912) entitled "An act to protect the public health defining and providing for the licensing of bakeries and regulating the inspection maintenance and operation of bakeries and premises stores and shops connected therewith defining and regulating the manufacture sale and offering for sale of bakery products conferring powers on the Department of Agriculture and providing penalties" by redefining "bakery" removing the exception from registration and licensing requirements requiring registered bakery products to show the facts of such registration making it unlawful for any person to sell offer for sale or have in possession with intent to sell unregistered bakery products or to import bakery products from bakeries not licensed hereunder and making possession prima facie evidence of intention to sell

REPORT OF COMMITTEE OF CONFERENCE ON SENATE BILL No. 1308

Mr. ACHTERMAN. Mr. Speaker, I desire to call up the report of the Committee of Conference on Senate Bill No. 1308, Printer's No. 617.

The report was read by the Clerk as follows:

To the Members of the Senate and House of Representatives:

We, the undersigned Committee of Conference on the part of the Senate and House of Representatives for the purpose of considering Senate Bill No. 1308, entitled:

"An Act to amend section one further amend section three and to reenact section six of the act approved the twenty-second day of May one thousand nine hundred thirty-three (P. L. 912) entitled 'An act to protect the

public health defining and providing for the licensing of bakeries and regulating the inspection maintenance and operation of bakeries and premises stores and shops connected therewith * * *' by redefining 'bakery' removing the exception from registration and licensing requirements requiring registered bakery products to show the fact of such registration making it unlawful for any person to sell offer for sale or have in possession with intent to sell unregistered bakery products or to import bakery products from bakeries not licensed hereunder and making possession prima facie evidence of intention to sell"

Respectfully submit the following bill as our report:

Frederick L. Homsher
Weldon B. Heyburn
John F. Cox
(Committee on the Part of the Senate)

Charles Melchiorre
Edwin A. Lee
George J. Sarraf
(Committee on the part of the House of Representatives)

An Act to amend section one further amend section three and to reenact section six of the act approved the twenty-second day of May one thousand nine hundred thirty-three (P. L. 912) entitled "An act to protect the public health defining and providing for the licensing of bakeries and regulating the inspection maintenance and operation of bakeries and premises stores and shops connected therewith defining and regulating the manufacture sale and offering for sale of bakery products conferring powers on the Department of Agriculture and providing penalties" by redefining "bakery" removing the exception from registration and licensing requirements requiring registered bakery products to show the fact of such registration making it unlawful for any person to sell offer for sale or have in possession with intent to sell unregistered bakery products or to import bakery products from bakeries not licensed hereunder and making possession prima facie evidence of intention to sell

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section 1 of the act approved the twenty-second day of May one thousand nine hundred thirty-three (P. L. 912) entitled "An act to protect the public health defining and providing for the licensing of bakeries and regulating the inspection maintenance and operation of bakeries and premises stores and shops connected therewith defining and regulating the manufacture sale and offering for sale of bakery products conferring powers on the Department of Agriculture and providing penalties" is hereby amended to read as follows

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That Definitions The following words and terms as used in this act shall be construed as follows

"Bakery" means and includes all buildings and parts of buildings cellars and basements used for the manufacture and handling of bakery products intended for sale and for the mixing and other preparation of ingredients and materials entering into the manufacture of bakery products where more than fifty pounds of flour flour substitute flour mixture or potatoes are used each week in the preparation of such products

"Bakery products" means and includes bread rolls cakes cookies crackers icecream cones crullers doughnuts biscuits pies macaroni spaghetti noodles alimentary pastes pretzels potato chips and all other products whatever manufactured in a bakery and intended for human consumption as well as the ingredients and materials entering into their manufacture

"Person" means an individual copartnership association and corporation

"Department" means the Department of Agriculture of the Commonwealth of Pennsylvania

Section 2 Section three of said act as amended by section one of the act approved the first day of July one thousand nine hundred thirty-seven (P. L. 2676) is hereby further amended to read as follows

Section 3 Annual License and License Fee It shall be the duty of every person whether a resident or nonresident of this Commonwealth operating a bakery to apply to the Department of Agriculture for a license to do so and to register with the department all bakery products baked prepared manufactured or compounded in such bakeries before the first day of January one thousand nine hundred thirty-four and annually thereafter before the first day of January of each succeeding year and pay to the Department of Agriculture at the time said application for registration and license is filed an annual fee as follows For bakeries using less than one hundred barrels of flour per week five dollars ($5.00) for bakeries using one hundred barrels and less than two hundred barrels of flour per week ten dollars ($10.00) and bakeries using two hundred barrels or more per week twenty dollars ($20.00) [Provided however That any person operating a bakery in Pennsylvania who does not use more than fifty pounds of flour flour substitute flour mixture or potatoes a week in the preparation of bakery products shall not be required to register such bakery products pay a license fee or obtain a license]

The application for a license and registration shall be made on a form to be supplied by the department and shall show trade names of all products and principal address of bakery The application shall have attached thereto the affidavit of the person applying for the license that the facts set forth therein are true and correct

From and after the first day of January one thousand nine hundred and thirty-four it shall be unlawful for any person to operate a bakery for the manufacture of bakery products unless said bakery is duly licensed in accordance with the provisions of this act

Upon approval of application for registration and license and payment of required license fee and also upon approval of sanitary conditions in a bakery and every store or shop connected therewith the Department of Agriculture shall issue to each applicant a license or certificate of registration which shall expire at the end of each calendar year and which will authorize the operation of said bakery and the baking compounding manufacturing and sale of said bakery products for the calendar year or portion thereof for which a license or certificate of registration shall be issued

All wrappers caddies boxes packages or containers of any kind whatsoever in which bakery products shall be wrapped packaged boxed or contained shall be printed or marked in a clear and legible manner with the trade name or kind of bakery product which it purports to be and with the name of the bakery manufacturing such bakery product or with the name and address of the distributor or wholesale dealer distributing such bakery products preceded by the words "distributing by" or followed by the word "distributor" as the case may be and in all cases the words "Registered with Pennsylvania Department of Agriculture" or any abbreviation thereof approved by the department Provided That when transparent wrappers are employed such printed or legible statement may be inserted in a conspicuous position between such transparent wrapper and the top of the loaf or other bakery product or by printed band or wrapper around the top of the loaf or other bakery product

Section 3 Section 6 of said act as added by section two of the act approved the first day of July one thousand nine hundred thirty-seven (P. L. 2676) is hereby reenacted as follows

Section 6 Sale and Importation of Bakery Products It shall be unlawful for any person

(a) To sell offer for sale or have in his possession

with intent to sell a bakery product which is not registered with the department as provided in this act Possession of any bakery product shall be deemed prima facie evidence of an intent to sell such bakery product

(b) To import into this Commonwealth for sale within this Commonwealth any bakery products manufactured in a bakery in another state that is not licensed according to the laws of this Commonwealth

Section 4 The provisions of this act shall become effective immediately upon final enactment

On the question,

Will the House adopt the report of the Committee of Conference?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows, viz:

YEAS—202

Achterman,	French,	Lyons,	Royer,
Auker,	Gallagher,	Malloy,	Rush,
Baker,	Gates,	Marks,	Sarge,
Balthaser,	Gerard,	Maxwell,	Scanlon,
Baugher,	Gillan,	McClanaghan,	Schwab,
Bentley,	Gillette,	McClester,	Serrill,
Bentzel,	Goodwin,	McDermott,	Shaffer,
Boies,	Greenwood,	McDowell,	Shaw,
Boney,	Gross,	McFall,	Shepard,
Boorse,	Gryskewicz,	McIntosh,	Simons,
Bower,	Gyger,	McKinney,	Skale,
Bradley,	Habbyshaw,	McLanahan,	Snyder,
Breth,	Haberlen,	McLane,	Sollenberger,
Bretherick,	Haines,	McMillen,	Sorg,
Brown,	Hall,	McSurdy,	Stambaugh,
Brunner, C. H.,	Hamilton,	Melchiorre,	Stank,
Brunner, P. A.,	Hare,	Mihm,	Stine,
Burns,	Harkins,	Modell,	Stockham,
Burris,	Harmuth,	Monks,	Tarr,
Cadwalader,	Harris,	Mooney,	Tate,
Chervenak,	Heatherington,	Moran,	Taylor,
Chudoff,	Helm,	Moul,	Thompson, E. F.,
Cochran,	Hering,	Muir,	Thompson, R. L.,
Cohen, M. M.,	Herman,	Munley	Trout,
Cohen, R. E.,	Hersch,	Nagel	Turner,
Cook,	Hewitt,	Nunemacher	VanAllsburg,
Cooper,	Hirsch,	O'Brien,	Verona,
Cordier,	Holland,	O'Connor,	Vincent,
Corrigan,	Huntley,	O'Dare,	Vogt,
Croop,	Imbrie,	O'Mullen,	Voldow,
Cullen,	James,	O'Neill,	Wagner,
Dalrymple,	Jefferson,	Owens,	Watkins,
Dennison,	Jones, G. E.,	Petrosky,	Weingartner,
DiGenova,	Jones, P. N.,	Pettit,	Weiss,
Dix,	Keenan,	Polaski,	Welsh, E. B.,
Dolon,	Kenehan,	Polen,	Welsh, M. J.,
D'Ortona,	Kline,	Powers,	Wilkinson,
Duffy,	Knoble,	Prosen,	Williams,
Early,	Kolankiewicz,	Rank,	Winner,
Eckels,	Komorofski,	Rausch,	Wolf,
Elder,	Krise,	Readinger,	Wood, L. H.,
Elliott,	Lee, E. A.,	Reagan,	Wood, N.,
Ely,	Lee, T. H.,	Reese, D. P.,	Woodring,
Falkenstein,	Leisey,	Reese, R. E.,	Woodside,
Finestone,	Leonard,	Reynolds,	Wright,
Fisher,	Lesko,	Rhea,	Yeakel,
Fiss,	Levy,	Riley,	Yester,
Fleming,	Leydic,	Rooney,	Young,
Fletcher,	Lichtenwalter,	Rose, S.,	Kilroy,
Flynn,	Longo,	Rose, W. E.,	Speaker.
Foor,	Lovett,	Rosenfeld,	

NAYS—1

Sarraf,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative, and the report of the Committee of Conference was adopted.

Ordered, That the Clerk inform the Senate accordingly.

SENATE ADOPTS CONFERENCE COMMITTEE REPORT ON HOUSE BILL No. 846

The Clerk of the Senate being introduced, informed that the Senate has adopted the report of the Committee of Conference on the subject of the difference existing between the two Houses on House Bill numbered and entitled as follows:

HOUSE BILL No. 846.

An Act requiring school boards in all school districts and boards of directors of all vocational school districts to grant leaves of absence to all school employes who shall volunteer or be called for military or naval service in time of war or during a state of national emergency preserving certain contracts salaries increments retirement rights seniority State contributions and grants to local school boards eligibility lists reemployment authorizing school boards and boards of directors of vocational schools to employ substitutes in place of such employes requiring school districts and vocational school districts to make additional payments into the School Employes' Retirement Fund reserving all rights and privileges of employes granted leaves of absence under the provisions herein and superseding or repealing all contrary laws

SENATE ADOPTS CONFERENCE COMMITTEE REPORT ON HOUSE BILL No. 1365

The Clerk of the Senate being introduced, informed that the Senate has adopted the report of the Committee of Conference on the subject of the difference existing between the two Houses on House Bill numbered and entitled as follows:

HOUSE BILL No. 1365.

An Act to amend the act approved the first day of May one thousand nine hundred and twenty-nine (P. L. 905) entitled "An act for the protection of the public safety regulating the use of highways and the operation of vehicles tractors street cars trackless trolley omnibuses bicycles pedestrians and the riding of animals upon the highways of this Commonwealth providing for the titling including liens encumbrances and legal claims registration of certain vehicles and licensing the operators thereof upon payment of prescribed fees prescribing and limiting the powers of local authorities to deal with the subject matter of this act conferring powers and imposing duties upon the Department of Revenue the Department of Highways peace officers mayors burgesses magistrates aldermen justices of the peace the courts and the clerks thereof owners of vehicles and garage keepers providing that records are admissible as evidence imposing upon owners counties cities boroughs incorporated towns townships within the Commonwealth liability for damages caused by the negligent operation of their motor vehicles imposing penalties imposing certain costs upon counties providing for the disposition of fines forfeitures fees and miscellaneous receipts making an appropriation and providing for refunds" as variously amended authorizing the Secretary of Revenue to establish a system of permanent registration of vehicles providing for the issuance of limited operator's licenses in certain cases and further regulating the operation of vehicles and the suspension of registrations and operating privileges giving the Pennsylvania Turnpike Commission power to regulate traffic on turnpikes extending the time limit for cities of the second class A to make certain changes in traffic signals extending the liability of political subdivisions to include negligent operation of their vehicles drawn by animal power amplifying and changing provisions of said act relating to lighting signal and warning devices and the transportation of vehicles redefining the term dealer further regulating dealers in junked vehicles permits for oversize and overweight vehicles use of school buses registration plates and cards maximum size of vehicles and medical examinations by physicians providing for payment of certain fees by counties limiting and providing

new exemptions from the various provisions of said act giving additional authority to peace officers and department employes in the matter of investigations further regulating prosecutions giving certain powers to local authorities for the regulation of traffic and the establishment of traffic courts changing and fixing additional fees changing and imposing new penalties giving the secretary additional powers and duties imposing additional duties on keepers and employers of garages and repair shops providing refunds to certain persons entering Federal services making it a misdemeanor for committing malicious mischief to motor vehicles parts or accessories thereof and establishing penalties therefor and making an appropriation

SENATE RECEDES FROM ITS AMENDMENTS

The Clerk of the Senate being introduced, informed that the Senate has receded from its amendments nonconcurred in by the House and concurs in House Bill numbered and entitled as follows:

HOUSE BILL No. 413.

An Act prohibiting the employment by the Commonwealth or any county city borough incorporated town township school district vocational school district or institution district thereof or by any authority or any institution supported in whole or in part out of public funds of persons who advocate or participate in un-American or subversive doctrines as herein defined or who advocate Communism Fascism or Naziism or who advocate or support a political party or organization of individuals advocating or supporting Communism Fascism or Naziism or any "un-American or Subversive Doctrines" or are members of any organization of individuals advocating or supporting Communism Fascim or Naziism or any "un-American or Subversive Doctrines" providing for dismissals under existing laws and permitting appeals to courts of common pleas and appellate courts in all such cases

AMENDED SENATE BILL RECALLED FROM THE GOVERNOR RETURNED FOR CONCURRENCE

The Clerk of the Senate being introduced, presented for concurrence bill numbered and entitled as follows:

SENATE BILL No. 618.

An Act to further amend section two of the act approved the sixteenth day of June one thousand nine hundred thirtly-three (P. L. 252 1933-34) entitled as amended "An act to regulate and restrain the traffic in malt and brewed beverages as herein defined providing for the licensing of the manufacture transportation sale and distribution of such beverages imposing license and permit fees and providing for collection and distribution thereof restricting ownership and interest in licensed places permitting municipalities and townships by vote of the electors to prevent the licensing therein of places where such beverages may be sold for consumption on the premises and regulating elections for this purpose imposing duties upon the Pennsylvania Liquor Control Board quarter sessions courts district attorneys the Department of Justice proper authorities of political subdivisions of the State and election officers providing penalties and repealing existing acts" by permitting clubs to waive or reduce or pay dues payable by members in military service

Said bill having been recalled from the Governor for amendment, the vote had on final passage and third reading reconsidered in the Senate and the bill amended, in which amendments the concurrence of the House of Representatives is requested.

The SPEAKER. The Clerk will read the amendments.

The Clerk read the amendments as follows:

Amend the title, page 1, at the beginning of line 2, by striking out the word "sixteenth" and inserting in lieu thereof the word "third"; also same line by striking out the word "June" and inserting in lieu thereof the word "May"; also same page, line 3, by striking out the figures "1933-34."

Amend Section 1, page 2, at the end of line 1, by striking out the word "sixteenth" and inserting in lieu thereof the word "third"; also same page, line 2, by striking out the word "June" and inserting in lieu thereof the word "May"; also same page, line 3, by striking out the figures "1933-34."

On the question,

Will the House concur in the amendments made by the Senate?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows, viz:

YEAS—203

Achterman,	Gallagher,	Lyons,	Rosenfeld,
Auker,	Gates,	Malloy,	Royer,
Baker,	Gerard,	Marks,	Rush,
Balthaser,	Gillan,	Maxwell,	Sarge,
Baugher,	Gillette,	McClanaghan	Sarraf,
Bentley,	Goodwin,	McClester	Scanlon,
Bentzel,	Greenwood,	McDermott	Schwab,
Boles,	Gross,	McDowell	Serrill,
Boney,	Gryskewicz,	McFall	Shaffer,
Boorse,	Gyger,	McIntosh	Shaw,
Bower,	Habbyshaw,	McKinney	Shepard,
Bradley,	Haberlen,	McLanahan	Simons,
Breth,	Haines,	McLane,	Skale,
Bretherick,	Hall,	McMillen,	Snyder,
Brown,	Hamilton,	McSurdy,	Sollenberger,
Brunner, C. H.,	Hare,	Melchiorre,	Sorg,
Brunner, P. A.,	Harkins,	Mihm,	Stambaugh,
Burns,	Harmuth,	Modell,	Stank,
Burris,	Harris,	Monks,	Stine,
Cadwalader,	Heatherington,	Mooney,	Stockham,
Chervenak,	Helm,	Moran,	Tarr,
Chudoff,	Hering,	Moul,	Tate,
Cochran,	Herman,	Muir,	Taylor,
Cohen, M. M.,	Hersch,	Munley,	Thompson, E. F.,
Cohen, R. E.,	Hewitt,	Nagel,	Thompson, R. L.,
Cook,	Hirsch,	Nunemacher,	Trout,
Cooper,	Holland,	O'Brien,	Turner,
Cordier,	Huntley,	O'Connor,	VanAllsburg,
Corrigan,	Imbrie,	O'Dare,	Verona,
Croop,	James,	O'Mullen,	Vincent,
Cullen,	Jefferson,	O'Neill,	Vogt,
Dalrymple,	Jones, G. E.,	Owens,	Voldow,
Dennison,	Jones, P. N.,	Petrosky,	Wagner,
DiGenova,	Keenan,	Pettit,	Watkins,
Dix,	Kenehan,	Polaski,	Weingartner,
Dolon,	Kline,	Polen,	Weiss,
D'Ortona,	Knoble,	Powers,	Welsh, E. B.,
Duffy,	Kolankiewicz,	Prosen,	Welsh, M. J.,
Eckels,	Komorofski,	Rank,	Wilkinson,
Elder,	Krise,	Rausch,	Williams,
Elliott,	Lee, E. A.,	Readinger,	Winner,
Ely,	Lee, T. H.,	Reagan,	Wolf,
Falkenstein,	Leisey,	Reese, D. P.,	Wood, L. H.,
Finestone,	Leonard,	Reese, R. E.,	Wood, N.,
Fisher,	Lesko,	Reynolds,	Woodring,
Fiss,	Levy,	Rhea,	Woodside,
Fleming,	Leydic,	Riley,	Wright,
Fletcher,	Lichtenwalter,	Rooney,	Yeakel,
Flynn,	Longo,	Rose, S.,	Yester,
Foor,	Lovett,	Rose, W. E.,	Young,
French,			Kilroy, Speaker.

NAYS—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative, and the amendments were concurred in.

Ordered, That the Clerk inform the Senate accordingly.

RECESS

The SPEAKER. If there is no objection the Chair is

about to declare a recess for fifteen minutes. Is there objection? The Chair hears none and a recess is declared.

AFTER RECESS

The SPEAKER. The time of recess having expired the house was called to order.

The SPEAKER (Elmer Kilroy) in the Chair.

BILLS SIGNED BY SPEAKER

Bills numbered and entitled as follows having been prepared for presentation to the Governor, and the same being correct, the titles were publicly read as follows:

HOUSE BILL No. 551.

A Supplement to the act approved the twenty-seventh day of June one thousand nine hundred thirty-nine (Appropriation Acts page 60) entitled "An act to provide for the ordinary expenses of the Executive Legislative and Judicial Departments of the Commonwealth interest on the public debt and the support of the Public schools for two years beginning June first one thousand nine hundred and thirty-nine and for the payment of bills incurred and remaining unpaid at the close of the fiscal year ending May thirty-first one thousand nine hundred and thirty-nine" providing for a deficiency in the appropriation to the Department of Property and Supplies for the fiscal biennium ending May thirty-first one thousand nine hundred forty-one providing for payment out of revenues of the fiscal biennial period beginning June first one thousand nine hundred forty-one and preventing lapsing

HOUSE BILL No. 692.

An Act to amend the act approved the ninth day of April one thousand nine hundred and twenty-nine (P. L. 177) entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments boards commissions and officers thereof including the boards of trustees of State Normal Schools or Teachers Colleges abolishing creating reorganizing or authorizing the reorganization of certain administrative departments boards and commissions defining the powers and duties of the Governor and other executive and administrative officers and of the several administrative departments boards commissions and officers fixing the salaries of the Governor Lieutenant Governor and certain other executive and administrative officers providing for the appointment of certain administrative officers and of all deputies and other assistants and employes in certain departments boards and commissions and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments boards and commissions shall be determined" as amended by making further provision for the granting of easements or rights-of-way or other interests in upon across over under or along lands and waters of the Commonwealth making further provision for the granting of commissions to certain air pilots authorizing the Pennsylvania Historical Commission to charge certain admission fees conferring power upon the Department of Property and Supplies to control and supervise certain buildings devised to the Commonwealth authorizing the micro filming of records in the various administrative departments boards or commissions and authorizing the leasing of Indiantown Gap Military Reservation any state airport or landing field and certain other real estate of the Commonwealth to the United States

HOUSE BILL No. 846.

An Act requiring school boards in all school districts and boards of directors of all vocational school districts to grant leaves of absence to all school employes who shall volunteer or be called for military or naval service in time of war or during a state of national emergency preserving certain contracts salaries increments retirement rights seniority State contributions and grants to local school boards eligibility lists reemployment authorizing school boards and boards of directors of vocational schools to employ substitutes in place of such employes requiring school districts and vocational school districts to make additional payments into the School Employes' Retirement Fund reserving all rights and privileges of employes granted leaves of absence under the provisions herein and superseding or repealing all contrary laws

HOUSE BILL No. 1365.

An Act to amend the act approved the first day of May one thousand nine hundred and twenty-nine (P. L. 905) entitled "An act for the protection of the public safety regulating the use of highways and the operation of vehicles tractors street cars trackless trolly omnibuses bicycles pedestrians and the riding of animals upon the highways of this Commonwealth providing for the titling including liens encumbrances and legal claims registration of certain vehicles and licensing the operators thereof upon payment of prescribed fees prescribing and limiting the powers of local authorities to deal with the subject matter of this act conferring powers and imposing duties upon the Department of Revenue the Department of Highways peace officers mayors burgesses magistrates aldermen justices of the peace the courts and the clerks thereof owners of vehicles and garage keepers providing that records are admissible as evidence imposing upon owners counties cities boroughs incorporated towns townships within the Commonwealth liability for damages caused by the negligent operation of their motor vehicles imposing penalties imposing certain costs upon counties providing for the disposition of fines forfeitures fees and miscellaneous receipts making an appropriation and providing for refunds" as variously amended authorizing the Secretary of Revenue to establish a system of permanent registration of vehicles providing for the issuance of limited operator's license in certain cases and further regulating the operation of vehicles and the suspension of registrations and operating privileges giving the Pennsylvania Turnpike Commission power to regulate traffic on turnpikes extending the time limit for cities of the second class A to make certain changes in traffic signals extending the liability of political subdivisions to include negligent operation of their vehicles drawn by animal power amplifying and changing provisions of said act relating to lighting signal and warning devices and the transportation of vehicles redefining the term dealer further regulating dealers in junk vehicles permits for oversize and overweight vehicles use of school buses registration plates and cards maximum size of vehicles and medical examinations by physicians providing for payment of certain fees by counties limiting and providing new exemptions from the various provisions of said act giving additional authority to peace officers and department employes in the matter of investigations further regulating prosecutions giving certain powers to local authorities for the regulation of traffic and the establishment of traffic courts changing and fixing additional fees changing and imposing new penalties giving the secretary additional powers and duties imposing additional duties on keepers and employers of garages and repair shops providing refunds to certain persons entering Federal services making it a misdemeanor for committing malicious mischief to motor vehicles parts or accessories thereof and establishing penalties therefor and making an appropriation

HOUSE BILL No. 248.

An Act authorizing taxpayers in cities of the second class A to inspect the books and records of such cities at any reasonable time and prescribing a procedure for enforcing such right of inspection

HOUSE BILL No. 629.

An Act to amend section one of, and to add section

three and one-tenth to the act, approved the twentieth day of June, one thousand nine hundred and one (P. L. 582), entitled "An act to provide for the registration of labels, trade-marks, trade-names, stamps, designs, devices, shop-marks, terms, brands, designations, descriptions, or forms of advertisement, and protect and secure the rights, property and interest therein of the persons, copartnerships or corporations adopting and filing the same, and providing penalties for the violations of the act," further regulating the registration of labels, trademarks, trade-names, devices, shopmarks, designations and forms of advertisement, and providing for the cancellation of such registrations in certain cases.

HOUSE BILL No. 647.

An Act relating to the bonds to be given by county officers their deputies clerks and assistants in counties of the second class the amount and conditions thereof the sureties for such bonds the payment of the premiums therefor and the recording and custody thereof

HOUSE BILL No. 736.

An Act to further amend section two thousand five hundred and sixty-three of the act approved the twenty-third day of June one thousand nine hundred and thirty-one (P. L. 932) entitled "An act relating to cities of the third class and amending revising and consolidating the law relating thereto" changing the penalties and interest imposed for the nonpayment of taxes

HOUSE BILL No. 861.

An Act to further amend the act approved the fourth day of May, one thousand nine hundred and twenty-seven (P. L. 519), entitled "An act concerning boroughs, and revising, amending, and consolidating the law relating to boroughs," by further regulating the affairs of boroughs; and revising, amending, and changing the law relating thereto.

HOUSE BILL No. 1014.

An Act to further amend clause eight of section one thousand two hundred and ten of the act approved the eighteenth day of May one thousand nine hundred and eleven (P. L. 309) entitled "An act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith" by changing the minimum salary of county superintendents

HOUSE BILL No. 1129.

An Act to further amend subsection (a) of section six of the act approved the seventh day of June one thousand nine hundred seventeen (P. L. 447) entitled as amended "An act relating to the administration and distribution of the estates of decedents and of minors and of trust estates including the appointment bonds rights powers duties liabilities accounts discharge and removal of executors administrators guardians and trustees herein designated as fiduciaries the administration and distribution of the estates of presumed decedent widow's and children's exemptions debts of decedents rents of real estate as assets for payment thereof the lien thereof sales and mortgages of real estate for the payment thereof judgments and executions therefor and the discharge of real estate from the lien thereof contracts of decedents for the sale or purchase of real estate legacies including legacies charged on land the discharge of residuary estates and of real estate from the lien of legacies and other charges the appraisement of real estate devised at a valuation the ascertainment of the curtilage of dwelling houses or other buildings devised the abatement and survival of actions and the substitution of executors and administrators therein the survival of causes of action and suits thereupon by or against fiduciaries investments by fiduciaries the organization of corporations to carry on the business of decedents the audit and review of accounts of fiduciaries refunding bonds transcripts to the court of common pleas of balances due by fiduciaries the rights powers and liabilities of nonresident and foreign fiduciaries the appointment bonds rights powers duties and liabilities of trustees durante absentia the recording and registration of decrees reports and other proceedings and the fees therefor appeals in certain cases and also generally dealing with the jurisdiction powers and procedure of the orphans' court in all matters relating to fiduciaries concerned with the estates of decedents" elminating requirements for advertising and for appointment of masters where value of estates of presumed decedents is not in excess of five hundred dollars

HOUSE BILL No. 1197.

An Act to amend Sections 201 202 204 205 211 and 805 of the act approved the fourth day of May one thousand nine hundred twenty-seven (P. L. 519) entitled "An act concerning boroughs and revising amending and consolidating the law relating to boroughs" changing certain provisions relating to the incorporation of new boroughs and providing for the incorporation of boroughs from townships of the first class having a population of eight thousand or more and for the organization of the government therein

HOUSE BILL No. 1336.

An Act authorizing and directing the Department of Property and Supplies to reprint the Report of the Commission to Locate the Sites of the Frontier Forts of Pennsylvania and providing for the distribution thereof

HOUSE BILL No. 1398.

An Act to amend the act approved the fifth day of May one thousand nine hundred thirty-three (P. L. 289) entitled "An act relating to non-profit corporations defining and providing for the organization merger consolidation and dissolution of such corporations conferring certain rights powers duties and immunities upon them and their officers and members prescribing the conditions on which such corporations may exercise their powers providing for the inclusion of certain existing corporations of the first class within the provisions of this act prescribing the terms and conditions upon which foreign non-profit corporations may be admitted or may continue to do business within the Commonwealth conferring powers and imposing duties on the courts of common pleas prothonotaries of such courts recorders of deeds and certain State departments commissions and officers authorizing certain local public officers and State departments to collect fees for services required to be rendered by this act imposing penalties and repealing certain acts and parts of acts relating to corporations" as amended by changing certain provisions of the act relating to corporate names by requiring certain certificates of the payment of taxes and other charges to be filed with the Department of State in certain cases by making certain changes in the scope of the act and by making certain provisions relating to the filing of notices of changes of registered offices

HOUSE BILL No. 1400.

An Act to amend the act approved the fifth day of May one thousand nine hundred thirty-three (P. L. 364) entitled "An act relating to business corporations defining and providing for the organization merger consolidation reorganization winding up and dissolution of such corporations conferring certain rights powers duties and immunities upon them and their officers and shareholders prescribing the conditions on which such corporations

may exercise their powers providing for the inclusion of certain existing corporations of the second class within the provisions of this act prescribing the terms and conditions upon which foreign business corporations may be admitted or may continue to do business within the Commonwealth conferring powers and imposing duties on the courts of common pleas and certain State departments commissions and officers authorizing certain State departments boards commissions or officers to collect fees for service required to be rendered by this act imposing penalties and repealing certain acts and part of acts relating to corporations" as amended by changing certain provisions of the act relating to corporate names and requiring certificates of the payment of taxes and other charges to be filed with the Department of State in certain cases

HOUSE BILL No. 1511.

An Act making an appropriation for the expenses of the Committee of the House of Representatives created by House Resolution Serial Number thirty-five adopted the twenty-fourth day of February one thousand nine hundred and forty-one

HOUSE BILL No. 1570.

An Act authorizing the Department of Property and Supplies to have a certain number of copies printed of the Report of the Joint State Government Commission on the Organization and Administration of Pennsylvania's State Government providing for the distribution and sale of such copies imposing new duties on the Joint State Government Commission and making an appropriation.

HOUSE BILL No. 1662.

An Act to amend the title and further amend section one of the act approved the twenty-second day of June one thousand nine hundred and thirty-one (P. L. 844) entitled "An act authorizing the Commonwealth of Pennsylvania or any department or division thereof and counties cities boroughs incorporated towns townships school districts and poor districts to make contracts of life health and accident policies for the benefit of employes thereof and contracts for pensions for such employes and providing for the payment of the cost thereof" authorizing the making of contracts for hospitalization and medical services and extending the provisions of the act to vocational school districts and institution districts

HOUSE BILL No. 1678.

An Act to further amend section one thousand one hundred thirty-three of the act approved the eighteenth day of May one thousand nine hundred and eleven (P. L. 309) entitled "An act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith" by removing certain limitations of the appointment of district superintendents

HOUSE BILL No. 1770.

An Act to amend the title and to further amend section forty-three of the act approved the seventh day of June one thousand nine hundred and one (P. L. 493) entitled "An act providing for the examination licensure and registration of persons firms or corporations engaged or engaging in the business or work of plumbing or house drainage and prescribing certain rules regulations and requirements for the construction of plumbing house drainage and cesspools in cities of the second class and imposing fines penalties and forfeitures for violation thereof" by permitting the use of enclosed woodwork about sinks in all except tenement-houses and lodging-houses in cities of the second class second class A and third class

HOUSE BILL No. 1831.

An Act to further amend section twenty-one of the act, approved the seventh day of June, one thousand nine hundred fifteen (P. L. 900), entitled "An act to provide for the immediate registration of all births and deaths throughout the Commonwealth of Pennsylvania by means of certificates of births and deaths, and burial or removal permits; requiring prompt returns to the Central Bureau of Vital Statistics, as required to be established by the State Department of Health; and, in order to secure prompt and faithful registration of births, marriages, deaths, and diseases, of practitioners of medicine and surgery, of midwives, nurses, and undertakers, and of all persons whose occupation is deemed to be of importance in obtaining complete registration of births, deaths, marriages, and diseases throughout the state, as provided in section ten of the act, entitled 'An act creating the Department of Health and defining its powers and duties,' approved the twenty-seventh day of April; nineteen hundred and five. and providing penalties for violations of this act," by directing the Department of Health to maintain branch offices in counties of the second class for the filing of death certificates; authorizing such offices to issue certified copies of death certicates and make searches of their files; imposing additional duties upon local registrars in such counties; and prescribing fees.

HOUSE BILL No. 1832.

An Act making an emergency appropriation to the Department of Highways for allocation to and distribution among boroughs and townships for the repair of certain roads and streets in Western Pennsylvania.

HOUSE BILL No. 1878.

An Act to further amend the act approved the eighteenth day of May one thousand nine hundred and eleven (P. L. 309) entitled "An act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith" as amended by providing for the appointment of a deputy school treasurer a deputy school controller and clerks to the school controller and school treasurer in school districts of the first class by further providing as to the election of school controllers in school districts of the first class and as to vacancies in such office and by providing that certain stationery and books shall be supplied to school treasurers in school districts of the first class

HOUSE BILL No. 1935.

An Act to further amend clause six of section one and section three of the act, approved the twenty-seventh day of June, one thousand nine hundred and twenty-three (P. L. 858), entitled "An act establishing a State employes' retirement system, and creating a retirement board for the administration thereof; establishing certain funds from contributions by the Commonwealth and contributing State employes, defining the uses and purposes thereof and the manner of payments therefrom, and providing for the guaranty by the Commonwealth of certain of said funds; imposing powers and duties upon the heads of departments in which State employes serve; excepting annuities, allowances, returns, benefits, and rights from taxation and judicial process; and providing penalties," by further defining "State employe" so as to include certain employes of the Board of Fish Commissioners providing that such employes shall have the option of joining the State Employes Retirement Association; and permitting their membership in such association to be retroactive upon the making of certain back payments by them and by the Board of Fish Commissioners.

Whereupon

The SPEAKER. in the presence of the House, signed the same.

REPORT OF COMMITTEE OF CONFERENCE ON HOUSE BILL No. 1176

Mr. READINGER. Mr. Speaker, I desire to call up the report of the Committee of Conference on House Bill No. 1176, Printer's No. 1208.

The report was read by the Clerk as follows:

To the Members of the Senate and House of Representatives:

We, the undersigned, Committee of Conference on the part of the Senate and House of Representatives for the purpose of considering House Bill No. 1176, entitled:

"An act making an appropriation out of the Motor License Fund to the Department of Highways for allocation to and expenditure in the second class townships of the Commonwealth for maintenance, construction, reconstruction, resurfacing or improvement of township roads and bridges during the calendar years one thousand nine hundred forty-two and one thousand nine hundred forty-three; permitting the use of the funds for maintenance and repair of township roads and bridges under certain conditions; and providing for the method of payment to townships."

Respectfully submit the following bill as our report:

Charles R. Mallery
J. G. Snowden
Edward J. Coleman
(Committee on the Part of the Senate.)

Leo A. Achterman
Albert S. Readinger
Ira T. Fiss
(Committee on the part of the House of Representatives.)

An Act making an appropriation out of the Motor License Fund to the Department of Highways for allocation to and expenditure in the second class townships of the Commonwealth for maintenance construction reconstruction resurfacing or improvement of township roads and bridges during the calendar years one thousand nine hundred forty-two and one thousand nine hundred forty-three permitting the use of the funds for maintenance and repair of township roads and bridges under certain conditions and providing for the method of payment to townships

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The sum of ten million dollars ($10,000,000) is hereby appropriated to the Department of Highways for the two calendar years beginning January first one thousand nine hundred forty-two out of the Motor License Fund for allocation to and expenditures in the townships of the second class of the Commonwealth in the amounts upon the terms in the manner and for the purposes hereinafter set forth in this act

Section 2 The moneys hereby appropriated shall be allocated and apportioned among the second class townships of this Commonwealth in the ratio which the mileage of township roads in each township of the second class bears to the total mileage of township roads in all of the townships of the second class in the Commonwealth as of January first one thousand nine hundred forty-two

The funds so apportioned shall be expended by the supervisors of each township but only after consultation with the Department of Highways as to the most beneficial and efficient manner of making such expenditures and shall be used for the maintenance construction reconstruction resurfacing and improvement of township roads and the maintenance construction and reconstruction of township bridges in townships of the second class excepting that in townships which do not have sufficient funds from other sources for the maintenance and repair of all the roads and bridges under their jurisdiction the allocation to such townships shall be used in whole or in part for such maintenance and repair purposes

Section 3 Nothing in this act shall be construed to relieve any of the second class townships from any obligation they may have incurred under any contract or agreement entered into prior to January first one thousand nine hundred forty-two for the construction or repair of any highway or structure now under their jurisdiction

Section 4 The supervisors of each township shall appoint a foreman who may be a member of the board of supervisors to supervise the work to be done under the provisions of this act and in the event more than one foreman is required the Department of Highways may authorize the supervisors to appoint one or more additional foremen The Secretary of Highways shall have the right to remove any foreman so appointed for incompetency Said supervisors shall also employ any laborers required for said work and fix their wages

Nothing herein contained shall be construed to prevent work under the act being done by contract let by the township supervisors

Section 5 No payment shall be made from moneys allocated under this act to the townships of the second class except on warrants drawn by the Auditor General upon the State Treasurer as provided by the act of Assembly to the treasurer of the board of supervisors and such payment if approved by the Secretary of Highways shall be made in four equal installments payable the first day of March the first day of June the first day of September and the first day of December of each year

There shall be submitted to the Department of Highways by the board of township supervisors a report on the last days of May and November of each year showing the cost of the work done under the provisions of this act in such detail as may be required by the Department of Highways In case any records or reports required by law are not made in the manner or at the time required no further funds shall be approved for payment by the Secretary of Highways to such township until such reports have been made and approved

Nothing in this act shall be construed to permit the funds appropriated by the act to be paid for other than labor rental of equipment payrolls material purchases including repair parts for equipment small tools road drags and snow fence on road and bridge work performed by the townships under the provisions of this act

Nothing herein contained shall be construed to prevent the use of any of the funds allocated under this act for Federal projects sponsored by the townships or for county-aid work relating to the improvement of roads and bridges

On the question,

Will the House adopt the report of the Committee of Conference?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows, viz:

YEAS—203

Achterman,	French,	Lyons,	Rosenfeld,
Auker,	Gallagher,	Malloy,	Royer,
Baker,	Gates,	Marks,	Rush,
Balthaser,	Gerard,	Maxwell,	Sarge,
Baugher,	Gillan,	McClanaghan	Sarraf,
Bentley,	Gillette,	McClester,	Scanlon,
Bentzel,	Goodwin,	McDermott,	Schwab,
Boies,	Greenwood,	McDowell	Serrill,
Boney,	Gross,	McFall,	Shaffer,
Boorse,	Gryskewicz,	McIntosh	Shaw,
Bower,	Gyger,	McKinney,	Shepard,
Bradley,	Habbyshaw,	McLanahan,	Simons,
Breth,	Haberlen,	McLane,	Skale,
Bretherick,	Haines,	McMillen,	Snyder,
Brown,	Hall,	McSurdy,	Sollenberger,
Brunner, C. H.	Hamilton,	Melchiorre,	Sorg,
Brunner, P. A.,	Hare,	Mihm,	Stambaugh,
Burns,	Harkins,	Modell,	Stank,
Burris,	Harmuth,	Monks,	Stine,

Cadwalader,	Harris,	Mooney,	Stockham,
Chervenak,	Heatherington,	Moran,	Tarr,
Chudoff,	Helm,	Moul,	Tate,
Cochran,	Hering,	Muir,	Taylor,
Cohen, M. M.,	Herman,	Munley,	Thompson, E. F.,
Cohen, R. E.,	Hersch,	Nagel,	Thompson, R. L.,
Cook,	Hewitt,	Nunemacher,	Trout,
Cooper,	Hirsch,	O'Brien,	Turner,
Cordier,	Holland,	O'Connor,	VanAllsburg,
Corrigan,	Huntley,	O'Dare,	Verona,
Croop,	Imbrie,	O'Mullen,	Vincent,
Cullen,	James,	O'Neill,	Vogt,
Dalrymple,	Jefferson,	Owens,	Voldow,
Dennison,	Jones, G. E.,	Petrosky,	Wagner,
DiGenova,	Jones, P. N.,	Pettit,	Watkins,
Dix,	Keenan,	Polaski,	Weingartner,
Dolon,	Kenehan,	Polen,	Weiss,
D'Ortona,	Kline,	Powers,	Welsh, E. B.,
Duffy,	Knoble,	Prosen,	Welsh, M. J.,
Early,	Kolankiewicz,	Rank,	Wilkinson,
Eckels,	Komorofski,	Rausch,	Williams,
Elder,	Krise,	Readinger,	Winner,
Elliott,	Lee, E. A.,	Reagan,	Wolf,
Ely,	Lee, T. H.,	Reese, D. P.,	Wood, L. H.,
Falkenstein,	Leisey,	Reese, R. E.,	Wood, N.,
Finestone,	Leonard,	Reynolds,	Woodring,
Fisher,	Lesko,	Rhea,	Woodside,
Fiss,	Levy,	Riley,	Wright,
Fleming,	Leydic,	Rooney,	Yeakel,
Fletcher,	Lichtenwalter,	Rose, S.,	Yester,
Flynn,	Longo,	Rose, W. E.,	Young,
Foor,	Lovett,		Kilroy, Speaker

NAYS—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative and the report of the Committee of Conference was adopted.

Ordered, That the Clerk inform the Senate accordingly.

SENATE MESSAGE

AMENDED SENATE BILLS CONCURRED IN BY SENATE

The Clerk of the Senate being introduced informed that the Senate has concurred in the amendments made by the House of Representatives to Senate Bills numbered and entitled as follows, viz:

SENATE BILL No. 575.

An Act to further amend sections 1 2 7 and 13 of the act approved the third day of June, one thousand nine hundred and eleven (P. L. 639), entitled as amended "An act relating to the right to practice medicine and surgery in the Commonwealth of Pennsylvania; and providing a Bureau of Medical Education and Licensure as a bureau of the Department of Public Instruction, and means and methods whereby the right to practice medicine and surgery and any of its branches may be obtained, and exemptions therefrom; and providing for an appropriation to carry out the provisions of said act, and providing for revocation and suspension of licenses by said bureau; and providing penalties for violations thereof, and repealing all acts or parts of acts inconsistent therewith," by defining certain terms; imposing certain additional duties upon the State Board of Medical Education and Licensure; making provisions for graduate students from other states territories and Canada providing for automatic suspension of registration in case of mental incompetency and exempting optometrists from the provisions of said act

SENATE BILL No. 913.

An Act authorizing and directing the Department of Revenue, to prepare airport approach plans for publicly owned airports; empowering and directing such department and also counties, municipalities and other political subdivisions to promulgate, administer and enforce airport zoning regulations, limiting the height of structures excepting those structures that are under the jurisdiction of the Pennsylvania Public Utility Commission and objects of natural growth, and otherwise regulating the use of property in the vicinity of such airports; providing for the granting of zoning permits and variances and for appeals from zoning regulations; authorizing the acquisition by purchase, grant or condemnation of air rights and other interests in land; and providing penalties and remedies for violations of this act or of any ordinance or regulation made under the authority conferred thereby

BILLS SIGNED BY SPEAKER

Bills numbered and entitled as follows having been prepared for presentation to the Governor, and the same being correct, the titles were publicly read as follows:

SENATE BILL No. 46.

An Act authorizing the county treasurer in counties of the first second third fourth fifth sixth seventh and eighth classes to appoint a solicitor and providing for his salary payable out of the treasury from which the county treasurer is paid

SENATE BILL No. 51.

An Act authorizing and empowering school districts of the first and second class to furnish food including milk to undernourished and poor school children in their districts and providing that the acceptance and distribution of surplus commodities furnished by the Federal Government to such school districts shall not affect or limit the provisions hereof

SENATE BILL No. 236.

An Act to amend section six hundred fifty-four of article six of the act approved the seventeenth day of May one thousand nine hundred and twenty-one (P. L. 682) entitled "An act relating to insurance amending revising and consolidating the law providing for the incorporation of insurance companies and the regulation supervision and protection of home and foreign insurance companies Lloyds associations reciprocal and inter-insurance exchanges and fire insurance rating bureaus and the regulation and supervision of insurance carried by such companies associations and exchanges including insurance carried by the State Workmen's Insurance Fund providing penalties and repealing existing laws" providing for appeals from any classification rule rate or schedule of the Insurance Commissioner affecting insurance of employes and employers under the Workmen's Compensation Act of one thousand nine hundred and fifteen and the supplements and amendments thereto

SENATE BILL No. 594.

An Act to amend the act approved the twenty-fourth day of June one thousand nine hundred and thirty-seven (P. L. 2051) entitled "An act relating to public assistance providing for and regulating assistance to certain classes of persons designated and defined as dependent children aged persons blind persons and other persons requiring relief providing for the administration of this act by the Department of Public Assistance and county boards of assistance hereby created for this purpose authorizing the Department of Public Assistance to cooperate with and to accept and disburse moneys received from the United States Government for assistance to such persons providing for the liquidation of the State Emergency Relief Board Boards of Trustees of the Mothers' Assistance Fund and Boards of Trustees of Pension Fund for the Blind and repealing laws relating to mothers' assistance pensions for the blind old age assistance and the State Emergency Relief Board" as amended by redefining assistance to include work relief providing for the appointment of an administrator to supervise coordinate and regulate work relief projects authorizing the Department of Public Assistance with the approval of the Governor to contribute funds to and cooperate in the operation of work relief projects

subject to certain provisions and conditions making certain acts unlawful and imposing penalties

SENATE BILL No. 624.

An Act to further amend clause seven of section one thousand two hundred ten of the act approved the eighteenth day of May one thousand nine hundred eleven (P. L. 309) entitled "An act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith" by increasing the minimum salaries of teachers and providing annual increments in school districts of the fourth class and requiring the Commonwealth to make certain payments on account of such salaries.

SENATE BILL No. 24.

An Act defining and prohibiting unfair sales providing remedies for violations thereof and establishing penalties therefor

SENATE BILL No. 561.

An Act to amend the act approved the thirtieth day of March one thousand nine hundred and thirty-seven (P. L. 115) entitled "An act to provide for the permanent personal registration of electors in cities of the first class as a condition of their right to vote at elections and primaries and their enrollment as members of political parties as a further condition of their right to vote at primaries prescribing certain procedure for the conduct of elections and primaries and the challenge and proof of qualifications of electors and prescribing the powers and duties of citizens parties bodies of electors registration commissions commissioners registrars inspectors of registration and other appointees of registration commission election officers municipal officers departments and bureaus police officers courts judges prothonotaries sheriffs county commissioners peace officers county treasurers county controllers registrars of vital statistics real estate brokers rental agents certain public service companies persons firms and corporations operating vehicles for moving furniture and household goods and boards of school directors and imposing penalties" as amended by amplifying and changing the powers and duties of the commission its employes and commissioners further regulating and changing the provisions of said act relating to the appointment and removal of registrars and the powers privileges rights and duties of registrars watchers election officers and electors revising and changing the provisions of said act relating to the times places and manner of registering electors and their enrollment as members of political parties change of party enrollment cancellation of registrations preparation and distribution of street lists appeals to the commission and to courts and the procedure thereon the inspection of the records of the commission providing for appeals by the commission to appellate courts changing certain provisions of said act relating to removal notices providing for the manner of reckoning time imposing additional duties on certain officers and officials clarifying and coordinating certain provisions of said act and imposing additional penalties

SENATE BILL No. 56.

An Act providing for the observance of a Bill of Rights Week in the public schools of this Commonwealth.

SENATE BILL No. 205.

An Act making an appropriation to the Trustees of the Pennsylvania State College for the use of the School of Mineral Industries for research and investigation of problems affecting mineral industries.

SENATE BILL No. 213.

An Act authorizing the Department of Property and Supplies acting for the Commonwealth of Pennsylvania, to acquire by gift from the owner thereof, Pottsgrove Mansion with tract of land situate in the ninth ward of the Borough of Pottstown, Montgomery County, Pennsylvania; providing for the control, management, supervision, improvement and maintenance thereof by the Pennsylvania Historical Commission; authorizing the Pennsylvania Historical Commission to make and enforce rules and regulations for the preservation, maintenance and visitation thereof; and creating an advisory board to assist in such functions.

SENATE BILL No. 229.

An Act creating a commission to make a study and investigation of the laws governing and the practical operation of the parole and penal systems of this Commonwealth and other parole and penal systems defining its powers and duties and making an appropriation.

SENATE BILL No. 257.

An Act making an appropriation to the Nursing School of the University of Pittsburgh, Pittsburgh, Pennsylvania.

SENATE BILL No. 258.

An Act making an appropriation to the Medical School of the University of Pittsburgh, Pittsburgh, Pennsylvania.

SENATE BILL No. 303.

An Act authorizing the Department of Highways to cooperate with agencies of the Federal Government in designing and installing modern illuminating systems on State highways.

SENATE BILL No. 379.

An Act to further amend section one of the act approved the seventeenth day of June one thousand nine hundred and thirteen (P. L. 507) entitled "An act to provide revenue for state and county purposes and in cities coextensive with counties for city and county purposes imposing taxes upon certain classes of personal property providing for the assessment and collection of the same providing for the duties and compensation of prothonotaries and recorders in connection therewith and modifying existing legislation which provided for raising revenue for State purposes" by excluding proceeds of life insurance policies from the provisions thereof.

SENATE BILL No. 419.

An Act providing for the reconnaissance survey of a State highway between the city of Harrisburg, in the county of Dauphin, and the borough of New Hope, in the county of Bucks.

SENATE BILL No. 480.

An Act requiring the Department of Health to furnish free of charge all State and State-aided hospitals certain vaccines or serum used in the Pasteur treatment and requiring such hospitals to furnish and innoculate all persons bitten by dogs in this Commonwealth with such vaccine or serum free of charge.

SENATE BILL No. 489.

An Act authorizing the Department of Property and Supplies to acquire by gift from the Pennsylvania State College on behalf of the Commonwealth of Pennsylvania that certain tract of land in Northumberland Borough County of Northumberland upon which is located the home of Joseph Priestley and now the property of the Pennsylvania State College providing for the control

management and maintenance thereof by the said department and the Pennsylvania Historical Commission authorizing the Pennsylvania Historical Commission to accept in trust from the American Chemical Society and other interested societies or individuals such moneys as they may see fit to present to the Commonwealth to assist in the maintenance and development of this property as a permanent memorial authorizing the Pennsylvania Historical Commission to accept as gifts or loan such books manuscripts pamphlets relics and furniture as interested societies or individuals may provide for the permanent utilization of the property as a museum of science and making an appropriation.

SENATE BILL No. 571.

An Act making an appropriation to the Local Government Commission to continue its work.

SENATE BILL No. 575.

An Act to further amend sections 1, 2, 7 and 13 of the act approved the third day of June one thousand nine hundred and eleven (P. L. 639) entitled as amended "An act relating to the right to practice medicine and surgery in the Commonwealth of Pennsylvania and providing a Bureau of Medical Education and Licensure as a bureau of the Department of Public Instruction and means and methods whereby the right to practice medicine and surgery and any of its branches may be obtained and exemptions therefrom and providing for an appropriation to carry out the provisions of said act and providing for revocation and suspension of licenses by said bureau and providing penalties for violations thereof and repealing all acts or parts of acts inconsistent therewith" by defining certain terms imposing certain additional duties upon the State Board of Medical Education and Licensure making provision for graduate students from other states territories and Canada providing for automatic suspension of registration in case of mental incompetency and exempting optometrists from the provisions of said act.

SENATE BILL No. 598.

An Act to add section two thousand two and one-tenth to the act approved the eighteenth day of May one thousand nine hundred eleven (P. L. 309) entitled "An act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith" providing for cooperation of State Teachers Colleges at the request of the State Council of Defense with other agencies in furthering national defense programs and activities.

SENATE BILL No. 715.

An Act to repeal certain obsolete acts relating to paupers and the management, control and operation of poor districts.

SENATE BILL No. 913.

An Act authorizing and directing the Department of Revenue to prepare airport approach plans for publicly owned airports empowering and directing such department and also counties municipalities and other political subdivisions to promulgate administer and enforce airport zoning regulations limiting the height of structures excepting those structures that are under the jurisdiction of the Pennsylvania Public Utility Commission and objects of natural growth and otherwise regulating the use of property in the vicinity of such airports providing for the granting of zoning permits and variances and for appeals from zoning regulations authorizing the acquisition by purchase grant or condemnation of air rights and other interests in land and providing penalties and remedies for violations of this act or of any ordinance or regulation made under the authority conferred thereby.

SENATE BILL No. 1047.

An Act to further amend the act approved the seventh day of May one thousand nine hundred twenty-three (P. L. 151) entitled "An act defining and regulating the business of dry cleaning and dyeing providing for the maintenance construction and inspection of dry cleaning and dyeing buildings and establishments providing for enforcing the act and penalties for violation thereof" providing for the administration and enforcement of said act by the Department of Labor and Industry exempting from certain provisions of said act certain plants and system exclusively using a petroleum solvent having a flash point of one hundred and forty degrees Fahrenheit and empowering the Department of Labor and Industry and empowering said department to make alter amend and repeal rules and regulations.

SENATE BILL No. 1087.

An Act authorizing the Secretary of Property and Supplies to sell and convey certain tracts of coal lands in Hempfield Township. Westmoreland County, Pennsylvania.

SENATE BILL No. 1090.

An Act to amend the act approved the first day of June one thousand nine hundred thirty-seven (P. L. 1132) entitled "An act to provide for the permanent personal registration of electors in cities of the second class A as a condition of their right to vote at elections and primaries and their enrollment as members of political parties as a further condition of their right to vote at primaries prescribing certain procedure for the conduct of elections and primaries and the challenge and proof of qualifications of electors and prescribing the powers and duties of citizens parties political bodies registration commission commissioners registrars inspectors of registration and other appointees of registration commissions county election boards election officers municipal officers departments and bureaus of police officers courts judges prothonotaries sheriffs county commissioners peace officers county treasurers county controllers registrars of vital statistics certain public utility corporations real estate brokers rental agents and boards of school directors and imposing penalties" as amended by requiring and providing for the registration of persons in military service to entitle them to vote at any election.

SENATE BILL No. 1091.

An Act to amend the act approved the thirtieth day of March one thousand nine hundred thirty-seven (P. L. 115) entitled "An act to provide for the permanent personal registration of electors in cities of the first class as a condition of their right to vote at elections and primaries and their enrollment as members of political parties as a further condition of their right to vote at primaries prescribing certain procedure for the conduct of elections and primaries and the challenge and proof of qualifications of electors and prescribing the powers and duties of citizens parties bodies of electors registration commissions commissioners registrars inspectors of registration and other appointees of registration commission election officers municipal officers departments and bureaus police officers courts judges prothonotaries sheriffs county commissioners peace officers county treasurers county controllers registrars of vital statistics real estate brokers rental agents certain public service companies persons firms and corporations operating vehicles for moving furniture and household goods and boards of school directors and imposing penalties" as amended by requiring and providing for the registration of persons in military service to entitle them to vote at any election

SENATE BILL No. 1172.

An Act making an appropriation to the Department of Health for the purpose of equipping and operating a sanitorium for the treatment of cancer and for cancer research.

SENATE BILL No. 1188.

An Act making an appropriation for the purpose of reconstruction preservation and maintenance of public roads and improving and replacing bridges thereon through the Cornplanter Indian Reservation in Elk Township Warren County Pennsylvania.

SENATE BILL No. 1257.

An Act to amend section one of the act approved the twenty-fifth day of May one thousand nine hundred thirty-three (P. L. 1016) entitled "An act relating to aeronautics providing for the maintenance and operation of intermediate landing fields and air navigation facilities by the Commonwealth alone or in cooperation with the United States Government or political subdivisions of the Commonwealth providing for the execution of leases or the issuance of licenses to the United States Government or to political subdivisions of the Commonwealth for the maintenance of navigation facilities on intermediate landing fields of the Commonwealth conferring powers and duties on the Department of Revenue with respect thereto and repealing certain acts and parts of acts" by extending the powers of the department in relation to air transport facilities

SENATE BILL No. 1259.

An Act to amend article twenty of the act. approved the ninth day of April, one thousand nine hundred twenty-nine (P. L. 177) entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments, boards, commissions, and officers thereof, including the boards of trustees of State Normal Schools or Teachers Colleges; abolishing, creating, reorganizing or authorizing the reorganization of certain administrative departments, boards, and commissions; defining the powers and duties of the Governor and other executive and administrative officers, and of the several administrative departments, boards, commissions, and officers; fixing the salaries of the Governor, Lieutenant-Governor, and certain other executive and administrative officers; providing for the appointment of certain administrative officers, and of all deputies and other assistants and employes ir certain departments, boards, and commissions; and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments, boards, and commissions shall be determined," by authorizing the Department of Highways to construct, repair and maintain certain facilities of airports.

SENATE BILL No. 1260.

An Act to amend the act approved the twenty-second day of June, one thousand nine hundred and thirty-one (P. L. 594) entitled "An act establishing certain township roads as State highways; authorizing their construction, maintenance, and improvement under certain conditions and restrictions; limiting the obligation of the Commonwealth in the construction of certain structures located on such highways; conferring certain powers upon the Department of Highways and local authorities, persons, associations and corporations for sharing the cost of the maintenance and construction of such highways; and making an appropriation to carry out the provisions of said act," as amended, by changing a certain route.

SENATE BILL No. 1282.

An Act authorizing the Department of Property and Supplies with the approval of the Governor and the Board of Trustees of the California State Teachers College to acquire a certain tract of land for the use of said college and making an appropriation

SENATE BILL No. 1306.

An Act making an appropriation to the Trustees of the Pennsylvania State College for the use of the School of Mineral Industries

SENATE BILL No. 1313.

A Supplement to the act approved the twenty-seventh day of June one thousand nine hundred thirty-nine (Appropritaion Acts page sixty) entitled "An act to provide for the ordinary expenses of the Executive Legislative and Judicial Departments of the Commonwealth interest on the public debt and the support of the public schools for two years beginning June first one thousand nine hundred and thirty-nine and for the payment of bills incurred and remaining unpaid at the close of the fiscal year ending May thirty-first one thousand nine hundred and thirty-nine" providing for deficiencies in certain appropriations made by the act for the fiscal biennium ending May thirty-first one thousand nine hundred forty-one

Whereupon,

The SPEAKER, in the presence of the House, signed the same.

REMARKS EXPUNGED FROM RECORD

Mr. LEVY. Mr. Speaker, I move that the remarks of the gentleman from Westmoreland, Mr. Lovett, the remarks of the gentleman from Delaware, Mr. Turner, and all the remarks made by gentlemen of the House following their remarks, including the question of personal privilege, be expunged from the record.

The motion was agreed to.

PERMISSION TO ADDRESS HOUSE

Mr. WOODSIDE asked and obtained unanimous consent to address the House.

Mr. Speaker, I have been looking over the Pennsylvania Manual and gathering some information concerning the length of sessions, which I think would be interesting to the Members of this House and to any person who might subsequently read the Legislative Journal. I think it would be a good idea to call the attention of the Members of the House to the information contained in the Manual, and which can be found by reference thereto.

In the first place we might note that this session which opened on January 7th of this year is, to this calendar day of July 14th, 188 days long. This is the longest regular session and is the latest date of adjournment of any regular session for 99 years.

In 1842 the regular session of this Legislature opened on January 4th and closed on July 26th, for a record of 204 days. That was the longest session since the Constitution of 1790 was adopted. There was one other session of equal length which opened on December 4, 1938 and adjourned on June 25, 1839. That was the last regular session of the legislature which opened during the first week of December. Up until that time that was the regular date of convening the legislature, but since that time the legislature convenes during the first week of January.

Those were the only times since the Constitution of

1790 was adopted that sessions were longer than the present one.

Second place for length of the session goes to 1897, 1901 and 1917. In those three years the regular sessions lasted 178 days, and only one of them, the session of 1897, ran into July, and that session adjourned on July 1st.

There is one other very interesting incident that is noted there, and that is concerning the session of 1883. The Legislature went into regular session on January 2, 1883 and adjourned June 6, 1883 after being in session 186 days. On June 7th of that year the Governor called them back in Special Session, which of course was the day after they adjourned, and they continued in session until December 6, 1883. So that in 1883 this legislature was in continuous session, either regular or special, without any days intervening from January 2, 1883 to December 6, 1883, a total of 339 days.

I thought that this information would be interesting to the members of the House. I came across it a few days ago when I was looking over the lengths of the sessions.

SENATE MESSAGE

AMENDED HOUSE BILL RETURNED FOR CONCURRENCE

The Clerk of the Senate being introduced, returned bill from the House of Representatives numbered and entitled as follows:

HOUSE BILL No. 1952.

An Act fixing the salary of the Parliamentarian of the House of Representatives.

With the information that the Senate has passed the same with amendments, in which the concurrence of the House of Representatives is requested.

The SPEAKER. The Clerk will read the amendments.

The Clerk read the amendments as follows:

Amend the title, page 1, by striking out all of lines 1 and 2 as follows: "Fixing the salary of the Parliamentarian of the House of Representatives" and inserting in lieu thereof the following new title:

"To amend section four of the act approved the first day July one thousand nine hundred and nineteen (P. L. 717) entitled "An act fixing the number compensation mileage and duties of the officers and employes of the General Assembly and providing for their election or appointment term of office and manner of filling vacancies" by providing for the appointment compensation and duties of clerks and pages to the majority and minority floor leaders respecively of the Senate and of the House of Representatives and making an appropriation."

Amend Section 1, page 1, by striking out all of lines 1 to 4 inclusive as follows:

"Section 1 The salary of the Parliamentarian of the House of Representatives shall be five thousand dollars ($5,000) per annum payable semimonthly in the manner provided by law."

and inserting in lieu thereof the following new section:

"Section 1 Section four of the act approved the first day of July one thousand nine hundred and nineteen (P. L. 717) entitled "An act fixing the number compensation mileage and duties of the officers and employes of the General Assembly and providing for their election or appointment term of office and manner of filling vacancies" is hereby amended to read as follows

Section 4 In addition to the officers and employes herein specified the chief clerk of the Senate is hereby authorized to appoint for the session not more than four stenographers for the use of the members and officers of the Senate and the chief clerk of the House of Representatives is hereby authorized to appoint for the session not more than six stenographers for the use of the members and officers of the House of Representatives The salary of each of the stenographers specified in this section shall be five dollars per diem

The majority floor leader and the minority floor leader in both the Senate and the House of Representatives are each hereby authorized to appoint one clerk and one page and to prescribe their respective duties The clerk to each of the aforesaid majority and minority floor leaders shall receive a salary of two thousand four hundred dollars ($2,400) per annum and the page to each of such floor leaders shall receive compensation of seven hundred and twenty dollars ($720) per annum."

Amend Section 2, page 1, by striking out all of lines 5 and 6 as follows:

"Section 2 All acts and parts of acts inconsistent with this act are hereby repealed."

and inserting in lieu thereof the following new section:

"Section 2 The following sum or as much thereof as may be necessary are hereby specifically appropriated from the General Fund to the Senate and to the House of Representatives of the General Assembly for the payment of the compensation of the clerks and pages to the majority and minority floor leaders thereof for the two years beginning June first one thousand nine hundred and forty-one

TO THE SENATE

For the payment of the salary of the clerks to the majority and minority floor leaders respectively of the Senate the sum of nine thousand six hundred dollars ($9,600)

For the payment of the salary of the pages for the majority and minority floor leaders respectively of the Senate the sum of two thousand eight hundred eighty dollars ($2,880)

TO THE HOUSE OF REPRESENTATIVES

For the payment of the salary of the clerks to the majority and minority floor leaders respectively of the House of Representatives the sum of nine thousand six hundred dollars ($9,600)

For the payment of the salary of the pages for the majority and minority floor leaders respectively of the House of Representatives the sum of two thousand eight hundred eighty dollars ($2,880)."

On the question,

Will the House concur in the amendments made by the Senate?

Mr. ACHTERMAN. Mr. Speaker, I move that the House non-concur in the amendments made by the Senate and that a Committee of Conference be appointed.

The motion was agreed to.

APPOINTMENT OF COMMITTEE OF CONFERENCE ON HOUSE BILL No. 1952

The SPEAKER. The Chair appoints as a Committee of Conference on said bill, Messrs. READINGER, MIHM and TURNER.

Ordered, That the Clerk inform the Senate accordingly.

CONGRATULATORY RESOLUTION

Mr. WOODSIDE offered the following resolution and asked and obtained unanimous consent for its immediate consideration.

The resolution was read, considered and adopted:

In the House of Representatives, July 12, 1941.

Fifty-eight years ago in Plymouth, Luzerne County, a boy was born whose life is the perfect examplification of that equality of opportunity which has been the heritage of every youth in America and which that boy has since striven to save and preserve for those who follow.

Starting life in humble circumstances he grasped every opportunity afforded by our democratic form of government and by study and application and perseverance he rose to eminence.

From the public schools of his home county he went to Dickinson School of Law and upon graduation with the class of 1904 was admitted to practice law in Luzerne County.

In 1919, after spending fifteen years in the practice of his profession, making friends and proving his worth, he was elected district attorney of Luzerne County and was reelected in 1923.

In 1926, before the full completion of his second term as district attorney, he was elected Lieutenant Governor of the Commonwealth and served in that capacity until January 20, 1931.

At the election succeeding his retirement as Lieutenant Governor he was elected for a full term as Judge of the Superior Court and served with credit to himself and the Court until he resigned to take the oath of office as Governor of this Commonwealth on January 17, 1939.

He embraced every opportunity presented by our American form of Government and so used each succeeding one as to make way for the next. In all his public life he was sincere and earnest and honest. His sincerity carried conviction, his earnestness compelled belief and his honesty commanded respect; therefore be it

Resolved, That this House extends to his Excellency Governor Arthur H. James its most sincere congratulations, its best wishes for the often repeated return of this anniversary and its hope that there remains for him many more opportunities to perform public service so that his life will be an example to the youth of our great Common wealth of what is their's under our form of government; and be it further

Resolved, That a copy of this resolution be transmitted by the Chief Clerk to his Excellency, the Governor.

BILL SIGNED BY SPEAKER

Bill numbered and entitled as follows having been prepared for presentation to the Governor, and the same being correct, the title was publicly read as follows:

HOUSE BILL No. 413.

An Act prohibiting the employment by the Commonwealth or any county city borough incorporated town township school district vocational school district or institution district thereof or by any authority or any institution supported in whole or in part out of public funds of persons who advocate or participate in un-American or subversive doctrines as herein defined or who advocate Communism Fascism or Naziism or who advocate or support a political party or organization of individuals advocating or supporting Communism Fascism or Naziism or any "un-American or Subversive Doctrines" or are members of any organization of individuals advocating or supporting Communism Fascism or Naziism or any "un-American or Subversive Doctrines" providing for dismissals under existing laws and permitting appeals to courts of common pleas and appellate courts in all such cases

Whereupon,

The SPEAKER, in the presence of the House, signed the same.

RECESS

The SPEAKER. If there is no objection the Chair is about to declare a recess for fifteen minutes. Is there objection? The Chair hears none and a recess is declared.

AFTER RECESS

The SPEAKER. The time of recess having expired the House was called to order.

The SPEAKER (Elmer Kilroy) in the Chair.

REPORT FROM COMMITTEE ON RULES ADJOURNMENT SINE DIE

Mr. ACHTERMAN offered the following resolution which was read, considered and adopted.

In the House of Representatives, Tuesday, July 15, 1941.

Resolved (if the Senate concur) that this Regular Session of the General Assembly adjourn sine die Tuesday, July 15, 1941 at 11:45 p. m.

Signed by the Committee on Rules

Leo. A. Achterman,
James E. Lovett,
Elmer Kilroy,
Albert S. Readinger.

Ordered, That the Clerk present the same to the Senate for concurrence.

ADJOURNMENT

Mr. BAKER. Mr. Speaker, I move that this House do now adjourn until Tuesday, July 15, 1941, at 10.45 a. m.

The motion was agreed to, and (at 11:55 p. m.) the House adjourned.

COMMONWEALTH OF PENNSYLVANIA

Legislative Journal.

Session 1941. 135th of the General Assembly.

Vol. 25. HARRISBURG, PA., TUESDAY, JULY 15, 1941. No. 87.

SENATE

TUESDAY, July 15, 1941

The Senate met at 5:10 o'clock, p. m., E. S. T.

The PRESIDENT (Lieutenant-Governor Samuel S. Lewis) in the Chair.

PRAYER

In the absence of the Chaplain, prayer was offered by the Senator from Butler, Mr. CARR.

Our Heavenly Father, at the beginning of this a new legislative day, we do feel the need of Thy guidance and direction, that we may do those things which are more pleasing in Thy sight. Grant, our Heavenly Father, that in the moments when we shall be debating questions of import that our minds may be sane, that we may restrain ourselves in our speaking, that we may endeavor to bring about the passage of such legislation as will redound to the honor and credit of this our great state, and, our Heavenly Father, as this may be the concluding session of this year, grant that Thy blessing may rest upon each one of us as we shall go back to our homes and take up our daily occupations, and grant that we may ever strive to please Thee in all things. We ask it in Thy name. Amen.

JOURNAL APPROVED

The PRESIDENT. A quorum of the Senate being present the Clerk will read the Journal of the preceeding session.

The Clerk proceeded to read the Journal of the preceding session, when, on motion of Mr. TAYLOR and Mr. WADE, the further reading was dispensed with, and the Journal was approved.

HOUSE MESSAGES

HOUSE CONCURS IN RESOLUTION RECALLING FROM THE GOVERNOR SENATE BILL No. 1090 (PRINTER'S No. 436)

The Clerk of the House of Representatives being introduced presented communication from the House of Representatives informing the Senate that the House has concurred in resolution from the Senate as follows:

In the Senate, July 15, 1941.

Resolved (if the House of Representatives concur), That Senate Bill No. 1090, entitled:

An Act to amend the act, approved the first day of June, one thousand nine hundred thirty-seven (P. L. 1132), entitled "An act to provide for the permanent personal registration of electors in cities of the second class A as a condition of their right to vote at elections and primaries, and their enrollment as members of political parties as a further condition of their right to vote at primaries; prescribing certain procedure for the conduct of elections and primaries and the challenge and proof of qualifications of electors; and prescribing the powers and duties of citizens, parties, political bodies, registration commissions, commissioners, registrars, inspectors of registration and other appointees of registration commissions, county election boards, election officers, municipal officers, departments and bureaus, police officers, courts, judges, prothonotaries, sheriffs, county commissioners, peace officers, county treasurers, county controllers, registrars of vital statistics, certain public utility corporations, real estate brokers, rental agents, and boards of school directors; and imposing penalties," as amended, by requiring and providing for the registration of persons in military service to entitle them to vote at any election.

be recalled from the Governor for further consideration.

HOUSE ADOPTS REPORT OF COMMITTEE OF CONFERENCE ON SENATE BILL No. 298

He also informed the Senate that the House of Representatives has adopted the Report of the Committee of Conference on Senate Bill No. 298, entitled:

An Act making an appropriation out of the Motor License Fund to the Department of Highways for allocation to and expenditure in cities, boroughs, towns and townships of the Commonwealth for maintenance, construction, reconstruction, resurfacing, or improvement of municipal roads, highways and bridges, during the calendar years one thousand nine hundred forty-two and one thousand nine hundred forty-three; permitting the use of the funds for maintennce and repair of municipal roads, highways and bridges under certain conditions; and providing for the method of payment to such political subdivisions.

HOUSE INSISTS UPON ITS NON-CONCURRENCE IN AMENDMENTS TO HOUSE BILL No. 1768 AND APPOINTS COMMITTEE OF CONFERENCE

He also informed the Senate that the House insists on its non-concurrence in Senate amendments to House Bill No. 1768, entitled:

An Act to further amend the act, approved the fifth day of December, one thousand nine hundred thirty-six (P. L. of 1937, p. 2897) entitled "Unemployment Compensation Law," by providing therein as to the replacement of certain moneys received pursuant to the provisions of Section three hundred two of the Federal Social Security Act as amended.

and has appointed Messrs. R. Cohen, Harkins, and Woodside as a Committee of Conference to confer with a similar committee of the Senate (already appointed) to

consider the differences existing between the two houses in relation to said bill.

REPORT OF CONFERENCE COMMITTEE ON HOUSE BILL No. 1727

Mr. BECKER. Mr. President, I am directed by the Committee of Conference to make a report on House Bill No. 1727, entitled:

An Act providing that proceedings, acts and bonds issued, by Authorities incorporated under the Municipality Authorities Act, as amended and supplemented, shall not be invalid by reason of certain circumstances.

The report will lie over for printing.

HOUSE INSISTS UPON ITS NON-CONCURRENCE IN AMENDMENTS TO HOUSE BILL No. 1727 AND APPOINTS COMMITTEE OF CONFERENCE

The Clerk of the House of Representatives being introduced, informed the Senate that the House insists on its non-concurrence in Senate amendments to House Bill No. 1727, entitled:

An Act providing that proceedings, acts and bonds issued, by Authorities incorporated under the Municipality Authorities Act, as amended and supplemented, shall not be invalid by reason of certain circumstances.

and has appointed Messrs. Harkins, Longo, and P. Brunner as a Committee of Conference to confer with a similar committee of the Senate (if the Senate shall appoint such committee) to consider the differences existing between the two houses in relation to said bill.

CONFERENCE COMMITTEE ON HOUSE BILL No. 957 DISCHARGED

Mr. MILLER. Mr. President, I call from the table for consideration at this time report urging the discharge of the Conference Committee on House Bill No. 957, Senate Bill No. 1109,

Mr. COX. Mr. President, I second the motion.

The motion was agreed to.

The report was read as follows:

In the Senate, July 15, 1941.

We, the undersigned Committee of Conference on the part of the Senate and House of Representatives, for the purpose of considering House Bill No. 957, hereby submit our report to the effect that we have failed to agree and respectfully request the discharge of the Committee.

ROBERT M. MILLER
G. HAROLD WATKINS
JOHN H. COX
(Committee on the part of the Senate)

On the question,

Will the Senate agree to the report?

Mr. MILLER. Mr. President, I move that the resolution be adopted.

Mr. COX. Mr. President, I second the motion.

The motion was agreed to.

Ordered, That the Clerk inform the House of Representatives accordingly.

RECESS

Mr. GELTZ. Mr. President, I move that the Senate do now take a recess until 10:00 o'clock p. m., E. S. T.

Mr. EDMONDS. Mr. President, I second the motion.

The motion was agreed to.

AFTER RECESS

The PRESIDENT. The time of recess having elapsed the Senate will be in order.

REPORT OF CONFERENCE COMMITTEE ON HOUSE BILL No. 690, (SENATE BILL No. 472)

Mr. SNOWDEN. Mr. President, I have been instructed by the Committee of Conference to submit the following report on House Bill No. 690, (Senate Bill No. 472):

The report was read as follows:

July 12, 1941.

To the Members of the Senate and House of Representatives:

The conferees on the part of the Senate and the House of Representatives appointed to compose the differences between the said Senate and House of Representatives on House Bill No. 690, Senate Bill No. 472, Printer's No. 824, entitled "An act to further amend sections 402, 411, 703, 704, 705, 707, and 903 and to repeal section 706 of the act approved the first day of May, one thousand nine hundred twenty-nine x x x," respectfully report that the conferees have been unable to agree upon said differences and to arrive at a mutually satisfactory report, and are therefore constrained to respectfully request that they may be discharged from further consideration of said bill.

Respectfully submitted,

JAMES E. LOVETT
ELLWOOD B. WELSH
(Committee on the part of the House)

J. G. SNOWDEN
THOMAS B. WILSON
ISRAEL STIEFEL
(Committee on the part of the Senate)

REPORT ACCEPTED AND COMMITTEE DISCHARGED

Mr. WALKER. Mr. President, I move that the Senate accept the Report and that the Committee be discharged.

Mr. SNOWDEN. Mr. President, I second the motion.

The motion was agreed to.

Mr. MALLERY. Mr. President, I desire to be recorded as voting "no."

The PRESIDENT. The vote of the gentleman from Blair will be so recorded.

COMMUNICATION FROM THE GOVERNOR

The Secretary to the Governor being introduced presented communication in writing from His Excellency, the Governor of the Commonwealth, which was read as follows, and laid on the table:

APPROVED AND SIGNED RESOLUTION RECALLING SENATE BILL No. 1090, (PRINTER'S No. 436) FROM THE GOVERNOR

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, July 15, 1941.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed a resolution of the Senate and House of Representatives recalling from the Governor Senate Bill No. 1090, Printer's No. 436, for the purpose of further consideration.

Accordingly, the original bill is herewith returned.

ARTHUR H. JAMES.

HOUSE RECEDES FROM ITS NON-CONCURRENCE IN THE AMENDMENTS MADE BY THE SENATE TO HOUSE BILL No. 690 AND CONCURS IN THE SAME

The Clerk of the House of Representatives being introduced, informed the Senate that the House has receded from its non-oncurrence in the amendments made by the Senate to House Bill No. 690, entitled:

An Act to further amend sections 402, 411, 703, 704, 705 and 903 and to repeal section 706 of the act approved the first day of May one thousand nine hundred twenty-nine (P. L. 905) entitled, "Vehicle Code," providing for the registration and fixing registration fees of commercial motor vehicles, truck tractors, trailers and semi-trailers according to gross weight; fixing the maximum gross weight of such vehicles which may be used and operated on the highways; and eliminating existing provisions relating to the chassis of such vehicles.

and has concurred in the same.

REPORT OF CONFERENCE COMMITTEE ON SENATE BILL No. 507

Mr. WADE. Mr. President, I ask unanimous consent to make a committee report.

The PRESIDENT. The gentleman from Cumberland may proceed.

Mr. WADE. Mr. President, congressional apportionment, so far as the Conference Committee is concerned, is apparently out. We have offered several counter-propositions and proposals and find the leaders of the opposing party adamant.

Without prejudice to the other plans offered, unquestionably a proper, fair, equitable and sensible plan is to redistrict Philadelphia on a six district basis. During the past ten years Philadelphia has lost approximately sixteen thousand in population, showing a definite downward trend, because of modern transportation and communications, and government attempts to clear closely populated and poor housing districts such as central and southern Philadelphia. This trend will undoubtedly continue as the use of automobiles and the necessity of parking spaces increases. Again, the European war is threatening heavy centers of population.

To accept the proposal, on the other hand, of the Democrats, would be unfair and unreasonable. For example, Montgomery and Bucks, and Lehigh and Berks have shown a constant and generous growth in population. Montgomery alone has shown an increase in the last ten years of some twenty-three thousand. Ten years ago after the census had been taken, Pennsylvania's delegation was reduced from thirty-six to thirty-four, the Legislature redistricting at that time the central counties by increasing one district from one to four counties, with a total population of over 428,000. Other changes were just as inequitable.

To divide Philadelphia's population by seven makes the average district 23,000 short; by dividing it into six districts, gives an average slightly over the state ratio, with a decided geographical advantage, and a definite shrinking of population trend.

Mr. President, we have made every honorable effort to adjust this on an equitable basis, and I will never cast my vote for a plan I do not consider reasonable, equitable and fair to the people of Pennsylvania.

I want to personally thank my associate members of the Conference Committee for their untiring efforts to endeavor to effect a just compromise.

Mr. President, at this time I send to the Chair a report of the non-agreement from the members of the Senate Conference Committee.

The report was read as follows:

In the Senate, July 15, 1941.

To the Members of the Senate:

The conferees on the part of the Senate appointed to confer with a similar committee on the part of the House to compose the differences between the Senate and the House of Representatives on Senate Bill No. 507, Printer's No. 292, entitled "An act to apportion the State in Congressional districts," respectfully report that the conferees have been unable to agree on a report.

GEO. N. WADE
M. HARVEY TAYLOR
LEO C. MUNDY
(Committee on the Part of the Senate)

REPORT LAID ON TABLE

Mr. WALKER. Mr. President, I move that the report of the Committee be laid on the table.

Mr. GELTZ. I second the motion, Mr. President.

On the question,

Will the Senate agree to the motion?

PARLIAMENTARY INQUIRY

Mr. MUNDY. Mr. President, I rise to a question of parliamentary inquiry.

The PRESIDENT. The gentleman from Luzerne will state his parliamentary inquiry.

Mr. MUNDY. Mr. President, I want to know, if after this report is presented, even though it is laid on the table, if the original question does not recur, does the Senate concur in the House amendments?

The PRESIDENT. The Chair did not understand the inquiry.

Mr. MUNDY. Mr. President, the report of the Committee having been filed, the parliamentary question that arises is: does this revert to its original status and does the question recur, namely, does the Senate concur in the House amendments, or what is the position of the Senate on the House amendments?

The PRESIDENT. It is in the same status as it was before the presentation of the report, because the report has been laid on the table. Action can be taken at a later time, if the Senate so desires, and at that time the

Senate may if it so desires, discharge the Committee and appoint different conferees.

Does that answer the inquiry of the gentleman from Luzerne?

Mr. MUNDY. Yes, Mr. President.

POINT OF ORDER

Mr SHAPIRO. Mr. President, I rise to a point of order.

The PRESIDENT. The gentleman from Philadelphia will state his point of order.

Mr. SHAPIRO. Mr. President, I suggest that if the report of the Committee is accepted, that automatically acts as a discharge of the Committee and allows the bill to remain for the appointment of another conference committee.

The PRESIDENT. That is correct. That is practically what the Chair said in different words.

And the question recurring,

Will the Senate agree to the motion?

It was agreed to.

HOUSE MESSAGE

RESOLUTION RECALLING HOUSE BILL No. 1952 FROM THE SENATE

The Clerk of the House of Representatives being introduced, presented an extract from the Journal of the House of Representatives, which was twice read, considered and agreed to:

In the House of Representatives, July 15, 1941.

Resolved (if the Senate concur), That House Bill No. 1952, (Printer's No. 1199), entitled:

An Act fixing the salary of the Parliamentarian of the House of Representatives.

passed finally, July 12th, be recalled from the Senate.

RESOLUTION ADOPTED

Mr. WALKER. Mr. President, I move that the Senate adopt the Resolution.

Mr. GELTZ. Mr. President, I second the motion.

The motion was agreed to.

Ordered, That the Clerk inform the House of Representatives accordingly.

SENATE ADOPTS CONFERENCE COMMITTEE REPORT ON HOUSE BILL No. 1727 (PRINTER'S No. 1209)

Mr. WALKER. Mr. President, I move that the Senate do now proceed to the consideration of the Report of the Committee of Conference on House Bill No. 1727 (Printer's No. 1209).

Mr. TAYLOR. Mr. President, I second the motion.

The motion was agreed to.

The report was read as follows:

REPORT OF THE COMMITTEE OF CONFERENCE ON HOUSE BILL No. 1727

To the Members of the Senate and House of Representatives:

We, the undersigned, Committee of Conference on the part of the Senate and House of Representatives for the purpose of considering House Bill No. 1727, entitled:

"An Act providing that bonds, notes and other evidences of indebtedness issued by Authorities incorporated under the Municipality Authorities Act as amended and supplemented shall not be invalid by reason of certain circumstances."

Respectfully submit the following bill as our report:

FRANK W. RUTH
CLARENCE D. BECKER
CHARLES R. MALLERY

(Committee on the Part of the Senate.)

L. KENNETH HARKINS
JOSEPH A. LONGO
CHAS. H. BRUNNER, JR.

(Committee on the Part of the House of Representatives.)

An Act providing that bonds notes and other evidences of indebtedness issued by Authorities incorporated under the Municipality Authorities Act as amended and supplemented shall not be invalid by reason of certain circumstances

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 No bonds notes or other evidences of indebtedness heretofore issued by Authorities incorporated under the Municipality Authorities Act approved June 28 1935 (P. L. 463) as amended and supplemented shall be invalid by reason of the fact that any member of the Board or any officer of said Authority was at the time of the issuance of such bonds notes or other evidences of indebtedness a member or officer of the governing body of the incorporating municipality or municipalities or an officer thereof provided that such bonds notes or other evidences of indebtedness or otherwise valid

Section 2 Nothing contained in this act shall be construed to validate any bonds notes or other evidences of indebtedness in connection with the issuance of which any fraud or conspiracy has been committed

Section 3 This act shall become effective immediately upon its final enactment

On the question,

Will the Senate agree to the report?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—44

Barr,	Dent,	Jaspan,	Snowden,
Bartlett,	DiSilvestro,	Kephart,	Stevenson,
Becker,	Ealy,	Letzler,	Tallman,
Carr,	Edmonds,	Mallery,	Taylor,
Cavalcante,	Farrell,	McCreesh,	Thomas,
Chapman,	Frey,	McGinnis,	Tyler,
Coleman,	Geltz,	McQuiddy,	Wade,
Cox	Haluska,	Miller,	Walker,
Crider,	Heyburn,	Mundy,	Watkins,
Crowe,	Homsher,	Ruth,	Wilson, H. I.,
Deitrick,	James,	Scarlett,	Wilson, T. B.,

NAYS—1

Shapiro,

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk inform the House of Representatives accordingly.

Mr. MALLERY. Mr. President, I desire to call attention to the fact that on line 11, where the word "or" appears, that is a mistake, it should be "are." I

mention this fact in order that this mistake may be noted on the record and in order to notify those charged with the duty and authority to correct technical errors in bills.

REPORT FROM COMMITTEE ON EXECUTIVE NOMINATIONS

Mr. JAMES. Mr. President, I ask unanimous consent to make report from committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. JAMES from the Committee on Executive Nominations reported with a favorable recommendation the following nominations, made by His Excellency, the Governor of the Commonwealth:

APPOINTMENT AS MEMBERS OF THE STATE BOARD OF HOUSING

Commonwealth of Pennsylvania,
Governors Office, Harrisburg, January 27, 1941.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following persons for appointment as members of the State Board of Housing:

George E. Evans, Pittsburgh, Allegheny County, until August 17, 1945, and until his successor is appointed and qualified.

Vance C. McCormick, Harrisburg, Dauphin County, until August 17, 1944, and until his successor is appointed and qualified.

Charles L. Suhr, Oil City, Venango County, until August 17, 1943, and until his successor is appointed and qualified.

Arthur C. Kaufman, Ardmore, Montgomery County, until August 17, 1942, and until his successor is appointed and qualified.

Tudor R. Williams, Scranton, Lackawanna County, until August 17, 1941, and until his successor is appointed and qualified.

ARTHUR H. JAMES.

JUSTICES OF PEACE

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, June 10, 1941.

Glenn F. Cook, South St. Clair Street, Ligonier, Westmoreland County, for appointment as Justice of the Peace, in and for the Borough of Ligonier, Westmoreland County, until the first Monday in January, 1942, vice W. H. Lowry, resigned.

ARTHUR H. JAMES.

RULE 38 SUSPENDED

By unanimous consent,

A motion was made by Mr. JAMES and Mr. TAYLOR

That Rule 38, which requires nominations made by the Governor, to lie on the table one day be dispensed with, and the Senate do now resolve itself into Executive Session, for the purpose of acting upon all the nominations reported at today's session.

Which was agreed to.

Whereupon,

A motion was made by Mr. JAMES and Mr. TAYLOR

That the Senate do advise and consent to the nominations reported.

On the question,

Will the Senate agree to the motion?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—45

Barr,	Dent,	Jaspan,	Scarlett,
Bartlett,	DiSilvestro,	Kephart,	Shapiro,
Becker,	Ealy,	Lanius,	Snowden,
Carr,	Edmonds,	Letzler,	Stevenson,
Cavalcante,	Farrell,	Mallery,	Tallman,
Chapman,	Frey,	McCreesh,	Taylor,
Coleman,	Geltz,	McGinnis,	Thomas,
Cox,	Haluska,	McQuiddy,	Tyler,
Crider,	Heyburn,	Miller,	Wade,
Crowe,	Homsher,	Mundy,	Walker,
Deitrick,	James,	Ruth,	Watkins,
			Wilson, H. I.,

NAYS—0

Two-thirds of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Governor be informed accordingly.

Mr. JAMES. Mr. President, I move that the Executive Session do now rise.

Mr. MALLERY. Mr. President, I second the motion.

The motion was agreed to.

PERMISSION TO ADDRESS SENATE

Mr. COLEMAN. Mr. President, I desire permission to address the Senate.

The PRESIDENT. The gentleman from Lackawanna may proceed.

Mr. COLEMAN. First, Mr. President, I desire to interrogate the gentleman from Allegheny, Mr. Walker.

The PRESIDENT. Will the gentleman from Allegheny permit himself to be interrogated.

Mr. WALKER. I will, Mr. President.

Mr. COLEMAN. Mr. President, I desire to ask the gentleman from Allegheny the reason for tabling the report of the Committee of Conference on Senate Bill No. 507.

Mr. WALKER. Mr. President, it was tabled at the request of the Republican caucus so that we could study it.

Mr. COLEMAN. Mr. President, I desire to ask the gentleman if that does not put the question of Congressional reapportionment in more doubt than it did when it was in the hands of the committee, since it automatically suspends Committee activity.

Mr. WALKER. Mr. President, the word "more" is a relative term and depends upon the conclusion reached by the individual. In my opinion there has been a lot of doubt about this for some time, and I have expressed myself accordingly. I do not think this places it in any more doubt. As I stated at the beginning of my answer, the word "more" is relative.

REPORT OF CONFERENCE COMMITTEE ON SENATE BILL No. 507 CALLED UP

Mr. COLEMAN. Mr. President, I now call from the table Report of the Committee of Conference on Congressional Reapportionment, Senate Bill No. 507.

Mr. SHAPIRO. Mr. President, I second the motion.

The PRESIDENT. Is there objection? The Chair hears none.

The motion was agreed to.

The Report was read as follows:

In the Senate, July 15, 1941.

To the Members of the Senate:

The conferees on the part of the Senate appointed to confer with a similar committee on the part of the House to compose the differences between the Senate and the House of Representatives on Senate Bill No. 507, Printer's No. 292, entitled "An act to apportion the State in Congressional districts," respectfully report that the conferees have been unable to agree on a report.

GEO. N. WADE
M. HARVEY TAYLOR
LEO C. MUNDY

(Committee on the part of the Senate)

Mr. GELTZ. Do I understand, Mr. President, that the gentleman from Lackawanna has called from the table Report of Conference Committee on Senate Bill No. 507?

The PRESIDENT. That is correct.

The gentleman from Lackawanna has called from the table the report of Conference Committee on Senate Bill No. 507. What action is now desired?

MOTION TO ACCEPT REPORT

Mr. COLEMAN. Mr. President, I move that the Senate accept the report of the Committee on Conference on Senate Bill No. 507.

Mr. SHAPIRO. Mr. President, I second the motion.

On the question,

Will the Senate agree to the motion?

Mr. COLEMAN. Mr. President, it is my understanding that when the committee made the report on its disagreement, that the gentleman from Allegheny moved to table the report, and I am suggesting that the report be taken up for action by the Senate.

The PRESIDENT. The gentleman from Lackawanna has already called the report from the table.

Mr. COLEMAN. That is correct, Mr. President, and I am asking that the Senate adopt the report, and I so move, Mr. President.

Mr. SHAPIRO. I have seconded the motion, Mr. President.

On the question,

Will the Senate agree to the motion?

POINT OF ORDER

Mr. WALKER. Mr. President, I rise to a point of order.

The PRESIDENT. The gentleman from Allegheny will state his point of order.

Mr. WALKER. I would suggest, Mr. President, that the report of the Committee was laid on the table and the gentleman from Lackawanna would have to make a motion to call it from the table. It was simply a request, and a motion is required to call it from the table.

The PRESIDENT. As the Chair has frequently ruled, when there is no objection to a request it is equivalent to unanimous consent.

Mr. WALKER. Mr. President, may I respectfully suggest to the Chair that the Chair did not understand what the gentleman from Lackawanna was doing, and neither did I understand what the gentleman from Lackawanna was doing. The motion he made was the motion which was seconded by the gentleman from Philadelphia, Mr. Shapiro. There has been no motion as yet made to take the report from the table, and I respectfully suggest that should be done first.

The PRESIDENT. The Chair differs with the gentleman from Allegheny, Mr. Walker. The Chair understood very plainly that the Senator from Lackawanna requested that the report be taken from the table, and, as has been the practice here during this entire session, it was taken from the table. What the Chair did not understand was what action the gentleman from Lackawanna desired to be taken. Then, the Senator from Lackawanna moved, seconded by the Senator from Philadelphia, Mr. Shapiro, that the report just taken from the table be accepted.

Now, that is the motion before the Senate and the Senate may dispose of that motion as it pleases.

Mr. COLEMAN. I ask for a roll call, Mr. President.

POINT OF ORDER

Mr. WADE. Mr. President, I rise to a point of order.

The PRESIDENT. The gentleman from Cumberland will state his point of order.

Mr. WADE. Mr. President, is it not true that a Conference Committee report must lie over for printing.

The PRESIDENT. For the information of the gentleman from Cumberland this is not a Conference Committee report. This is only a statement of the Conferees on the part of the Senate.

POINT OF ORDER

Mr. WALKER. Mr. President, I now rise to a point of order.

The PRESIDENT. The gentleman from Allegheny will state his point of order.

Mr. WALKER. Mr. President, if that is not a report of Committee I would like to ask the purpose of the motion made by the gentleman from Lackawanna, Mr. Coleman. My inquiry is addressed to the Chair.

The PRESIDENT. The report is a statement of the Conferees as to the position of the Conferees on the part of the Senate and that may be voted on. During this session, the Senate has not resorted to the mechanics of appointing conferees by motion. The Chair at the request of the President Pro Tempore has appointed conferees. The Senate by such motion as it sees fit can take any action it desires on this statement by the Conferees appointed on the part of the Senate.

PARLIAMENTARY INQUIRY

Mr. SHAPIRO. Mr. President, I rise to a question of parliamentary inquiry.

The PRESIDENT. The gentleman from Philadelphia will state his question of parliamentary inquiry.

Mr. SHAPIRO. Mr. President, the question is, is the report filed by the Committee signed by the Committee.

The PRESIDENT. The Chair takes the position that this is not a report of the Committee. To have a report of committee it is necessary that a majority of the con-

ferees sign the report. That is the understanding of the Chair.

Mr. SHAPIRO. Mr. President, is that report signed by the Committee?

The PRESIDENT. Only by the Conferees on the part of the Senate.

Mr. SHAPIRO. Mr. President, if this report of the conferees asks for their discharge, it does not, under the rules, have to lay over for printing. As a matter of fact, we have not followed the rule that conference reports lay over for printing.

The PRESIDENT. That is right.

Mr. SHAPIRO. Therefore, Mr. President, this report is before the Senate for action?

The PRESIDENT. That is correct.

Mr. WALKER. Mr. President, do I understand now that this is being ruled as a report of the Conference Committee and not a report of the Conferees on the part of the Senate.

The PRESIDENT. The Chair has never regarded this as a conference report. This is a report of the Conferees on the part of the Senate.

Mr. SHAPIRO. Asking that they be discharged, Mr. President?

The PRESIDENT. That is correct, which can not be considered a report of the Conference Committee, the way the Chair understands the rules of procedure. This could not be considered a conference report unless it be signed by a majority of the Conferees of both the House and the Senate.

For the information of the Senate the report will be again read.

(The report was read.)

The PRESIDENT. For the information of the Senate, a similar report was adopted today, signed by the Senator from Luzerne, Mr. Miller, the Senator from Allegheny, Mr. Walker, and the Senator from Allegheny, Mr. Cox. The only difference between that committee report and this report is that committee asked to be discharged. This report does not.

POINT OF ORDER

Mr. SHAPIRO. Mr. President, I rise to a point of order.

The PRESIDENT. The gentleman from Philadelphia will state his point of order.

Mr. SHAPIRO. Mr. President, the Chair will remember that when the Chair was ruling on this question, I suggested that if the report is adopted the committee is automatically discharged. That was the reason I made the suggestion.

The PRESIDENT. The Chair was then under the impression that report asked for the discharge of the committee, but the Chair was misinformed. The report does not ask for the discharge of the committee.

Mr. SHAPIRO. It is not necessary for them to ask for their discharge, Mr. President. I should be very glad to quote from the decisions of the Senate to the effect that if the report of a conference committee be that they can not agree, that automatically acts as a discharge of the committee.

The PRESIDENT. The Chair is of the opinion that would be correct if this was a report of a majority of the committee, that they could not agree. The Chair construes this as only a statement or report of the conferees on the part of the Senate. This is merely a statement on the part of the conferees appointed by the Senate.

And the question recurring,

Will the Senate agree to the motion?

Mr. WALKER. Mr. President, I would ask my colleagues to vote "aye" on the motion of the gentleman from Lackawanna.

Mr. COLEMAN. Mr. President, I think we ought to be familiar with the mechanics of this thing, and if I may be permitted to review what has been developed thus far, I think it sufficiently important that there ought not to be any iota of doubt in the minds of the members of the Senate—the Conference Committee made a report which was tabled at the request of the gentleman from Allegheny. I then moved, as any member may, to lift it from the table, and moved to have it formally adopted, which motion was duly seconded, and the question now is as to whether or not the Senate will adopt the report.

I now ask the Chair whether or not, in the event this report is adopted by a majority of the members of the Senate, if the question does not recur on concurrence in the amendments inserted by the House.

The PRESIDENT. Will the gentleman from Lackawanna please restate his inquiry?

Mr. COLEMAN. Mr. President, my understanding is, in the event a majority of the members of the Senate, voting on this proposition, vote in the affirmative, the bill is then in the physical possession of the Senate and the question recurs on concurrence in the amendments inserted by the House; it is in the same position as it was prior to the appointment of the Conference Committee.

The PRESIDENT. The Chair rules the point of order of the gentleman from Lackawanna is not well taken. If the gentleman from Lackawanna will read this he will see it is simply a report; it does not ask for anything but simply states a position; it does not ask for the discharge of individuals but is simply a statement that they were unable to get together. Even though it were to ask for the discharge of the members, the bill would not be in possession of the Senate; it would still be in possession of the conferees.

The question is on the adoption of the report, which means nothing.

And the question recurring,

Will the Senate agree to the motion?

(The following occurred during the calling of the roll.)

POINT OF INFORMATION

Mr. HALUSKA. Mr. President, I rise on a point of information.

The PRESIDENT. The calling of the roll has started.

Mr. HALUSKA. Mr. President, I would like to know on what are we voting? I am like the rest of them here; I have been right here but I am pretty well confused.

The PRESIDENT. The gentleman has a right to be

intelligently informed, if the Chair is able to do so, as to what is before the Senate. As the Chair understands it, the question is a motion to adopt the statement made by the Senate Conferees in relation to this particular bill.

Mr. HALUSKA. I would like to ask the Chair, if we vote for this motion, will that not automatically discharge the conferees on the part of the Senate.

The PRESIDENT. No. The Chair has ruled on that. The Conferees do not ask for their discharge; they simply make a statement.

Mr. HALUSKA. Then, Mr. President, what are we voting on?

Mr. GELTZ. Mr. President, I ask that the motion of the Senator from Lackawanna be read to the Senate.

The PRESIDENT. The Chair agrees it would be well to have the motion read again as some of the Senators may be under the impression that the Committee asks to be discharged.

(Motion repeated by reporter as follows: "Mr. COLEMAN. I move that the Senate accept the report of the Committee on Conference on Senate Bill No. 507.")

QUESTION OF PARLIAMENTARY INQUIRY

Mr. DENT. Mr. President, I rise to a question of parliamentary inquiry.

The PRESIDENT. The gentleman from Westmoreland will proceed.

Mr. DENT. As I understand this procedure, Mr. President, this is nothing but a statement on the part of the Conferees on the part of the Senate, and since when does a statement on the part of anybody in the Senate become the property of the Chair, to be laid upon the table, on any motion? It is a statement that goes into the record automatically as a statement of those individuals and it can be nothing else; similar to a statement printed in the Journal.

I raise the parliamentary inquiry that this is not properly a matter for a motion of any kind. It does not belong on the table; it belongs in the record of the daily session of this Senate.

PARLIAMENTARY INQUIRY SUSTAINED

The PRESIDENT. The Chair is of the opinion the point of order of the gentleman from Westmoreland is well taken. That is what the Chair has previously stated. The Chair is of the opinion that a majority of the Senators thought this was a report of the conferees of the Senate, that they were unable to agree and asked for their discharge. That is not the case; they simply reported to the entire Senate what they apparently had previously done in Caucus. It is merely a matter of record.

Mr. HALUSKA. That is why I rose on my feet, Mr. President and brought about a laugh which was not very courteous. I confess I was confused because I did not know what I was to vote on. Now I am happy to know the rest were confused also because we were going to vote illegally and no roll call was necessary.

Mr. DENT. Mr. President, in view of the fact that the gentleman from Cumberland, Mr. Wade, acting as Committee Chairman, in his statement on the floor clearly stated his position, in that in these conferences certain counter proposals had been made by himself and his colleagues in the Senate to the conference committee, and then also in his statement, if my memory serves me right, he took the position that he would not vote or could not vote for anything that was unfair, and earlier in his statement he said the amendments to the Senate bill put in by the House were unfair, now, Mr. President, if that position is true and I am right, we can stay here from now until Christmas and we are not going to get anywhere, because the conferees on the part of the Senate have stated they will not agree to the House amendments.

Conference committees are named in order to confer and try to find a common ground upon which they can all meet and, therefore, Mr. President, in order to expedite the matter before us and in order that some of us may go back home and take up our proper position in life, especially in the defense work in which we are now engaged, I make the following motion.

MOTION TO DISCHARGE CONFERENCE COMMITTEE

Mr. DENT. I move that we now discharge the Conference Committee from further consideration of Senate Bill No. 507, and if necessary that a new Conference Committee be appointed, or else that we vote on the bill as it came from the House.

Mr. HALUSKA. I second the motion, Mr. President.

On the question,

Will the Senate agree to the motion?

POINT OF ORDER

Mr. SHAPIRO. I rise to a point of order, Mr. President.

The PRESIDENT. The gentleman from Philadelphia will proceed.

Mr. SHAPIRO. My point of order is: can the Senate discharge a committee that has been appointed jointly by the House and the Senate?

The PRESIDENT. The point of order of the gentleman from Philadelphia, Mr. Shapiro, is well taken. This is a committee of conference. What the gentleman from Westmoreland wanted to do was to have the Senate Committee discharged; is that correct?

Mr. DENT. Yes, Mr. President.

The PRESIDENT. Otherwise, as the gentleman from Philadelphia said, this being a joint committee it requires concurrent action.

Mr. DENT. Mr. President, whenever a resolution is offered to discharge a committee it is always worded that way. I got that out of the Journal. However, I will insert the word "Senate" if that is so desired. I will be very glad to do that, if the Senate will be at ease for just a minute.

Mr. DENT. Mr. President, I hope this motion is now in proper shape. I would like to have the Chair rule as to whether or not it is acceptable. I present the resolution on behalf of Senator Haluska and myself.

MOTION AMENDED

Mr. DENT. I offer an amended motion, Mr. President: I now move that the Senate Committee of Conference on Senate Bill No. 507 be discharged from further consideration of this bill.

Mr. HALUSKA. I second the motion, Mr. President.

The PRESIDENT. The Chair is of the opinion this is equivalent to the discharge of a committee from further consideration of a bill and requires a vote of the majority of the Senators present.

On the question,

Will the Senate agree to the motion.

Mr. MALLERY. Mr. President, I have never yet voted for the discharge of a committee. I have great confidence in every member of this committee. I believe that if there were any committees that could be appointed by this Senate to properly perform the duties entrusted to it, it is this committee. I have the utmost confidence in this committee. I think that the Legislature has been charged with this most important duty and it is one thing that we should do before we go home.

The very fact that this committee has, as we all know, held numerous meetings and I believe has striven honestly to perform its duty, is not proof to me that they can not do it and do it to the satisfaction of the people of this Commonwealth and therefore I propose to vote "no" on this motion.

POINT OF ORDER

Mr. RUTH. Mr. President, I rise on a point of order.

The PRESIDENT. The gentleman from Berks will proceed.

Mr. RUTH. Mr. President, inasmuch as this is a joint committee appointed by concurrent resolution of the House and Senate, neither House may discharge the committee unless by a joint concurrent resolution.

The PRESIDENT. The Chair must rule the point of order of the gentleman from Berks is not well taken. If the gentleman from Berks can show authority for his point of order the Chair will gladly recede from his position.

Mr. DENT. Before a vote is taken, Mr. President, I just want to answer the remarks of the gentleman from Blair, Senator Mallery, by saying this resolution is not by any means intended to cast any reflection upon the membership of the Senate committee; it is done practically at their own request in the light of the report that they have made. If a committee that is named by this Senate comes into this Senate and makes a report or reads a statement in which they say they are hopelessly deadlocked, to the point that they will not agree to amendments put in by the House, and absolutely take that position, and in the same report say the House members will not recede from their position, can we stay here forever waiting for them? I know I have been waiting over ten days for this committee to report. By their action they show clearly that the committee is stalemated—one side takes one position and the other side takes the other position. I do not know whether the committee on the part of the House is being fair; I do not know who is being unfair. I only know we have waited ten days for a report and now we finally get a statement out of the committee and in that statement they say they are hopelessly deadlocked because they say "We will not accept the House amendments to Senate Bill No. 507," and the House takes the position that it will not recede from its position.

Are we going to stay here forever or shall we take the bull by the horns and discharge the committee, have the bill placed on the table before us and take a position as Senators one way or another on the House amendments? I take the position, Mr. President, that is what has got to be done.

Mr. SHAPIRO. Mr. President, I desire to interrogate the gentleman from Cumberland.

The PRESIDENT. Will the gentleman from Cumberland permit himself to be interrogated?

Mr. WADE. I will, Mr. President.

Mr. SHAPIRO. Mr. President, will the gentleman from Cumberland tell us whether he and the remaining members of the Senate Conferees conferred with the members of the House on the same Committee of Conference.

Mr. WADE. We did, Mr. President.

Mr. SHAPIRO. In connection with the report just filed?

Mr. WADE. Will the gentleman from Philadelphia please repeat his interrogation?

Mr. SHAPIRO. Did the three House members of the Conference Committee on this bill know of the intention of the Senate members to file this report, and were they consulted about it.

Mr. WADE. Mr. President, the members of the House were not informed we were going to file this report this evening.

Mr. SHAPIRO. Does the gentleman from Cumberland request or intend to request by his report that the Senate members of the Conference Committee be discharged?

Mr. WADE. Mr. President, we merely make this report to the members of the Senate so that our position may be known.

Mr. SHAPIRO. That was the only purpose of the report?

Mr. WADE. That is right, Mr. President.

Mr. SHAPIRO. Then, Mr. President, does the gentleman from Cumberland agree that the proper thing to do with this report was to receive it and file it in the records.

Mr. WADE. I do, Mr. President.

Mr. SHAPIRO. And was there any other suggestion that the gentleman wished to indicate in connection with the action of the committee, or its future conduct? Is the gentleman requesting instructions from the Senate by virtue of this report?

Mr. WADE. Mr. President, so far as my signature to the report is concerned, I merely put it on there as a statement of our position and an invitation to all members of this body for any suggestions that they may have to bring an end to the deadlock.

Mr. SHAPIRO. Mr. President, does the gentleman from Cumberland feel that three other members appointed by the Senate might reach an agreement.

Mr. WADE. Mr. President, that is a question that I cannot answer.

Mr. SHAPIRO. To be perfectly frank, Mr. President, I would like the gentleman to understand that my interrogation is for the purpose of finding out whether there is anything the Senate can do, or whether there is anything the gentleman thinks can be done about this matter, so that we may take some steps, necessary steps, to bring about a definite conclusion. If the Senate has any power

or any ability to do that, they must be informed as to what is the desire of the Committee. The gentleman has merely stated that three members of the Senate Conference Committee conferred with the members of the Conference Committee on the part of the House and the House members say that they will not sign the report. We can either understand that the Senate Committee wants to be discharged, if they think somebody else might agree, but they have conscientious scruples about voting for this report; they might vote for the bill but they would not like to vote for the report.

Frankly I would like to know just what is behind the proposal, because I understand we are about to adjourn tomorrow, and if there is anything to be done it ought to be done before that. I have a suspicion this report was filed for a purpose and I think we ought to know the purpose. I do not want to vote to discharge a committee unless they want to be discharged. I think they are able members of the Senate and I think these three members can work out the problem as well as any other three men.

Will the gentleman from Cumberland tell us whether the Committee wants to be discharged.

QUESTION OF PARLIAMENTARY INQUIRY

Mr. WADE. Mr. President, I rise on a question of parliamentary inquiry.

The PRESIDENT. The gentleman from Cumberland will proceed.

Mr. WADE. Mr. President, I maintain the gentleman from Philadelphia is making a speech and not an interrogation.

Mr. SHAPIRO. Possibly I am, Mr. President, but I am trying to make my position clear. My last question and what I want to know is: will the gentleman from Cumberland tell us whether the members of the Committee want to be discharged? The gentleman from Blair in explanation rightfully says he does not want to reflect upon the committee. I ask the committee do they want to be discharged, and if so, it is understood that there will be no reflection.

Mr. WADE. Mr. President, I think I am voicing the views of the other members of the Senate committee, Dr. Mundy and Senator Taylor, in saying we are perfectly willing to continue to wrestle with this problem. However, we were anxious that it be before this body and we wanted to tell this body that so far we have had numerous meetings, possibly twenty, and so far have been unable to agree.

Mr. SHAPIRO. Will the gentleman answer, Mr. President, whether the committee wants to be discharged.

Mr. WADE. Mr. President, so far as I personally am concerned it makes no difference.

The PRESIDENT. The Chair wishes to correct the Senator from Philadelphia before he makes any further statements. The Committee do not say they are unalterately deadlocked. The statement reads: "Respectfully reports that the Conferees have been unable to agree on the report." That means it is simply a report that up until this time they are unable to make a report.

Mr. DENT. I understand that, Mr. President. If the Chair will refer to the statement made by the gentleman from Cumberland, prior to submitting the statement from which the Chair is reading—I would like to hear that statement repeated, as the gentleman from Cumberland made a statement wherein he said he would not vote for the House amendments, and if he is a member of the Committee on Congressional Reapportionment and will not vote for them, of what good is the Conference Committee? The gentleman from Cumberland made the statement he would not vote in favor of the House amendments.

The way it is going now this resolution will not get five votes, because they think we are taking a slap at Senator Mundy, Senator Taylor and Senator Wade. We do not want to take a slap at them, that committee We do want to get some clear understanding, if you are going to get this straightened out, what is the purpose of making this statement tonight. If you are not going to get anywhere, you ought to stand up and say "we want to be discharged and let a new group of conferees start." I know from my experience in labor disputes when one group cannot reach an agreement they step aside and new men are appointed.

Mr. DiSILVESTRO. Mr. President, I feel this Conference Committee is in a position similar to that in which a jury finds itself when it is unable to reach an agreement. The lawyers tell me that when a jury comes into a court room and says it cannot agree, the court discharges them. What is the use of kidding ourselves; let us get down to the point.

Mr. MUNDY. Mr. President, I think the Senator from Cumberland was within his rights to come in and make this report, because it is a semi-official report. Everytime we come out of the committee room we are supposed to have made reports to the press and to have made reports to individual Senators. I think the gentleman from Cumberland felt, from the number of requests from various sources, that it might be proper and fitting to turn in this report to the Senate as a body.

In answer to the statement of the gentleman from Philadelphia, Senator Shapiro, I would say that none of the committee, I think I am speaking for the other members of the committee—would be offended if in the judgment of the Senate it thought best that they should select other conferees whom they thought could better cope with the situation, but we do at the same time feel that if the Senate expresses its confidence in us, as a committee, and asks us to again hold meetings, we are perfectly willing to render our services to the Senate and continue our endeavors to arrive at some conclusion.

On the question,

Will the Senate agree to the motion?

MOTION WITHDRAWN

Mr. DENT. Mr. President, I will withdraw my motion, with the consent of the seconder, but I want to say that tomorrow morning—I understand we are going home again sometime during the night and we are coming back tomorrow—but remember this, when we do and you have not agreed yet, then you have a hard proposition ahead of you, you have another day and probably another night session and I suggest that some of us will have to send out some laundry if we are going to continue to do that. However, Mr. President, I withdraw the motion in order

to give our able conferees an opportunity to go out and confer again. However, it begins to look like a sit-down strike to me.

Mr. SHAPIRO. Mr. President, has the motion been formally withdrawn?

Mr. DENT. I have not had an opportunity to do so as yet.

Mr. HALUSKA. Mr. President, I have not withdrawn my seconding of the motion. I have not yet had a opportunity.

May I be permitted to make a few remarks before I withdraw my seconding of the motion, if I do.

The PRESIDENT. The gentleman from Cambria will proceed.

Mr. HALUSKA. Mr. President, there is only one sound solution. I may later withdraw my seconding of the motion. Up until the present time I do not believe there has been any consideration given to a plan to divide Philadelphia, whether or not they shall lose one Congressman.

Briefly, as I have analyzed the figures for Philadelphia, they have seven Congressmen and each one of them represents in round figures 261,000 population. Naturally they want to hold on to them. My Congressman represents 430,000 people. As my good friend from Cumberland stated this evening, ten years ago the County of Cambria was one congressional district. We had thirty-six Congressmen at that time and we were compelled to reduce that number to thirty-four, and they came to Cambria County and added Armstrong, Indiana and Jefferson and gave us a population of 430,000. Nothing has been said about my county or about the County of Luzerne on this floor, two top-heavy counties.

Allegheny County represents about 271,000 per Congressman but certainly they have no thought of receding or yielding, they are hollering for more.

There is only one sound solution, Mr. President, if we have any hopes of agreeing, and that is to either accept the report of the conferees and let them go back to work, or else appoint new conferees and let them start out and let them go down to the slums of Philadelphia and take county by county, take district by district, knowing full well we only have thirty-three seats, and work out a platform or combination of counties and present a plan to the Assembly for approval and let the chips fall where they may.

Just as long as we sit here and talk about Philadelphia and no other district, I can not see any hope of ever getting together. I can not blame Philadelphia. It is a nice soft job for all that they represent.

In my district we have 175 miles from line to line, and in Philadelphia I am told in a space of half an hour they can go from one end of the county to the other. Why certainly, if we sit back and let Philadelphia have its seven Congressmen, they will sit here all summer, but I think it is up to us, we members here, to rise up and say we shall do the job, not one or two men in the Commonwealth of Pennsylvania, whether it be Jack Kelly or Governor James or anybody else, but let us get up and be men and be counted.

Take the entire Commonwealth. It is our duty every ten years to reapportion the state, not one county, but all that I hear is that Philadelphia will not recede. So I say to you once again, gentlemen, if you are honest, if you are sincere, if you wish to go home, let us pick a new committee or the same committee, let four or five of us help them out, take paper and pencil, and I will sit with them, and I say within three days we would draw up a new bill; come back next week and pass it, and that will save a special session and send us all home.

Otherwise we will be dilly-dallying here until next Christmas and still Philadelphia will keep on crying and insisting upon their seven Congressmen. I am getting sick of Philadelphia asking for everything. My community has not been mentioned, and I say to you gentlemen once again, is there one of you who think down in your hearts that my district is not worthy of your consideration? I am asking you an honest question. Here is a district of 430,000 which you have not mentioned, and you quibble over a district of 205,000. It is unfair, it is not human at all and I am sick of it.

Mr. WADE. Mr. President, I would just like to answer the gentleman on one statement or correct his statement, to a certain extent, although by and large, I agree with the entire context, but I would like to state to him one of the counter propositions that was offered in committee affected his district, the Twenty-seventh District, and in order to have it clearly understood, without reading the entire statement and figures, I might say it would combine Clearfield and Cambria and make a district of 305,557.

Mr. President, I ask permission to file this statement with the clerk so that it may become a part of the record.

I want to say again, Mr. President, when you start to re-district the central counties of the State of Pennsylvania, then again you run into the same unjust proposition that we had ten years ago, when those districts were made geographically too large, as well as very uneven, so far as population is concerned.

The PRESIDENT. If there is no objection, the statement referred to by the gentleman from Cumberland will be made part of the record.

MOTION THAT SENATE RECESS

Mr. WALKER. Mr. President, I move that the Senate take a short recess.

Mr. SHAPIRO. Mr. President, I think that we have been a little unfair to the members of this committee, and if the gentleman from Allegheny—

Mr. GELTZ. Mr. President, I second the motion.

Mr. SHAPIRO. Mr. President, if the gentleman from Allegheny will permit me to say so, it is my opinion the Senate should express its confidence in the Committee of Conference on the reapportionment bill and request that the Committee continue its valiant efforts.

I shall make no statement about Philadelphia; I will not try to defend the city in which I have lived for so many years. I am quite sure when I get back to Philadelphia I will find the same people, the same Philadelphia, and the same millions of dollars being paid by the City of Philadelphia into the oil fund, into the motor fund and into the coffers of the Commonwealth of Pennsylvania, just as they have been doing for years, far in excess of any county in the state, and if you gentlemen

feel there ought to be something done about it, I think this winter the fences we use to keep the snow off the roads can be gathered together and put around the City of Philadelphia and we will get along just as well.

Mr. WALKER. I will second that, Mr. President.

EXPRESSION OF CONFIDENCE EXTENDED TO CONFEREES ON SENATE BILL No. 507

Mr. SHAPIRO. Mr. President, I suggest a motion expressing our confidence in the committee and requesting them to continue their valiant efforts.

Mr. WALKER. I second the motion, Mr. President.

On the question,

Will the Senate agree to the motion?

It was agreed to.

BILL SIGNED

The PRESIDENT (Lieutenant-Governor Samuel S. Lewis) announced that the Chief Clerk having reported that the following bill had passed both houses of the General Assembly and the same being correct, the ttile was publicly read as follows:

Senate Bill No. 298, entitled:

An Act making an appropriation to Sleighton Farm School for girls, situate in Delaware County, Pennsylvania.

Whereupon,

The PRESIDENT (Lieutenant-Governor Samuel S. Lewis) in the presence of the Senate signed the same.

RECESS

Mr. WALKER. Mr. President, I move that the Senate do now take a recess for one hour.

Mr. GELTZ. Mr. President, I second the motion.

The motion was agreed to.

AFTER RECESS

The PRESIDENT. The time of recess having elapsed the Senate will be in order.

SINE DIE ADJOURNMENT CALLED FROM TABLE

Mr. GELTZ. Mr. President, I now call from the table the House Sine Die Adjournment Resolution, Serial No. 27; and move that the Senate concur in the resolution as follows:

SINE DIE ADJOURNMENT

In the House of Representatives, Tuesday July 15, 1941.

Resolved (if the Senate concur), That this Regular Session of the General Assembly adjourn sine die Tuesday, July 15, 1941, at 11:45 p. m.

Mr. MILLER. Mr. President, I second the motion.

On the question,

Will the Senate agree to the motion?

Mr. COLEMAN. Mr. President, I desire to interrogate the Majority Leader.

The PRESIDENT. Will the gentleman from Allegheny permit himself to be interrogated?

Mr. GELTZ. I will, Mr. President.

Mr. COLEMAN. Mr. President, I desire to ask the Majority Floor Leader, in the event this resolution passes, if he is not cognizant of the fact that the congressional reapportionment and the unemployment compensation bills, now in committee, will die.

Mr. GELTZ. I did not get the last part of the interrogation, Mr. President.

Mr. COLEMAN. Will die.

Mr. GELTZ. They may, Mr. President, but it seems to me as though there is nothing else that can be done. We have been advised and informed by the leaders of the other side that they are not interested in congressional reapportionment and that we will either take the Achterman Bill or none.

Mr. COLEMAN. Mr. President, I desire to ask the Chair whether or not I am in order in making a motion at this particular time that the resolution be laid on the table.

The PRESIDENT. Is that an inquiry addressed to the Chair?

Mr. COLEMAN. Yes, Mr. President, am I in order in making a motion that the resolution be laid on the table.

The PRESIDENT. Such a motion is in order.

MOTION THAT RESOLUTION BE LAID ON THE TABLE

Mr. COLEMAN. I now move, Mr. President, that the resolution be laid on the table.

Mr. COX. I second the motion, Mr. President.

On the question,

Will the Senate agree to the motion?

POINT OF ORDER

Mr. HEYBURN. Mr. President, I rise to a point of order.

The PRESIDENT. The gentleman from Delaware will state his point of order.

Mr. HEYBURN. Mr. President, there has been no intervening business, and therefore the motion of the gentleman from Lackawanna is out of order.

The PRESIDENT. For the information of the Senators, the Chair will read Rule 8 of the Senate as follows:

"A motion to adjourn shall always be in order, excepting when on the call for the previous question, the main question shall have been ordered to be now put, or when a member has the floor and shall be decided without debate."

The question is on adjournment, and the Chair must reverse himself. The only thing before the Senate is the resolution to adjourn sine die. The motion to lay the resolution on the table is out of order.

And the question recurring,

Will the Senate agree to the resolution?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—29

Bartlett,	Edmonds,	Kephart,	Tallman,
Becker,	Farrell,	Letzler,	Taylor,
Carr,	Geltz,	Mallery,	Thomas,
Crider,	Haluska,	McCreesh,	Wade,
Crowe,	Heyburn,	Miller,	Walker,
Deitrick,	Homsher,	Ruth,	Watkins,
DiSilvestro,	James,	Stevenson,	Wilson, H. I.,
Ealy,			

NAYS—9

Barr,	Cox,	McGinnis,	Mundy,
Chapman,	Dent,	McQuiddy,	Snowden,
Coleman,			

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk inform the House of Representatives accordingly.

PERMISSION TO ADDRESS SENATE

Mr. COX. Mr. President, I desire permission to address the Senate.

The PRESIDENT. The gentleman from Allegheny may proceed.

Mr. COX. Mr. President, no member of this Senate can overlook what has happened in this Senate chamber during the past week. You will recall on Saturday, which really consisted of a seventy-two hour day, a resolution was introduced in which it was requested that there would be no adjournment sine die until an agreement was reached on congressional reapportionment. The four sponsors of that resolution were invited to a committee meeting of the Senate committee on reapportionment, and at that time a gentleman's word was given to us that if there was any attempt on the part of the Senate to permanently adjourn, that resolution would be reported to the floor of this Senate and we would at least have an opportunity to have the resolution voted on.

I am amazed and distressed that after waiting here from nine o'clock this morning, after having waited yesterday and nothing having been accomplished, that the first motion on the part of the majority of this Senate would be to pass an adjournment resolution. I personally feel that this is a betrayal of the welfare of the people of Pennsylvania, and I tell you frankly that my position in the matter is this, that I would not care whether a congressman whose seat was to be lost was a Republican or a Democrat. I believe in the democratic form of government, and I believe in minority parties and minority representation, and if we adjourn without reapportionment, it means there is a great possibility that either party is going to have all the members in Congress from Pennsylvania, and to my mind this is a serious and a bad thing.

One of the healthy things in this session, particularly in the Senate, has been the fact that there has been a strong majority and a strong minority, and in this session the members of both parties have exchanged points of view, and I feel that out of this session has come much legislation of value, because of the fact that there were two points of view.

Mr. GELTZ. Mr. President, I agree with my colleague, the Senator from Allegheny, Mr. Cox, as to the importance of congressional reapportionment, and I want to assure him that not only I but many of my colleagues have been extremely interested in endeavoring to secure a decent, honest and fair reapportionment act. I wonder why he would think we were willing to take the beating we have been taking for the last ten or eleven days, if it were not because we were sincerely interested in an endeavor to secure congressional reapportionment for this state.

However, Mr. President, it seems that there are people who can be dealt with decently and fairly, and that there are other people who do not understand the meaning of decency, fairness and honesty, and so, when one has to deal with people of that kind, it becomes necessary that you go sometimes to greater lengths than you ever expected to go in an endeavor to secure that which you honestly believe should be secured.

Mr. President, there comes a time when human endurance reaches an end, and I want to say in all honesty, Mr. President, that there are many of us who have reached that point where human endurance is just about at an end and it seems most foolish to continue on in an effort that from all indications can mean nothing but fruitless endeavor, to the extent that the health of not one but many would be sacrificed in an endeavor to secure that which should have been secured long before this, months ago, in fact, Mr. President.

When you reach that stone wall, when you are advised that notwithstanding that which has gone on before, notwithstanding what compromises have been made in connection with other bills and other matters, "you will either take our bill as we give it to you or you will take nothing, because we are not interested in reapportionment," that, Mr. President, was and should have been all the advice we needed that our sacrifice in health and otherwise has certainly been in vain.

Mr. WADE. Mr. President and members of the Senate, I agree by and large with the statement of the gentleman from Allegheny, Senator Cox. However, he made one statement which the members of this committee must resent to a certain extent.

The gentleman from Allegheny, Senator Cox, stated that there was an agreement made that this resolution would be brought out on the floor before a motion to adjourn would be considered. I do not know there was any such agreement.

Now, Mr. President, to enlarge somewhat on that statement, the resolution that we hold in committee is what you might term a strangulation resolution. It says for the most part that we shall stay here, the members of the House and the Senate will be required to stay here until some agreement is reached. At the same time, I know that I am not making any unfair accusation when I say to the members of this body that it is the members of the opposition party that are now holding up the proposition, and that counter proposition after counter proposition has been made to them without any agreement whatsoever from them to take any of them, except, as the gentleman from Allegheny, Senator Geltz, has so ably said, "you will take our proposition or none."

Mr. President, earlier in this legislative day, we went further, we made an informal report to this body and at that time we were again assured that the members of the Senate had confidence in us in solving the problem, if a solution were possible, and as a matter of fact the Minority Floor Leader at that time moved a vote of confidence in the conferees.

In view of that, Mr. President, I see no reason whatever to hold another meeting of the Committee on Congressional Reapportionment. However, I stated to the members of the Senate we would hold a meeting if it was deemed necessary to hold it, to consider this resolution. I see no need for it, but I shall live up to that agreement and call a committee meeting if it is thought necessary.

Mr. MUNDY. Mr. President, may I interrogate the Majority Floor Leader, Senator Geltz.

The PRESIDENT. Will the gentleman from Allegheny permit himself to be interrogated?

Mr. GELTZ. I will, Mr. President.

Mr. MUNDY. Did I understand the Senator to say there was nobody on the other side, or that the members on the other side were not interested in congressional reapportionment?

Mr. GELTZ. Mr. President, I did not say that, and if my remarks were construed by Dr. Mundy or anyone else as a reflection on Dr. Mundy, I apologize, because I know not only from what the Republican conferees have said about Dr. Mundy's conduct, but I, from my own personal knowledge, know that Dr. Mundy was just as much interested, and I believe just as honestly and just as sincerely interested, as any of the rest of us in his endeavors to work out this congressional reapportionment question on a satisfactory basis.

So that there will be no misunderstanding, Mr. President, I was referring to the Minority Floor Leader of the Senate and the Majority Floor Leader of the House, when I referred to the leaders of the other side.

Mr. MUNDY. Mr. President, I would like to further interrogate the gentleman from Allegheny.

The PRESIDENT. Will the gentleman from Allegheny permit himself to be further interrogated?

Mr. GELTZ. I will, Mr. President.

Mr. MUNDY. Mr. President, I would like to further clear the record. I am going to ask the Majority Floor Leader if in his remarks he includes anybody else on this side of the House except the Minority Floor Leader whom, I take from his statement, must have made an expression of his feelings on the matter.

Mr. GELTZ. Mr. President, I unhesitatingly state that I can not recall having discussed this matter with any member on the other side of this body other than Senators Mundy, Coleman, Cox, Barr, and Dent, and I am not certain, but I believe Senator Haluska, in one meeting of the Committee on Congressional Reapportionment, and I am glad to say, Mr. President, that at that time every one of the Democratic Senators whom I mentioned seemed just as resentful at the attitude of the representatives of the other House as did the Senators from our own party.

May I also just add Senator DiSilvestro's name to that list. I forgot to mention his name, but I recall now he was present.

Mr. MUNDY. Mr. President, may I ask the Senator from Allegheny, did the Minority Floor Leader of the Senate, Senator Shapiro, express his opinion, that is, Mr. Shapiro's opinion, on reapportionment to the Senator?

Mr. GELTZ. Mr. President, the Minority Floor Leader, in his discussion in connection with the statement which I made said "we are not interested in congressional reapportionment." Now, that "we" might mean anything and might have been taken as including our Democratic brethren, the Senators to the left, but I think in fairness it should be known that the ones I mentioned, and I do not doubt but what there are others on that side, at least some of them, some others than the ones I have mentioned feel the same way as we do about it.

We are not only told, Mr. President, by the Minority Floor Leader of the Senate and the Majority Floor Leader of the House, that "we are not interested in congressional reapportionment,' but we were told very clearly that the leaders of the Democratic Party did not want congressional reapportionment because, as they put it, "all we need to do is to have the great White Father come up to Pennsylvania and he will elect thirty-three Pennsylvania Democratic congressmen."

Mr. MUNDY. Does the Senator, as a Senator, by his association and his talks with the Senators on this side have any reason to doubt that this side of the House, the minority side of the House, had told me without exception, including the Minority Floor Leader, Mr. Shapiro, that I was to exert every possible effort to bring about reapportionment.

Mr. GELTZ. I am sorry, I did not understand I was being interrogated. I thought the Senator from Luzerne was making a statement. I beg his pardon.

Mr. MUNDY. I will repeat the question, Mr. President. Does the Senator from Allegheny have any reason to doubt my statement that every man without exception on this side, including Mr. Shapiro, the Minority Floor Leader, instructed me both individually and collectively to exert every effort to bring about congressional reapportionment.

Mr. GELTZ. Yes, Mr. President, I would have some right to question or to doubt that statement, not as to what was said but as to the sincerity of it, if it came also from the Minority Floor Leader of this body.

Mr. MUNDY. Mr. President, may I ask a roll call of the Democratic Senators on this side, before I ask permission to interrogate each one of them separately.

The PRESIDENT. The Senator from Luzerne has the floor, and he may address an inquiry to the several Senators.

Mr. MUNDY. Mr. President, I desire to interrogate the gentleman from Westmoreland, Senator Dent.

The PRESIDENT. Will the gentleman from Westmoreland permit himself to be interrogated?

Mr. DENT. I will, Mr. President.

Mr. MUNDY. Mr. President, may I ask the Senator from Westmoreland whether he did or did not instruct me to exert every effort to bring about reapportionment?

Mr. DENT. I did, Mr. President.

Mr. MUNDY. I thank the gentleman from Westmoreland. May I now interrogate the gentleman from Philadelphia, Senator DiSilvestro?

The PRESIDENT. Will the gentleman from Philadelphia permit himself to be interrogated?

Mr. DiSILVESTRO. I will, Mr. President.

Mr. MUNDY. Senator DiSilvestro, did you or did you not instruct me to exert every effort to bring about reapportionment?

Mr. DiSILVESTRO. Absolutely, Mr. President, because I believe in Dr. Mundy's sincerity and integrity.

Mr. MUNDY. Thank you, Senator DiSilvestro. Now, Mr. President, I desire to interrogate the gentleman from Lawrence, Senator McQuiddy.

The PRESIDENT. Will the gentleman from Lawrence permit himself to be interrogated?

Mr. McQUIDDY. I will, Mr. President.

Mr. MUNDY. Mr. President, did or did not the gentleman from Lawrence instruct me to exert every effort to bring about reapportionment?

Mr. McQUIDDY. I absolutely did, Mr. President.

Mr. MUNDY. I thank the Senator from Lawrence. I would now like to interrogate the gentleman from Allegheny, Senator McGinnis.

The PRESIDENT. Will the gentleman from Allegheny permit himself to be interrogated?

Mr. McGINNIS. I will, Mr. President.

Mr. MUNDY. Mr. President, did or did not the Senator from Allegheny, Mr. McGinnis, instruct me to exert every effort in the committee to bring about reapportionment?

Mr. McGINNIS. I did, Mr. President.

Mr. MUNDY. I thank the gentleman from Allegheny

Mr. GELTZ. Mr. President, I desire to ask my colleague, Dr. Mundy, if he will yield for just a moment.

Mr. MUNDY. Gladly, Mr. President.

Mr. GELTZ. Mr. President, my colleagues and I are perfectly willing, for the purpose of saving repetition, to concede that every Democratic Senator who is here to be questioned today made that request of Dr. Mundy. We have no doubt of that.

Mr. MUNDY. I thank the gentleman from Allegheny. I take it the gentleman from Allegheny really believes that every Senator on this side sincerely instructed me to do everything possible to bring about reapportionment; is that correct?

Mr. GELTZ. I will agree to that, Mr. President, with one exception, and that is the exception which I mentioned heretofore, because I would not agree with that, Mr. President, in the face of the business I had with that gentleman.

Mr. MUNDY. Mr. President, it was not my purpose, and I have tried to adhere to that, as the Senators will testify, to have talked about any of the details, nor to have expressed any of the details on this floor of what transpired in the committee, without the consent of the full committee, but since such details have been discussed on the floor, I now desire to interrogate the gentleman from Cumberland, Senator Wade.

The PRESIDENT. Will the gentleman from Cumberland permit himself to be interrogated?

Mr. WADE. I will, Mr. President.

Mr. MUNDY. Mr. President, I desire to inquire of the gentleman from Cumberland whether the Democratic members of the committee did or did not offer a number of compromise plans?

Mr. WADE. They did, Mr. President.

Mr. MUNDY. May I ask the Senator if the number of compromise plans probably reached the number of seven.

Mr. WADE. No, I do not believe so, Mr. President; my recollection is three.

Mr. MUNDY. Mr. President, may I ask the Senator from Cumberland whether or not the members remained here until practically five o'clock this morning discussing plans?

Mr. WADE. That is right, Mr. President, they did.

Mr. MUNDY. Did we suggest at that time that we take Carbon County and Monroe County and add them to the so-called Horse-Shoe district; that we take Lehigh and Berks and join them together; and that we take Northampton and join that with Bucks; is that correct?

Mr. WADE. That is right, Mr. President.

Mr. MUNDY. And did we or did we not go over the figures and find out that would be, so far as the districts are concerned, a pretty fair apportionment, considering census figures.

Mr. WADE. With this exception Mr. President, the new district created would have a population of 419,517, or 119,512 more than the state ratio.

Mr. MUNDY. Mr. President, the gentleman from Cumberland is now talking about joining Lehigh and Berks together; that is one portion of that plan, is that correct.

Mr. WADE. That is right.

Mr. MUNDY. But the other section would balance up in reference to the mean figure that we took of 300,000.

Mr. WADE. That is correct.

Mr. MUNDY. And this proposition would affect two Democratic and two Republican Congressman; is that correct.

Mr. WADE. That is correct, Mr. President.

Mr. MUNDY. And would be pretty fair, as far as that basis is concerned.

Mr. WADE. Yes.

Mr. MUNDY. Now, Mr. President, did or did not the Democrats offer to take Lancaster and Lebanon and Chester, and join them together, and then to take Dauphin and to transfer it to another district.

Mr. WADE. That is right, Mr. President.

Mr. MUNDY. And when we roughly apportioned those figures it gave us a pretty fair average on the required 300,000 number.

Mr. WADE. No, Mr. President, I would not say that the entire membership of the committee agreed that would be an equal distribution in population. The now Nineteenth District, which is composed of Lebanon, Dauphin and Cumberland County, has a population of approximately 23,000 over its ratio. This redistribution of the Nineteenth District, dividing it up, makes two of those districts unusually heavy.

Mr. MUNDY. Mr. President, did the Democrats discuss or suggest that we take Erie and the northwest districts and reform them into a new district?

Mr. WADE. Mr. President, I agree that some of these meetings were held in the wee hours of the morning. I do not recall any such proposition, but I do not mean to say that the Senator is wrong.

Mr. MUNDY. Mr. President, I will close by saying that we did discuss that question of the forming of a new district in the northwest.

Mr. President, may I further interrogate the gentleman from Cumberland and ask him did the Democratic Senators move into the middle west and consider Butler, a new district, Butler and Mercer, and were we ably aided in that by the addition of a valient member of the Senate, Senator McQuiddy.

Mr. WADE. That is correct, Mr. President. Mr. Mc-

Quiddy placed himself as a martyr before the committee and offered to give Butler to anyone who wanted it.

Mr. MUNDY. Mr. President, did I not myself, as a Senator, suggest to the Committee that they could divide my home County of Luzerne, take the northern section and the southern section of Luzerne, divide them or annex them to additional territory to give us a new additional congressional district.

Mr. WADE. Mr. President, that proposition, as I understand it, was not considered carefully by the Committee, certain members of the Committee being advised that would not be constitutional.

Mr. MUNDY. Mr. President, did or did not the Democrats also suggest the addition of Bucks, annexing Bucks and Montgomery; am I correct in that.

Mr. WADE. I think, Mr. President, we Republicans should take credit for that proposition.

Mr. MUNDY. Then, Mr. President, by the same token, will the Republicans take credit for the constant and ceaseless vigil to insure that Bucks was not annexed to some known Democratic district.

Mr. WADE. I think that would be in order, for the Republicans to take credit for that.

Mr. MUNDY. Mr. President, I shall complete my interrogation by saying just simply this; the point I want to bring out is that the Democrats did after all make seven different proposals for a compromise in this matter, and the Democratic side did cooperate, and finally, I say this to you in conclusion, that as far as I am concerned as a member of that Committee, and this is very definite, there is no leadership in the Democratic Party or so-called leaders of the Democratic Party, who did or will in the future affect my judgment or affect my power of reasoning in any way, so that I would not be open to any conviction on that committee which would be for the best interests of the ten million people of Pennsylvania, and I feel that I can say that, too, about my colleagues on the committee of the Senate. I feel, too, that this failure of agreement on congressional reapportionment and the delay incident to that, and a few other things, will put down this session of the Legislature in history as one of the greatest legislative fiascos and debacles of which I know.

Mr. COLEMAN. Mr. President, I desire to interrogate the gentleman from Cumberland, Senator Wade.

The PRESIDENT. Will the gentleman from Cumberland permit himself to be interrogated?

Mr. WADE. I will, Mr. President.

Mr. COLEMAN. Mr. President, I desire to ask the gentleman from Cumberland if, when we presented the resolution suggesting that the Senate and House stay in session until they enacted a congressional apportionment law, if we did not have an agreement with him that the resolution would be properly considered?

Mr. WADE. Mr. President, I do not believe that is correct. I agreed with the gentleman from Lackawanna, Mr. Coleman, that a committee meeting would be called and I still maintain that is our position, we would call a committee meeting, call it immediately if the Senate would recess, in order to consider that resolution, but I think—and I am positive that was the extent of any agreement on the part of the majority.

Mr. COLEMAN. Mr. President, the answer of the gentleman from Cumberland leaves me tremendously confused. I asked him whether or not he would agree to call a meeting for the purpose of considering the resolution presented by myself and Senators Cox, Dent and Barr. He said that is not exactly right and then later indicated in his remarks that it was right. Now, maybe I had better phrase it in different English; refreshing the gentleman's recollection, I desire to ask him if he recalls when they had a meeting of the Committee, to which the sponsors of the resolution were invited, if at that time there was not a promise made that on the following day the committee would meet for the purpose of considering adoption of the resolution.

Mr. WADE. Mr. President, all the members of the Committee so far as I know were present, and since this is a direct accusation against the Chairman, I leave it up to any member of the committee on either side to answer that question.

Mr. COLEMAN. Mr. President, I desire to ask the gentleman from Cumberland if he recollects that I made the suggestion—having in my mind that there was an adjournment resolution in the House—that the resolution be reported out with the understanding that I would not call it up from the table; it would be tabled as soon as presented to the Senate, for the purpose of presenting those of us interested in congressional apportionment from having to go through the formality of asking for another meeting? I ask the gentleman from Cumberland if that is not so.

Mr. WADE. That is correct, Mr. President.

Mr. COLEMAN. I desire to ask the gentleman another question. I desire to ask the gentleman from Cumberland if he did not promise me that before the sine die adjournment resolution, which had already passed the House, was acted upon by the Senate, that he would give me at least five minutes notice.

Mr. WADE. I do not recall that, Mr. President.

Mr. COLEMAN. I desire to interrogate the Majority Floor Leader.

The PRESIDENT. Will the gentleman from Allegheny permit himself to be interrogated?

Mr. GELTZ. I will, Mr. President.

Mr. COLEMAN. I desire to ask the Majority Floor Leader if he has any recollection of the gentleman from Cumberland, Senator Wade, going to him and asking him whether or not he would agree to give us at least five minutes notice before having the Senate act on the adjournment resolution?

Mr. GELTZ. I have no such recollection, Mr. President.

Mr. COLEMAN. Mr. President, I desire to first of all express my share of the displeasure of my colleagues, particularly Senator Cox, at the action of the Committee. We were interested sincerely in congressional reapportionment and we felt that if the Senate had acted upon the final adjournment resolution that it would nullify the action of those of us who presented the resolution suggesting that the House and Senate remain in session.

Now, Mr. President, we are going through what obviously are the dying hours of an unusual legislative session. I say unusual in many respects, Mr. President, unusual because of its length, the longest in a period of

ninety-nine years. I say unusual because of its lack of any outstanding legislative achievement. I say unusual now in that it appears very definitely that the question of congressional reapportionment is out the window and that no bill will be passed unless the people responsible for the action of the House and the Senate relent in their position and finally pass a bill.

I appreciate, Mr. President, that everybody in the House and Senate is weary because of the tremendously long session. I do not know anybody here who is more physically and mentally exhausted than myself, but not to the extent, Mr. President, that it has so dulled my mental processes that I am not still thinking of the people in the Commonwealth of Pennsylvania and sincerely determined that this Legislature shall not adjourn sine die until such time as it fairly and squarely meets the proposition presented to us. I have tried to be very fair and I think the conferees on the other side of the house will agree that I am not trying to resort to any legislative trick. I want, first of all, it clearly understood I am not speaking for the leadership of the Democratic party; while I might express the sentiment of men on this side, I am speaking for myself as a member of the Senate of Pennsylvania.

I have been very honest in my relations with the chairman of the committee and with the conferees and I want it very definitely understood at the outset that anything I say is not to be construed as a criticism of the gentlemen who were given the responsibility by the House and the Senate of adjusting the differences existing on this all important bill.

Mr. President, I am frank to say that they had a tough problem and I am frank to say that all of those men are high type men who were inbued, I believe, with a determination to settle what is admittedly a tough proposition, so that anything I say is not to be construed as any attempt to find fault with the conferees or this committee.

I honestly feel that it is just a question of these men being sincere in their convictions that they are right and that they have reached a point where any further conferences seem to be a futile effort.

Now, Mr. President, I should like, if I possibly can, to paint a picture of what this means to the people of the Commonwealth of Pennsylvania.

In 1931 we had the same problem facing the General Assembly on that particular occasion, except that instead of eliminating one it was their responsibility to cut out two congressmen, and reduce congressional representation from thirty-six to thirty-four.

I am frank to confess that I do not think the responsibility lies within the Senate and House chambers. I want it very clearly understood that I have always felt that the legislative authority in the General Assembly was vested in the House of Representatives and the State Senate; I think that the only people who ought to have any power to breathe legislative life into this important proposition are Senators and House members, and I think that much of the opposition comes from the leaders, and I want it very clearly understood that I am designating no party. I think we have reached a stage in the consideration of this bill where the political leaders of the State of Pennsylvania on both sides ought to take a holiday and this thing ought to be considered by the men charged with the responsibility of considering this big issue.

I would like to read at this time, Mr. President, from what I think is a tremendously important document and which ought to very forcibly impress upon the members of the Legislature what will happen in the event this reapportionment bill is killed.

In 1931, as I indicated before, we reduced congressional representation from thirty-six to thirty-four. The members of the General Assembly then faced a tremendously important and a tremendously serious problem. Governor Pinchot in signing the bill, with which he was in some disagreement, said a very significant thing and I want to read an extract from that particular statement to the members of this Senate.

"I refuse to be a party of the practical disfranchisement of the honest voters of Pennsylvania through a political trick. He explained that the passage of this bill compels me to choose between signing it and thereby enacting into law a vicious apportionment, or vetoing it and thereby bringing upon the Commonwealth an unworkable and unfair election, in which the use of voting machines would be impossible. If on the average there were only three candidates for each place on the state wide ticket, a total of 588 names would appear on a state wide ballot. In addition to this bedlam of state wide names on the ballot, candidates for the entire House of Representatives would be voted for, as well as one Senator from the even numbered districts throughout the state. Add to that candidates for the state committee in each senatorial district and members of the county committees in each political unit and I have no language to describe the result."

He indicated in that statement that the purpose behind it was to enforce election of representatives to Congress at large instead of by districts as at present, and he added that such a move would throw the election into the hands of machine controlled party leaders in the great urban centers.

Now, Mr. President, I think the responsibility rests with the members of the Legislature. There have been all sorts of rumors questioning the sincerity of the leadership on both sides, perhaps by some of the members of the House and the Senate who are not members of the conference committee, and some suggestion has been made that Governor James ought to meet the issue when we adjourn and call the Legislature back into session, which to me is the silliest proposition that possibly could be presented. There is nothing that will change the factors involved in congressional apportionment, either now or ten years from now, if they are elected at large in the intervening period of time. Here we have been considering a bill for six months and have not been able to arrive at an agreement and, regardless of who the conferees are, I think that the power behind the throne, even if you appoint new conferees, will stick their hands into the thing and attempt to run the Legislature by remote control. I want to here and now enter my protest against any suggestion that the Governor summon the Legislature into extraordinary session to enact this all important bill.

Mr. President, this state has been a great state and this

nation has been a great nation, because we have had representative form of government. This action on the part of the House and the Senate now, in a period of world turmoil, as I have said before and repeat it again, will be the worst blow at democracy and the democratic form of government in the State of Pennsylvania in the history of this great Commonwealth. We ought to meet this issue as men. Back in the formative period of American history the pioneers got together and solved their problems—these problems of the present day suffer by comparison—though they did not look for any leadership on the part of anyone, they banded together and if there was a case of any invasion they repelled it. I think we ought to put this bill back in the hands of the Legislature again, and I am appealing to the pioneer spirit within the hearts of the members of the Senate and the House to get together and let us show the people in the State of Pennsylvania that kind of thing can not happen in this enlightened age.

Everybody knows what will happen in the event this bill is killed in this session of the Legislature. Can you picture, Mr. President, walking into a polling booth next year in the primary election and being handed a paper ballot containing five hundred or a thousand names of congressional candidates, with the notation on the top "Vote for thirty-three." That will open wide the door for the greatest political abuse in the history of the State of Pennsylvania, and while I do not think there is any necessity of doing that, I want the members of the Senate to indicate a sincere desire to stay here until we enact an apportionment bill and I would like to suggest to the gentleman from Cumberland that he call a meeting of the Committee on Congressional Apportionment for consideration of this resolution.

Mr. TAYLOR. Mr. President, there is no doubt in my mind that the members on both sides of the General Assembly can settle this question. There is no doubt in my mind that the gentleman from Luzerne, Dr. Mundy, has acted on his own, using his own judgment in the matter. There is also no doubt in my mind that those two fine young fellows from the House do not have anything to do with it, not a blessed thing to do with it, and I say that it would be better for both sides to go over there and do all their talking, because just this morning the Minority Floor Leader of the Senate told me there are five bills in controversy and he mentioned them.

I said, "let us get down to facts, let us take them in their order and see if we can make an adjustment." They gave five different reasons why they could not agree on the bills.

I said, "well suppose (just suppose) that we were to agree; after you have already agreed on these bills, four of them, suppose that we agree to accept your proposition, what about 507? The Minority Floor Leader of this Senate said at once "We never considered that for a moment. That bill is not controversial as far as we are concerned, because you will take this bill as we suggest or you will vote for congressmen at large."

Now, Mr. President, let us get back to our committee. We made seven proposals and so told this Senate. Later came proposals from the other side. I will agree that the Senator from the west last night, not less than twelve or fifteen times said "Take Butler." Well, of course we had too many eggs in the basket as it was. I did not consider that a proposal but there was a second proposal that came from the other side to which we readily agreed—the three Republicans agreed to that within thirty seconds—that proposal was withdrawn so I do not feel they can consider that a proposal in view of the fact that they made it and then withdrew. I can go on down the line and some of them were so ridiculous that they laughed at them themselves; they were just thrown in the hopper so that they could say, "You had seven and we had seven, so therefore we are even." I do not blame them very much.

I still reiterate that if we had three Dr. Mundys, this question would have been settled long ago, but not only the Minority Floor Leader of the Senate but the leaders of the House told us, "No chance, nothing doing on this congressional reapportionment; you will accept our suggestion or our proposal or it is out the window." That was said to us this morning, to five Senators.

We can not go on forever on this, Mr. President; I appreciate that we can not keep dilly-dallying forever. I am not advocating a special session of the Legislature; with the same people being back you will get no further.

Compromise. You can speak of compromise forever. We offered compromises but how can there be compromises if they will not make any concessions. We agreed to make all kinds of concessions to the other side, in this legislation to which they agreed and afterward they said, "Let us go back and get some more." If that is fair dealing, if that is honest dealing, then I am sorry I am in the Senate.

Mr. President, why can we not be fair about this thing? 420,000 population seems fair on the other side. We are asking to split the City of Philadelphia. We think that is fair, but we were told this, Mr. President, and names were mentioned, "We will never agree to this"—the Democratic party leaders said that. I can well remember when the Republicans were just as bad," I can well remember when Philadelphia dominated the House and the Senate and the rural population took what was left.

I will never sell down the rural population, back to the leaders of either side, in the big cities.

I could keep on speaking about what we have done in these conferences. I think an honest effort was made in there but the vote of the gentleman from Luzerne, Dr. Mundy, did not mean anything, because there had to be two votes from the House and there was never a chance to get two votes from the House, and they repeatedly told us so.

I do not think we should be censured for not trying to reach a conclusion. All we asked was a fair break in the game. We are the majority party in Pennsylvania. Since when does minority party say "You will take what we offer or nothing?" I did not know that was in vogue yet. I know when we were the minority party we got nothing. We were willing to give and take a little, but there is nothing left when you are told without any equivocation "You will take it or leave it," and the worst of all was when they said "We never intended to do anything."

Mr. President, if we get congressmen at large in Pennsylvania, it lies at the hands of those leaders.

Mr. HALUSKA. Mr. President, I am one of the few members of the Democratic party who this afternoon voted for adjournment sine die. I have been and am in sym-

pathy with the resolution offered by my Democratic colleagues Senators Dent, Barr, Coleman and Cox, that this Senate do not adjourn sine die until we pass a congressional reapportionment bill, but, having the highest respect and regard for the three conferees on the part of the Senate, Dr. Mundy, Mr. Taylor and Mr. Wade, who, I know, have told me the truth repeatedly after coming out of committee, and last night after hearing their report read, telling this body that insofar as they were concerned they were unable to come to any decent compromise with the conferees on the part of the House, then I made up my mind that I could not stand by my colleagues in the House who wish to stay here all summer, and therefore I was compelled, Mr. President, to vote to adjourn sine die.

I am in sympathy with the remarks made by the gentlemen from the right when they tell us they have gone as far as is humanly possible to reach some agreement, and I am speaking as a Democrat. I do not believe the Democratic party can in any sense lay any blame upon their doorsteps.

It is only a case of boss rule. If the members on the part of the House were free members, independent of outside influence, they could go into a conference, sit down and speak for themselves, but I am firmly convinced that they are puppets, that they are given their orders, and they will tell you, as has been stated on this floor, "Take our program or nothing."

They care not for ten million people in Pennsylvania, they are not serving their constituency, they are serving their bosses, so I go on record as saying as a Democrat that the Democratic party can in no sense put the blame on the doorstep of the Republican party, when those people go back home they will not be forgotten. Whether you stay here until next Christmas or whether you come back in a special session, until we are able to put men on a conference committee with some ability, some honesty, some integrity, as we have here in the Senate, there is no hope of ever agreeing, so I think that the gentleman from Allegheny, Mr. Geltz, acted wisely when he called up the resolution to adjourn sine die.

Certainly, Mr. President, we are entitled to leave here, and speaking for myself I am compelled to go back home; I must earn a livelihood; I have been away from my family for eleven days; I have stayed here day and night to do my little part, and I am certain I am speaking the sentiments of many more of my colleagues on both sides of the House, that since we can not agree it is useless to stay here forever hoping that somebody else might change their mind, so I want the gentlemen on the right to understand that I, speaking as a Democrat, feel they have done the right thing, and now without further ado, Mr. President, you should drop the gavel and send us back home, and the chips will fall in the right place, I am certain.

Mr. DENT. Mr. President, I could talk probably for hours. Being Senators, talking is our stock in trade. However, talking is not going to help much in this situation. I do not care who is at fault, I do not care who is to blame, but I know that we, the General Assembly, have failed miserably in the duties we should have performed. We have failed to live up to that which is expected of us as duly elected representatives of the people.

I do not care whose fault it is, but I can not go back home and tell my people that I had to come home without reapportionment because somebody in Timbucto did not like the method that we were applying to the problem That does not matter to me. I only know that this General Assembly should not dissolve itself, should not go home until this problem is settled. It is too important a problem, it too vital a problem, it means too much to the future of this Democracy.

With the war in Europe, with this country in the midst of great preparations for defense, as we call it, with every one of us expecting every day some sort of a proclamation on the part of the leaders of this nation, when we may be in a shooting war, we sit around here and wonder and worry about some ten thousand dollar a year special clerk in Washington. If the whole thirty-three were dropped, it would not matter a whole lot to the State of Pennsylvania from all I have seen that they do, and if we keep acting the way we are acting here, it will not matter a whole lot if they drop fifty Senators either.

I have been in a great many of these controversies where they became stalemated. As you look up in the sky, it may look awful black and you may not see any glimmer of sunshine, but having been born into the world in a laborer's family, and having grown up in the labor ranks, I learned a long time ago that just when everything seemed so black that you had no hope, then perhaps something comes through and you saw the sun shining again.

So, Mr. President, I would suggest that before we quit, before we leave these halls, that this Senate accept the resignations of the members of this Conference Committee, and I believe they should be more than willing to resign. They have done a good job. I have talked it over with them individually; I have expressed my opinion in the matter more than once, and I will express it here any time. I think they ought to resign and remove themselves from the position of being in any way to blame for what has happened here. I know they are not to blame. Let this Senate name a committee of six, three Democrats and three Republicans, none of them from the big cities, but from the rural sections. Who, pray, now are going to be the goats in this thing? The people in Lebanon, the people in Westmoreland and all the other so-called rural counties are as much entitled to representation in Congress as any of the people who live in Philadelphia or Pittsburgh or Scranton. I say that, because of what is going to happen.

We all know if we go into a congressional vote with the bars down, the big cities will control the votes and so I say, name a committee of six, the ruralites if you please, men of honesty, men of integrity—and in spite of what has been said I think you will find six in the Senate—to approach the House on the basis of talking over the conditions surrounding this reapportionment bill. If the House refuses to meet us, if the House refuses to act in the manner that they should act, their conference committee too should resign, because they failed in their job. Many a time in a labor dispute, at the eleventh hour, when a strike was voted upon and when the strike was called for the following morning, sometime during the night new faces and new ideas were put into the argument and the strike never came off. If labor, which has not the education that most of the men in the Senate have, if labor acted in the same way we are acting here, throwing up our hands and quitting just because we have bucked up against a problem just a little too tough for most of us, if labor would do that, you would have more strikes than

you could count in a year. Labor has learned through the years to have patience, and I am trying to ask you now to do the same thing. We have not done everything. We named a committee in the Senate of three men, and we left this problem in the committee's hands. I am not dissatisfied with the men themselves, but I am dissatisfied with the work that has been done and I have a right to be disssatisfied.

I represent 312,000 people back home and they are very much interested in having a congressman; they are very much interested in seeing that I do my job right, and if it takes a year we will still be doing the job a lot cheaper, mind you, than what it will cost the people of Pennsylvania to go into an election with the names of fifteen hundred or two thousand candidates on the ballot. Why, it would be simple for a man named Dent or Smith or Taylor or Walker, or any other name, to get all his relatives to throw their names in, and if one should get his name first on the ballot, or near the top, the rest would withdraw and you would have a Smith or a Dent or a Taylor or a Walker as your congressman. I do not know —my wife is here—maybe she will run.

Gentlemen, let me tell you that if this Senate is serious about this sine die resolution, then what Dr. Mundy said about this being a fiasco is a mild word to what the people are going to say it is.

I have enjoyed being here seven years, and I can not say that I am ashamed of anything that I have ever done here, but I know if I go home without doing something more than what I have done, . . . maybe I have been lax in my duty, maybe I have not moved as much as I could have moved and gotten around and talked to some of the men to get this problem settled, but let me tell you that all of the things that have been done here will be forgotten by the people six weeks after you leave here, but they will never forget the fact that you did not vote for reapportionment, because just as sure as the dickens, when they have to go into the polling places and vote, and they get that long list of names and they start going down through that list, the first fellow they are going to think of is the fellow that is to blame, and let me tell you, they do not know the Democratic party leaders or the Republican party leaders are to blame and they do not care; they do not run for office. We do.

Let me tell you this, too, if you are going to quit, if you have made up your minds to quit, then you can not quit without naming a legislative commission to study the problem of reapportionment. Eventually you will have to reapportion the state and so, if my other suggestion is not accepted, at least accept this one: pass a concurrent resolution naming a commission of five or seven or nine men, members of the General Assembly, to study the problem of apportionment between now and the next regular or the next special session, and come into this General Assembly with the problem worked out, taking into consideration more than has been taken into consideration this time. Consider the problem from three angles. I have heard a lot of talk about a district in Philadelphia having 260,000 population. However, I do not think congressmen should be elected on the basis of population alone, nor do I consider that congressmen ought to be elected on the basis of area alone. I think there are three dimensions to be taken into consideration. You must first take population, second area, and third the interests involved.

The City of Philadelphia probably has more financial interest in a congressman, in every one of their congressmen, than any other district, except the loop district in the City of Pittsburgh, so that too is worthy of consideration. It is much simpler for a congressman who represents 350,000 ruralites than it is for a congressman who represents 250,000 city dwellers, with the big businesses he has to contend with, and so when you take into consideration all angles, maybe Philadelphia is not so far wrong. I am not upholding the fact that Philadelphia wants to hold on to its congressmen, but you have got to admit that blame or name or game will never excuse this legislature for quitting now, at least without doing something; at least one more effort ought to be made by this General Assembly, the second thing we ought to do is to pass a concurrent resolution naming a commission to study the matter of reapportionment.

Mr. GELTZ. Mr. President, I desire to interrogate my colleague from Lackawanna.

The PRESIDENT. Will the gentleman from Lackawanna permit himself to be interrogated?

Mr. COLEMAN. I will, Mr. President.

Mr. GELTZ. Mr. President, did I understand the Senator from Lackawanna to state he was opposed to a special session to consider congressional reapportionment, because the same power behind the throne would be working then as is working now.

Mr. COLEMAN. Mr. President, if the gentleman from Allegheny will not interrupt me until I explain what I said, at length, I did say that, but I added further that the same factors involved in the question will be evident in a special session. In other words, Mr. President, it does not make any diffrence to me, and I make this very clear, whether you reapportion them now or whether you reapportion them two years from now, or whether you reapportion them four years from now, the fact remains that there are thirty-four now and under the new census there will be thirty-three, and there is not one of the thirty-four that is going to come to the bar of the Legislature and say, "Boys, I will make the sacrifice, I will step out." It is our responsibility, not that of the Conference Committee; it is our responsibility to reapportion, to obviate the necessity of a special session.

Mr. GELTZ. Mr. President, I now desire to interrogate the gentleman from Allegheny, Senator Cox.

The PRESIDENT. Will the gentleman from Allegheny permit himself to be interrogated?

Mr. COX. I will, Mr. President.

Mr. GELTZ. Mr. President, does the Senator from Allegheny agree with Senator Coleman that in a special session for congressional reapportionment, the same power behind the throne would be working as is working now?

Mr. COX. Mr. President, I feel that we should do anything within our power that would accomplish congressional reapportionment, whether it takes a special session or ten special sessions.

Mr. GELTZ. Mr. President, may I repeat my question: does my colleague from Allegheny agree with Senator Coleman that the same power behind the throne would be working in a special session as is working now?

Mr. COX. Mr. President, I can not answer that question, I do not know, but I do know this, it is evident

from the speeches on both the right and the left of this Senate that the members of this Senate are certainly not going to be controlled by any power behind any throne.

Mr. GELTZ. May I interrogate my colleague from Westmoreland, Senator Dent.

The PRESIDENT. Will the gentleman from Westmoreland permit himself to be interrogated?

Mr. DENT. Yes, Mr. President.

Mr. GELTZ. Mr. President, does my colleague from Westmoreland agree with Senator Coleman, that in a special session on congressional reapportionment the same power behind the throne would be working as is working now?

Mr. DENT. Well, Mr. President, if the gentleman from Allegheny means will the same leadership prevail in the House and the Senate, yes, I agree with that.

Mr. GELTZ. Mr. President, may I interrogate my colleague from Allegheny, Senator Barr.

The PRESIDENT. Will the gentleman from Allegheny, Senator Barr, permit himself to be interrogated?

Mr. BARR. Yes, Mr. President.

Mr. GELTZ. Mr. President, does my colleague from Allegheny, Senator Barr, agree with the statement of the Senator from Lackawanna that the same power behind the throne would be working in a special session as is working now?

Mr. BARR. What power does the gentleman from Allegheny mean, Mr. President.

Mr. GELTZ. The power as stated by Senator Coleman, Mr. President.

Mr. BARR. I do not know, Mr. President, I can not read Mr. Coleman's mind, as to what power he is referring to.

Mr. GELTZ. Mr. President, does my colleague, Senator Barr, admit that there is some power behind the throne which has been operating in connection with congressional reapportionment in this session?

Mr. BARR. I do not think in the Senate, Mr. President.

Mr. GELTZ. Mr. President, did my colleague, Senator Barr, hear one of his colleagues, the Minority Floor Leader, make a statement of that kind last night?

Mr. BARR. I certainly did, Mr. President, and I think the gentleman from Allegheny well knows, I asked him for a statement and he well knows one of the gentlemen he mentioned and I talked with him today and he insisted that the gentleman retract that statement, and I refer to Mr. David L. Lawrence.

Mr. GELTZ. Mr. President, to support the statement made by my colleague, Senator Coleman, and also the statement made by my colleague, Senator Barr from Allegheny, I want to read a portion of a newspaper article, of Wednesday, July 16th.

"A Republican charge that U. S. Senator Joseph F. Guffey favors a State-wide at-large election of Congressmen instead of a new reapportionment law by the Legislature, was confirmed conditionally today by the Senator's State leaders as the Legislature got into another fight and failed to adjourn on schedule.

"The charge was made and agreed to in a three-way conversation between Senator John M. Walker (R-Allegheny), Harry Shapiro, Democratic Senate leader, and Paul C. Lewis, secretary of the Democratic State Committee, with the understanding that anything said was "for publication."

"It followed a late night session of the Senate, in which futile efforts were made to discharge the conference committee on redistricting and Republican members were accused of "freezing" the bill in a move to throw open the election next year on an at-large basis.

"Senator Walker took exception to Shapiro's contention that the Legislature will enact a reapportionment bill when it returns at 10 a. m. and adjourn, stating:

"The bill's dead and you know it. I want to tell you about a telephone conversation I just had with Washington, Harry."

Noticing reporters closing in, Shapiro replied:

"Just a minute; is this for record; can it be published?"

"Every bit of it's for the record and for publication," Walker replied. Shapiro said, "O. K." and Walker went on with his story:

"Congressman Sam Weiss, a Democrat, who represents my district, (quoted Walker) called me tonight and asked how this matter stood. I told him flatly that it was a dead pigeon. (That is a new kind of a bird we have here now.) Then I asked him about the bill he's got in Congress—the one to allow the Federal Director of the Census to do the reapportioning if the Legislature fails.

"He told me that it had been referred to the House Rules Committee; that some old gentleman from the middle west was chairman of the committee and wasn't in favor of the bill. I asked him why he didn't get Senator Guffey to do something about it.

"Then Weiss told me, 'Do what you can, because even if my bill passes the House and goes over to the Senate, Senator Guffey will have it killed. He doesn't want reapportionment.'

"The bill's dead, Harry, because Guffey doesn't want it. Why don't you admit it?"

"That's right," replied Shapiro, "of course he doesn't. (Now, I would like to repeat just those words because of what is coming later: "That's right, replied Shapiro, of course he does not.") He knows and we all know that the Democrats can elect 33 Congressmen on a State-wide basis."

"At this point, Lewis (referred to above as Secretary of the Democratic State Committee) stepped into the conversation, adding:

"And Dave Lawrence, Jack Kelly and all the other Democratic leaders I've talked to would rather have a State-wide election."

Senator Joseph M. Barr (D-Allegheny) walked over and demanded:

"Did I hear someone say that Dave Lawrence was in favor of State-wide election of Congressmen?"

"You did," said Walker. "It was said right here by Paul Lewis."

"Well, he has no right to talk for Dave Lawrence," Barr said. Turning to Lewis, he asked: "Would you mind repeating that statement? I want to know if I should call Lawrence, even at this hour."

"I said that all the Democratic leaders would rather see a State-wide election than accept the Republican reapportionment proposal," Lewis said."

At that point, Mr. President, if I may, I would like to call attention to two facts, first that this was not our President of the Senate, Lewis—but here a new angle is put in, in connection with that statement, because Lewis very quickly, as he cleverly can, changed his statement that they would rather have a state-wide election than accept the Republican proposal on congressional reapportionment. But, Mr. President, all this which went before had nothing in it about accepting any Republican proposal. The whole conversation dealt entirely with the fact that the Democratic state leaders would rather have a state-wide election than have reapportionment.

Mr. BARR. He is a liar.

Mr. GELTZ. I am not lying; I might be mistaken, but I am not lying. That would seem to confirm, Mr. President, the statement which I made before, as coming from the Minority Floor Leader in the Senate, when he said "All we will need to do is to get the Great White Father up here in Pennsylvania and we can elect all thirty-three Pennsylvania Democratic Congressmen."

Mr. DiSILVESTRO. Mr. President, I asked to be recognized a little while ago, because I intended to refer to that article. I think it is unfair to stand up here and make accusations about either side, accusations from either side to the other. That article speaks for itself. Tony Smith wrote that in the Evening Bulletin, and when he writes, he writes three cents worth for the people to read, and I say for those men sitting right in front of us, they try conscientiously to put down the truth. What is the use of making speeches in order to try to influence the people on either side?

What should have been done from the first instance was to close these doors to everybody, politicians and everyone else, and have only the newspaper men and the legislators in this hall, and we would have had a reapportionment bill.

Mr. MUNDY. Mr. President, I desire to interrogate the gentleman from Allegheny, Senator Geltz.

The PRESIDENT. Will the gentleman from Allegheny permit himself to be interrogated?

Mr. GELTZ. I will, Mr. President.

Mr. MUNDY. Mr. President, when we first convened in this Senate, you had a program outlined to carry out the principles of the Republican Party, is that correct? You must have had some program.

Mr. GELTZ. I do not know whether I understand the question or not, Mr. President.

Mr. MUNDY. You must have had outlined a program by which the Republican Party hoped to carry out its principles; is that correct?

Mr. GELTZ. If the question was, Mr. President, when we opened this session, that is not correct, because I do not recall that we had any program at the opening of the session.

Mr. MUNDY. Mr. President, in the course of the meetings of the Senate, have you as leader of the majority had occasion at any time to outline a program; that is, have you had any occasion to assert your position as leader of the majority and say to your colleagues, "gentlemen, this is the program of the Republican Party."

Mr. GELTZ. Mr. President, I have not asserted myself as the leader of the Republican Party, in the Senate or elsewhere in connection with a program, but I will say—I do not know whether this is what Dr. Mundy means or not—it was our intention to pass a congressional reapportionment bill.

Mr. MUNDY. Mr. President, eliminating congressional reapportionment until later, I still will repeat: did you have some broad program, or did you in your caucuses outline some broad program of how the members were going to act in reference to their relations to your party?

Mr. GELTZ. Mr. President, I do not think I understand the question of my colleague, Dr. Mundy. We, of course, as the session progressed, did develop what might be considered a program, but that so-called program was at no time advanced by me; it was a development of the conclusions of the Republican Senators.

Mr. MUNDY. Then, Mr. President, the Republican Senators did meet in Caucus and develop a program for the Republican Party.

Mr. GELTZ. That is correct, Mr. President.

Mr. MUNDY. Was that program recently, about ten days ago, suddenly altered?

Mr. GELTZ. About ten days ago, did the gentleman from Luzerne say?

Mr. MUNDY. Yes, Mr. President.

Mr. GELTZ. Not that I recall, Mr. President. I can not remember any way in which it was altered, for quite some time.

Mr. MUNDY. Were you or were you not called to the Executive Offices of the Governor of Pennsylvania on numerous occasions, accompanied by the Minority Floor Leader at times, and did you or did you not discuss a change in your program with the Governor of Pennsylvania?

Mr. GELTZ. Yes, Mr. President, to the first part of that question, there were numerous conferences, and I do recall a change that was made, it seems to me, possibly some three or four weeks ago, but the last ten days have been so long, it might have been three or four weeks ago; I am not certain.

Mr. MUNDY. Were those changes a radical departure, and were there certain intimations suddenly offered to you to return to your Caucus, say three weeks ago.

Mr. GELTZ. Mr. President, those changes, the ones which I had in mind, were not any radical departure or any radical change, at least in so far as the Republican Senators were concerned, including myself.

Mr. MUNDY Mr. President, did or did not the gentleman from Allegheny read in the paper that John B. Kelly, Democratic Leader of Philadelphia, talked over the telephone to the Governor of Pennsylvania relative to certain legislation that was to be enacted in the Senate of Pennsylvania.

Mr. GELTZ. I do not believe I did read that in the paper, Mr. President, but I did hear it discussed.

Mr. MUNDY. Mr. President, at that meeting which the gentleman from Allegheny attended with the Minority Floor Leader, were certain compromises made on bills with the Democrats, in return for certain compromises which were made to the Republicans?

Mr. GELTZ. Mr. President, if my colleague means was

the mental hospital program abandoned and the W.P.A. program instituted; that is correct.

Mr. MUNDY. Was the mental hospital program a fixed program for you and for the Democratic Senators before the visit to the Governor's office?

Mr. GELTZ. I think my colleague means Republican Senators; not Democratic Senators.

Mr. MUNDY. Republican Senators, that is correct.

Mr. GELTZ. No, Mr. President, I can not say it was, because, whether or not my colleague knows it for some five months, or close to five months, the Republican Senators, including myself were opposed to the mental hospital program.

Mr. MUNDY. That is, you opposed the taking over of the mental institutions by the state?

Mr. GELTZ. Were we opposed to what had been planned to be done, the state taking them over? No, we were for the state taking them over. That is, we were for what has been done now.

Mr. MUNDY. Now, Mr. President, may I ask the gentleman from Allegheny, why did not the Republicans so vote?

Mr. GELTZ. I did not understand the gentleman, Mr. President.

Mr. MUNDY. Why did not the Republican majority so vote when the question came up?

Mr. GELTZ. We did vote that way, Mr. President.

Mr. MUNDY. Mr. President, I am under the impression that the gentleman from Allegheny presented a bill to delay the taking over of these institutions for two years, and that was the Governor's attitude; is that correct?

Mr. GELTZ. That is correct, Mr. President. I sponsored those bills myself, but I think they were introduced in the Senate almost four or five months after the session had been started.

Mr. MUNDY. And, Mr. President, the gentleman from Allegheny evidently introduced those bills in good faith.

Mr. GELTZ. That is correct, Mr. President, because of the fiscal situation, but from what seemed to be distinct change in what we expected in the receipts by the Commonwealth, it appeared then as though I was wrong and my Republican Senator colleagues were wrong, and the Governor was right, that it would be necessary to do that.

Mr. MUNDY. Did the Governor or did not the Governor express the opinion that he too was opposed to taking over these institutions by the state, because he did not have enough money to take them over.

Mr. GELTZ. That is correct, Mr. President.

Mr. MUNDY. And why did the Governor suddenly change his mind at that conference?

Mr. GELTZ. Well, Mr. President, I can not very well state why the Governor suddenly changed his mind, but I could understand why I would have changed my mind, because of the tie-up in the fiscal program of this administration, the delay in the tax bills in the House, the tax anticipation note bill, the relief appropriation, the general appropriation bill and all of those things, Mr. President, which were vital and necessary for the proper administration and conduct of the Commonwealth.

Mr. MUNDY. Mr. President, did or did not the gentleman from Allegheny agree in the Governor's office at that time, that the Governor should reduce his item in the budget from $130,000,000 to $104,000,000, and that the gentleman from Allegheny and the Minority Floor Leader agreed to give him a cushion of $15,000,000 on the side, to take over these institutions; is that correct?

Mr. GELTZ. Does my colleague mean, Mr. President, when he says reduce to $104,000,000, the relief appropriation?

Mr. MUNDY. Exactly.

Mr. GELTZ. I believe, Mr. President, although I may be mistaken, that the general relief bill was passed with the amount of $130,000,000 and some odd hundreds of thousands in the relief appropriation bill, which amount, of course, we expect to be adjusted by what is left for relief, whatever that amount will be, after the Governor has set the appropriations for the various departments and subsidies in the other appropriation bills.

Mr. MUNDY. I again ask the Senator: was there an agreement over there that the Governor would reduce that, or accept a reduction to $104,000,000, provided you gave him a deficiency appropriation as a cushion, of $15,000,000.

Mr. GELTZ. I do not believe so, Mr. President; I do not believe the amount was definitely fixed at $104,000,000; although I may be mistaken.

Mr. MUNDY. But, Mr. President, there was an agreement as to a reduction and to accept a deficiency budget or cushion of $15,000,000 to take care of these institutions.

Mr. GELTZ. Mr. President, I do not believe that is stating it quite the proper way, that there was an agreement to accept a reduction. As a matter of fact, the representatives of the Democratic Party, the Majority Floor Leader of the House and the Minority Floor Leader of the Senate, were very definitely and distinctly told by the Chief Executive that if the Commonwealth took over the mental hospitals, that would necessarily cut into what had been counted on as the amount left for relief in the Commonwealth, and that was the thing, Mr. President, which caused the Chief Executive to make a fight for that idea or principle of his to the extent he did, because he wanted to the best of his ability to be certain that there would be a sufficiently large appropriation to take care of relief without the necessity of calling a special session for that purpose.

Mr. MUNDY. Mr. President, when was the little W.P.A. injected as one of the things that your party was going to support.

Mr. GELTZ. Mr. President, the first time I heard anything about a little W.P.A., I believe, was the first time the Governor addressed a joint session at the beginning of the session, at which time he talked about state relief projects for the purpose of endeavoring to carry this load. Sometime during the session, just when I do not recall, an amendment was introduced to the bill providing for covering the Department of Public Assistance by, I believe, my colleague, Senator Heyburn, at my request.

Mr. MUNDY. Mr. President, was there at that time, to the knowledge of the gentleman from Allegheny, any agreement between Mr. John B. Kelly of Philadelphia, the Democratic leader and the Governor of the Commonwealth of Pennsylvania, that if the Democrats ac-

cepted the little W.P.A., he would take over the mental institutions.

Mr. GELTZ. Mr. President, I know nothing about one John B. Kelly. I believe I have seen the gentleman once since I have been down here and I believe that was in the lobby of the Penn Harris. I have never talked with him to my knowledge, and I at no time heard him talk to the Governor, nor the Governor talk to him, to the best of my recollection.

Mr. MUNDY. Mr. President, was the gentleman from Allegheny advised officially that there was a conversation over the telephone from Ocean City to the executive mansion, about these affairs.

Mr. GELTZ. I was not, Mr. President.

Mr. MUNDY. Did Mr. Shapiro, the Minority Floor Leader, attend those conferences with you?

Mr. GELTZ. Senator Shapiro did attend some of them, Mr. President.

Mr. MUNDY. And Mr. Shapiro always consistently advocated the taking over of the mental institutions by the state?

Mr. GELTZ. That is not correct, Mr. President. I recall distinctly one time Senator Shapiro said something to the effect that "we have agreed to go along with the Governor on the mental hospital proposal," and then coupled something else up with it, and it did not go through, and as a matter of fact, after hearing that statement, Mr. President, I felt so certain that I made a five dollar bet and lost.

Mr. MUNDY. Mr. President, may I ask the Majority Floor Leader, Senator Geltz, whether he was or was not at a conference on Sunday or Monday in the office of the Governor of Pennsylvania, or was he apprised of the fact that the Governor of Pennsylvania had sent for the Minority Floor Leader of the Senate and for the Democratic leader of the House, and suggested to them that if certain compromises were made in legislation that the Democrats could have their apportionment bill.

Mr. GELTZ. Does my colleague, Mr. President, when he says Sunday or Monday, mean Sunday or Monday of this week?

Mr. MUNDY. Yes, I mean the most recent Sunday and Monday.

Mr. GELTZ. I was not present, Mr. President, nor do I know anything about it.

Mr. MUNDY. Was your Caucus informed in any way that there had been a change in attitude upon the part of the Governor in the apportionment plan, or did the gentleman from Allegheny hear any rumor of such.

Mr. GELTZ. The only rumor I heard, Mr. President, was at the last conference which I attended with representatives of the Democratic Party, and at which conference I became so disgusted and enraged that I got up once to leave and was prevailed upon to stay, and finally did leave before the conference was completed, because, Mr. President, at that conference some reference was made to the statement which Dr. Mundy has just made, and we were also told at that time, five Republican Senators, Mr. President, that Senate Bills Nos. 653 and 654, being the two civil service bills which had been agreed upon that morning by the representatives of the conference committee in the House, had been agreed upon because of a misapprehension on their part, and so they were not yet settled.

Mr. MUNDY. Did that agreement or did not that agreement include four items, the civil service bills, unemployment compensation, the so-called big truck bill, and reapportionment.

Mr. GELTZ. What agreement, Mr. President.

Mr. MUNDY. The understanding that was had in the office of the Governor of Pennsylvania.

Mr. GELTZ. Oh, Mr. President, I said nothing about any understanding that was had with the Governor of Pennsylvania, nor in the Governor's office, and I wish that construction would not be placed upon my remarks. I said only this, Mr. President, that I heard a suggestion or rumor—call it whatever you want, because I am sick of calling things with those individuals—that some deal or agreement had been made of which I knew nothing, and it disguested me completely and I left.

Mr. MUNDY. Then, Mr. President, may I ask the gentleman from Allegheny, if he had no knowledge of that, why did he go back to his Caucus and why did he call a special Caucus to discuss these matters with the members on the Republican side, in order to effect a change in the program that they had already outlined.

Mr. GELTZ. Mr. President, that is very easily, simply and truthfully answered. We were already in Caucus when word was sent to us that the Democrats wished to talk with Senator Ealy and myself, and because of our sad experiences, Mr. President, we requested that there go with Senator Ealy and myself three other Republican Senators. We went down from the Caucus as the Caucus was still going on, and it was only natural, Mr. President, when I came back that I went back to the Caucus which I had left.

Mr. MUNDY. Mr. President, in the Republican platform, when the candidates ran for office, they ran on a specific platform, is that correct, and they made specific promises to the people of Pennsylvania; is that correct?

Mr. GELTZ. I am sorry, Dr. Mundy, I was trying to use two ears in two different directions, and it does not work. May I ask the Senator from Luzerne to repeat his question?

Mr. MUNDY. Mr. President, I think the Senator from Allegheny is capable of taking care of himself very well; my association with him, at least, convinces me that he will take care of this question very well himself. Did or did not the Republican Party, when your candidates ran for office, offer to the people of Pennsylvania a certain platform; did they not make specific promises to the people of Pennsylvania?

Mr. GELTZ. That is usually the case, I think, Mr. President.

Mr. MUNDY. Was it the case the last time, when your candidate for Governor of Pennsylvania was campaigning, did he or did he not make specific promises to the people of Pennsylvania?

Mr. GELTZ. I think that is correct, Mr. President.

Mr. MUNDY. Was one of those promises a uniform civil service system?

Mr. GELTZ. I do not know, Mr. President, if that was in the platform of the Republican Party. I do not believe that was included, Mr. President.

Mr. MUNDY. Mr. President, did the Governor of Pennsylvania in several speeches specifically state that he was going to put all employes under a civil service act.

Mr. GELTZ. I do not recall, Mr. President, whether he did, on one occasion make such a promise or a statement, but I believe in that same message to the joint session to which I before referred, he said something about extending civil service in the administration, although I am not positive.

Mr. MUNDY. I thank the gentleman from Allegheny.

There has been discussion today, Mr. President, of the so-called powers behind the throne, and everybody has vaguely referred to certain powers behind this so-called fiasco or debacle. I now am going to specifically state who, and by name, those powers are.

I say to you, gentlemen on the other side and to my colleagues on this side, that we did have a specific outline of a program, both Democratic and Republican. You men over there honestly got up and took advantage of every possible legislative point and fought for the principles which you espouse, and so did my colleagues on this side. When we come out of civilian life we make some sacrifices to come here, and as Senator Geltz said, all of us in a sense have stayed here and have taken it.

Now, we come to a paradoxical situation which presents itself to the people of Pennsylvania. For months your side of the House did not receive one word of encouragement, one single word of direction on anything from the Governor of Pennsylvania. As a matter of fact, I read repeatedly in his statements that he was going to hold aloof from legislative matters, that it was his principle to keep out of that, and let the Senate and the House decide those things for themselves, and then suddenly one day he mounted the rostrum over there, shed all the dignity the Governor of Pennsylvania should possess and retain, and assailed the Democratic members of the House and the Senate in the same manner as some ward politician at some ward meeting, in the same language, in the same type of address, but the fact remains and the fact still stands out, that from that time on he has been dealing with the Democratic minority to put certain pet bills of his over, at the sacrifice of other legislation which you gentlemen fought so hard for.

On the other hand, we have the Philadelphia leadership, which sacrificed the things near and dear to us, which were party principles that we fought for in Pennsylvania, and when you fix the responsibility, you fix it in this way, that the Governor of Pennsylvania, your titular leader, sold you out and Jack Kelly, the leader in Philadelphia, sold the Democratic Party out, and the Governor of Pennsylvania very frankly told them the other day—and this is for you, Senator Taylor and Senator Wade, I might have told you in committee—he told them that, for certain exchanges, the original Achterman amendments would be written into the apportionment bill. It is no wonder that the Minority Floor Leader would get up on this floor and say to you he is not interested in this thing, because he had the assurance of the Governor of Pennsylvania that for certain exchanges this apportionment bill sponsored by the Democrats would go through.

Now, gentlemen, Mr. Kelly sends from Philadelphia up here—he has visited this place twice, visited Harrisburg, to my knowledge twice—he is trying to handle this thing by remote control over the telephone, talking to the executive office, and he sends up here as an insult to the intelligent members of the Democratic Party to conduct Democratic affairs, a former bag man for S. Davis Wilson of Philadelphia, a discredited bag man, and we members here who come with some degree of responsibility, must take orders—yes he will dare to give orders—he does not come into the Senate, he does not dare to do that, but he tries to hand out orders, and if there is any blame for this reapportionment bill not passing, do not ask who is back of it; I will tell you who is back of it, the Governor of Pennsylvania and John B. Kelly have stopped it.

RECESS

Mr. GELTZ. Mr. President I move that the Senate do now take a recess for 30 minutes.

Mr. EALY. Mr. President, I second the motion.

The motion was agreed to.

AFTER RECESS

The PRESIDENT. The time of recess having elapsed the Senate will be in order.

QUESTION OF PARLIAMENTARY INQUIRY

Mr. CARR. Mr. President, I rise to a question of parliamentary inquiry.

The PRESIDENT. The gentleman from Butler, will proceed.

Mr. CARR:

OH WELL!!

Here I am, covered with rags and dirt,
Without a clean collar without a clean shirt;
I came prepared to stay for the day
And now that I'm here I can't get away;
I left a good home and I left a good wife
To suffer a most unenjoyable life.
If ever get back I never will roam
From that dear loving wife and good happy home.
My Jimmie, the boy that is grandson to me,
I am longing deep down in my heart for to see.
Instead I must listen to Senators rave.
Like chattering monkeys, they can not behave.
Oh give me, Good Lord, the right to inquire
Why previous to death I should go through this fire;
I haven't been bad and I've tried to do well,
So why in the world should I suffer this Hell?

PERMISSION TO ADDRESS SENATE

Mr. HEYBURN. Mr. President, I ask permission to address the Senate.

The PRESIDENT. The gentleman from Delaware may proceed.

Mr. HEYBURN. Mr. President and members of the Senate, the Republican conferees on the part of the Senate and the House of Representatives appointed in connection with Senate Bill No. 80, the Unemployment Compensation Act amendments, wish to make a report of progress.

The original bill contained many points of simplifica-

tion and liberalization for the benefit of labor, some of which are as follows:

Modify definition of "employer" to include a successor in interest clause. When I say successor in interest clause I mean there are certain unscrupulous employers in Pennsylvania who have evaded this tax for years and some of them have never paid the tax. For instance, we will take a firm calling themselves, we will say, The Peerless Manufacturing Company; when the department finally gets after them and proceeds to collect or attempts to collect, they find then that the Peerless Manufacturing Company has changed its name to the American Manufacturing Corporation and the owner, who may be one and the same man, or a member of one and the same family, perhaps, protests that he owes no money because it is a different corporation. This new amendment makes a successor in business liable.

It also provides in this redefinition that employers of non-resident employes can come under the act by election. I mean by that a business domiciled in the Commonwealth of Pennsylvania, where they have employes regularly going out from time to time to work over the state line, are not covered. Some employers have desired to elect to come under the act and this provision will give them the right to do so.

It also amends the Pennsylvania act to conform to the federal amendments of 1939, to exclude service in college clubs, fraternities, and sorority houses, which in effect has prevented some students from working their way through college due to the fact that their recompense for waiting on tables has been figured and assessments made upon them for food and room and board and so forth. As a result, all that red tape has encouraged those college organizations to hire people to do the work, instead of allowing young boys and girls to work their way through college. Therefore we made that amendment at the request of many people, including organized labor.

It also provides by amendment that an officer of a local fraternal or labor organization may make as much as $180 per year and yet his salary will not be taxable. This is an amendment which was requested by labor unions and fraternal clubs and so forth.

It also complies with the federal definition of farm exemption.

It also excludes services performed for a foreign government, such as services in embassies and consulates and things of that nature.

There has been included, to conform with the federal act:

Wages paid for services to charitable or religious organizations, when engaged in influencing legislation. In other words, when they lobby for a charitable organization, work around the legislative halls of this Commonwealth, they will be covered by unemployment compensation and their salaries will be taxable.

Services for instrumentalities of the United States not wholly owned by the United States and not exempt from federal income tax laws, such as Federal Housing Corporations and so forth. Those employes have not been covered.

Redefines total unemployment in order that a worker may earn as much as $156 per year without being considered employed. To boil that down it means a worker receiving an unemployment compensation check of fifteen dollars could make three dollars per week doing odd jobs and still not interfere with his weekly benefit check. Under the present act if he makes as little as five cents he is automatically taken off the compensation rolls.

Provides a modification of the definition of wages to exclude, among other things, allowances paid draftees and volunteers. I mean by that, Mr. President, that some employers, patriotic as many of them are, when their employes are drafted or when they enlist, those employers provide that employes shall receive twenty-five per cent, for instance, of their salary while they are in the service. Under the present law that is taxed. That is a penalty on a good deed and the veterans and several other groups have asked that these amendments be made.

We have also provided for an advisory council, composed of employes, employers and the general public, to be appointed by the Governor. The idea in that was that this advisory council could study the act and its application and so forth and recommend to the Legislature at its regular and special sessions just what changes should be made to liberalize the law from time to time and keep it in conformity with the national act.

It also provides for the destruction of obsolete records. There are so many records used in the administration of unemployment compensation that the storage of those records has become a matter of renting a tremendous amount of space, involving a lot of expense to the Commonwealth. We provide in this amended bill that the obsolete records shall be destroyed, or may be destroyed, although a microfilm is taken of them in case there may be some emergency arise when it would be necessary to see them.

We also increase the effectiveness of collections of the tax by giving the department power to compromise delinquent taxes, penalties and interest, in connection with bankrupt employers. In other words, where an employer has become bankrupt and there is only so much money available, the department under this amendment can go in and get as much as possible by compromise. In the case of delinquent employers we permit the department to compromise penalties and interest, with approval in both cases by the Department of Justice. The reason we have done this is that certain industries in the Commonwealth have been so far back with their payments to the fund, that if the department enforces the law as it should be enforced, those delinquent taxpayers would be put out of business. There are a tremendous number of coal companies in the Commonwealth which are so far back in their unemployment compensation contributions that I understand to enforce this act and collect would simply close them up. This amendment provides that the tax itself cannot be compromised but the interest and penalties may be.

It also gives the department the power to assess and establish liens against delinquent employers. Under the present act, as it now stands, if an employer gets in arrears with his tax and the department proceeds to collect, the employer pretends or contends he does not owe a certain amount of tax, we will say, and the department is seriously handicapped in collection. Under this bill they could assess the tax the same as they do now with other state taxes and then it is the duty and the responsibility of the employer to prove he does not owe that much tax.

It reduces the waiting period from three to two weeks, Mr. President, which is a very liberalizing feature. Now when an employe loses his job he must wait three weeks before he can apply for unemployment compensation and under this amendment he would only have to wait two weeks, which in effect takes away thirty-three and one third per cent of the waiting period.

It reduces the maximum eligibility figure from $195 to $100 per year and modifies the ineligibility for unemployment compensation section by denying benefits only to those leaving work without good cause. That was an amendment asked by labor and I think it is a good one; as it is very fair. There are some employers in the Commonwealth who do not provide suitable working conditions for their employes and once those employes left on account of unbearable conditions they were not eligible to receive unemployment compensation. Under this liberalized amendment an employe can leave employment where working conditions are not satisfactory and receive unemployment compensation.

It raises the minimum to eight dollars; the old minimum was $7.50.

It provides a table for benefits so simple that any employe can read it on a moment's notice and tell how much unemployment compensation he is entitled to.

We have agreed to another liberalizing feature in the conference committee, however, and the insertion of that would prevent the use of the table because it is an actuarial problem and can not be worked out by any member of this Senate and can not be worked out unless one has almost a month in which to do it.

It protects the benefit rights of those entering the military service in defense of democracy and their country by providing that their benefit rights shall be maintained and preserved. For instance, an individual who entered the armed forces and later returned, his past earnings would entitle him to practically no benefits if he lost his employment. We have provided in this bill, as originally amended in Senate Bill No. 80, when that individual returns from service his benefits situation will be identically the same as when he left to serve in the armed forces. The bill also abolishes the need for quarterly redeterminations. By the way, I just heard from the Social Security Board that this amendment must be made in order to conform with the Federal Act or this Pennsylvania Act is liable to be unworkable.

I mean by quarterly redetermination, Mr. President, once a man gets unemployment compensation, when his benefit payments run over into another quarter it is necessary to redetermine his benefits, which causes a lot of trouble and red tape to the department and it is almost impossible to do. It makes no difference practically; in some cases the individual would get a few cents more or a few cents less. The federal act has been so amended and I understood from a representative from the board a short time ago this amendment must be made in Pennsylvania.

Mr. President, it also provides for an authorized department to handle mass appeals instead of on an individual basis. We have done that in order to expedite the payment of benefits to workers when a great number of them are applying for benefits. For instance, take a strike in any big plant where the unemployment compensation board rules that they are entitled to benefits on a certain date. This means that they all would be entitled to consideration. For instance, suppose there are five thousand people working there under the present act you would have to decide five thousand cases, which would mean some people might not get their checks for five years.

Mr. President, roughly speaking, those are some of the things that we included in the original Senate Bill No. 80, which was prepared after a study was made, covering two years, by a committee of which I happened to be chairman, at which time it was agreed by all members that we could have a non-controversial bill. At the introduction of the bill, as you will recall, last January or February, I said just that and asked the Legislature please to pass this non-controversial bill, stating that all controversial features could be put in another bill in order that labor should not be denied these benefits upon which there was unanimous agreement.

The bill was amended in the House and all the benefits I have just told you about were stricken out completely, in their entirety, and a new bill substituted for it. The bill then came to a disagreement and a committee of conference was appointed, of which I happened to be a member representing the Republicans in the Senate, and we met several times and discussed the situation.

Then, Mr. President, a few days ago the Minority Floor Leader, Senator Shapiro, came to me and we proceeded to discuss the matter and he apparently was taking over the duties of the Democratic conferees. After a few conferences with Senator Shapiro and with certain labor leaders, I found that there had been a change made in the definition of labor dispute, which was suggested by representatives of the department and the Social Security Board in order to simplify the situation. However, labor —at least certain labor leaders—seemed to disagree with that and the committee had no objection to placing it back in its original form. That was agreed to.

After thinking the situation over carefully and making as much of an investigation as could be done in a few hours, Republican members of the committee felt that an extra week of compensation should be provided, making the number of benefit weeks fourteen instead of thirteen.

After taking this situation up with Senator Shapiro I was told by him that he was willing, and those he represented were willing, to scuttle the whole bill, as I have just outlined, and include only partial benefits. I mean by partial benefits, Mr. Preisdent, benefits for those people who do not work a full week. The reason no reference to this was made in this bill was that the resolution authorizing our appointment provided that a study be made of merit rating and we proceeded first to study merit rating before studying the act in general.

At these hearings, Mr. President, all testimony seemed to point to the fact that experience rating and partial benefits were bound together and could not be separated; if we were to have partial benefits it was testified we must have merit rating. Tremendous opposition developed to merit or experience rating on the part of labor—the coal and steel interests of the Commonwealth —and after numerous public hearings we decided it would be useless to further explore the field of merit

rating at this time, because it seemed that no agreement could be reached on the part of the three interests, labor, steel and coal, and so we decided to no longer proceed in this field in view of the two being bound together, we did not proceed further in the field of partial unemployment payments.

Mr. President, Senator Shapiro's ultimatum was that we must take these partial unemployment benefits or nothing, so I, in the limited time available to me, commenced to make some sort of investigation of the matter. He said that two sections of the Commonwealth suffered because of lack of partial payments, namely, the coal areas and the garment industry in the City of Philadelphia. I called numerous people in the coal section of the Commonwealth, and was told by them that the coal industry is in good shape, and they expected the miners to work four days a week, at least, for the next two years, and perhaps a full week, so that the partial unemployment problem they contend did not seem so pressing at this time in the coal sections of the Commonwealth. However, the committee realizes there is a problem there, and suggested to Senator Shapiro that we not sacrifice the other good features of the bill, but introduce a resolution to provide for a study of partial unemployment benefit payments, and report at the next regular or special session of the Legislature, to which Senator Shapiro would not agree.

I then checked on the garment industry mentioned, in the City of Philadelphia, and there I got a shock, Mr. President, that made me shudder. I was told that in this garment industry down in that section of the state, as well as in some others, existed this terrible sweat shop condition which flourished a few years ago and which has been almost banished from the face of Pennsylvania, that symbol in the dark pages of the history of labor's long battle for their just share of the products of their toil. I was alarmed about that situation, Mr. President, and then I commenced to investigate the matter and found out why this experience rating had been connected with partial benefit payments. Certain laborers down in that territory, as well as the better employers, told me that these sweat shops would return to Pennsylvania by the hundreds if they could give a young woman two days work a week and every few weeks have her receive a meager check from the Unemployment Compensation Bureau to keep body and soul together. Mr. President, during the dark days of the depression, I knew in that section of young women working in that industry and making as little as $2.50 per week, and with this partial benefit situation, it seems to me there should be some penalty set up to penalize those employers or somehow regulate them, to prevent them from paying starvation wages and paying these women workers for two days labor and then trying to piece it out by a check from the Unemployment Compensation Fund of the Commonwealth. That condition seemed to be unspeakable and therefore a resolution to make a study of the situation seemed to appeal to the Republican members of the committee more than ever.

It seems, according to the best actuarial figures we can get, that the recommendations for liberalization herein made will probably amount to between seven million and eight million dollars per year.

Mr. President, in connection with the original study, I reminded Senator Shapiro that this committee of which I happen to be chairman, worked under the Joint State Government Commission, and at several times periodically reported progress to that Commission, and when the bill was ready for introduction, the committee chairman again reported to that Commission and the bill was unanimously approved after his second appearance, and on that Commission sat Senator Shapiro, the Minority Floor Leader.

Mr. President, we hear some talk about the growing of the fund, and I know it is, and I am glad it is, because if the dark days of depression strike us again, when Hitler lays down his arms in Europe, in defeat I hope and pray, and I am confident he will, then, Mr. President, you are going to see a very sharp falling off in employment again in the Commonwealth of Pennsylvania.

The latest figures show that three million five hundred thousand people are now employed in the Commonwealth. Some believe it will reach maybe four million, but suppose it stays at three million five hundred thousand and a depression comes and one million of those people lose their jobs. If they have been making good money and have a good wage record as far as benefits are concerned, as all labor does at the present time, because thank goodness they are making good money, the drain on the fund would probably be for those one million workers two hundred million dollars in one year. That gives us some cause for alarm when it comes down to liberalizing the fund too much, Mr. President, the fact that in the year of 1938, contributions and interest on the fund already held by the department amounted to $71,581,000, while the benefits amounted to $71,553,000. In other words, the actual contributions were less in 1938 than the benefits. Therefore, Mr. President, we thought that this was as far as we could go in the liberalization of unemployment compensation at this time and be safe, with the understanding that this resolution would be introduced and a full and complete study made of partial benefits with a report at the next session of the Legislature.

Mr. President, I am told by Senator Shapiro that this compromise bill of the Republican members of the conference committee is not satisfactory to himself or the party which he represents and, according to him, certain labor leaders.

Now, Mr. President, I do not know how any person who is supposed to represent the working people of the Commonwealth can afford to scuttle this bill and not give them the benefit of all these liberalizing features I have just outlined to you, and that is what is going to happen if this Conference Committee does not make a report. I thought the matter entirely too important to place in the hands of one man who represents any party or organized labor. I thought the stand of the Republican members should be known to one and all, regardless of party.

Mr. President, I send to the Chair a copy of the agreement reached by the Republican conferees, and signed by them. It is not a conference report, I am sorry to say, because the signatures of the Democratic members could not be obtained. However, for the benefit of those in the Commonwealth interested in unemployment compensation and the welfare of labor as well as the members of

this Legislature, I suggest that it be spread upon the record.

The report was read as follows:

REPORT OF REPUBLICAN CONFERENCE,
SENATE BILL No. 80

To the Members of the Senate and House of Representatives:

We, the undersigned, Committee of Conference on the part of the Senate and House of Representatives for the purpose of considering Senate Bill No. 80, entitled: "An act to further amend the act, approved the fifth day of December, one thousand nine hundred and thirty-six (P. L. 2897-1937) entitled 'An act establishing a system of unemployment compensation to be administered by the Department of Labor and Industry and its existing and newly created agencies with personnel (with certain exceptions) selected on a civil service basis; requiring employers to keep records and make reports and certain employers to pay contributions based on payrolls to provide moneys for the payment of compensation to certain unemployed persons; providing procedure and administrative details for the determination, payment and collection of such contributions and and the payment of such compensation; providing for cooperation with the Federal Government and its agencies; creating certain special funds in the custody of the State Treasurer and prescribing penalties,' changing the provisions thereof and the rights, obligations and procedure thereunder".

respectfully submit the following bill as our report:

WELDON B. HEYBURN
HENRY I. WILSON
(Committee on the Part of the Senate)

HARRY E. TROUT
(Committee on the Part of the House of Representatives)

An Act to further amend the act approved the fifth day of December one thousand nine hundred and thirty-six (P. L. 2897 1937) entitled "An act establishing a system of unemployment compensation to be administered by the Department of Labor and Industry and its existing and newly created agencies with personnel (with certain exceptions) selected on a civil service basis requiring employers to keep records and make reports and certain employers to pay contributions based on payrolls to provide moneys for the payment of compensation to certain unemployed persons providing procedure and administrative details for the determination payment and collection of such contributions and the payment of such compensation providing for cooperation with the Federal Government and its agencies creating certain special funds in the custody of the State Treasurer and prescribing penalties" changing the provisions thereof and the rights obligations and procedure thereunder

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section four of the act approved the fifth day of December one thousand nine hundred and thirty-six (P. L. 2897 1937) entitled "An act establishing a system of unemployment compensation to be administered by the Department of Labor and Industry and its existing and newly created agencies with personnel (with certain exceptions) selected on a civil service basis requiring employers to keep records and make reports and certain employers to pay contributions based on payrolls to provide moneys for the payment of compensation to certain unemployed persons providing procedure and administrative details for the determination payment and collection of such contributions and the payment of such compensation providing for cooperation with the Federal Government and its agencies creating certain special funds in the custody or the State Treasurer and prescribing penalties" as amended in part by section one of the act approved the eighteenth day of May one thousand nine hundred and thirty-seven (P. L. 658) by section one of the act approved the twentieth day of June one thousand nine hundred and thirty-nine (P. L. 458) and by the act approved the sixteenth day of May one thousand nine hundred and forty (Act Number 9) is hereby further amended to read as follows

Section 4 Definitions The following words and phrases as used in this act shall have the following meanings unless the context clearly requires otherwise

(a) "Base year" means the first four of the last five completed calendar quarters immediately preceding the first day of an individual's benefit year excluding however any completed calendar quarter which occurs prior to January first one thousand nine hundred thirty-seven

(a) (1) "base period" means the first eight out of the last nine completed calendar quarters immediately preceding the first day of an individual's benefit year

(b) "Benefit year" with respect to any individual means the fifty-two consecutive weeks beginning with the first week occurring after January first one thousand nine hundred thirty-eight with respect to which compensation is payable to him for which the individual files a valid orginal claim and thereafter the fifty-two consecutive weeks beginning with the first week with respect to which compensation is next payable to him for which the individual next files a valid original claim after the termination of his last preceding benefit year

(b1) "valid original claim" means the initial claim which is filed by an individual in accordance with the rules and regulations of the department and solely for the purpose of beginning and establishing an original or subsequent benefit year and which claim is determined by the department to be valid and the claimant eligible to receive benefits for a week of total unemployment in accord with the provisions of the law except however that for the purposes of this subsection the waiting period of at least two weeks required by the law shall not be required to occur within the benefit year

(b2) a "compensable claim" means a claim filed by an individual with the department in accord with its rules and regulations in which the individual claims payment of benefits to him for a specific week of total unemployment

(c) "Board" means the Unemployment Compensation Board of Review established by this act

(d) "Calendar quarter" means the period of three consecutive calendar months ending on March thirty-first June thirtieth September thirtieth or December thirty-first or the equivalent thereof as determined in accordance with general rules of the department

(e) "Compensation" means money payments payable to individuals with respect to their unemployment as provided in this act

(f) "Contributions" means the money payments required to be paid into the Unemployment Compensation Fund by employers with respect to employment which payments shall be used for the creation of financial reserves for the payment of compensation as provided in this act

(g) "Department" means the Department of Labor and Industry of the Commonwealth of Pennsylvania

(h) "Employe" means every individual whether male female citizen alien or minor who is performing or subsequent to January first one thousand nine hundred thirty-six has performed services for an employer in an employment subject to this act

(i) "Employer" means every (1) individual (2) copartnership (3) association (4) corporation (domestic or foreign) (5) the legal representative trustee in bankruptcy receiver or trustee of any individual copartnership association or corporation or (6) the legal representative of a deceased person (I) who or which employed or employs

any employe (whether or not the same employe) in employment subject to this act for some portion of each of some twenty (20) days during the calendar year one thousand nine hundred thirty-six or any calendar year thereafter each day being in a different week or (II) who or which has elected to become fully subject to this act and whose election remains in force

Whenever any employer contracts with or has under him any contractor or subcontractor for any work which is part of his usual trade occupation profession or business unless such employer as well as each such contractor or subcontractor is an employer (as defined in the first paragraph of this subsection) the employer shall for all the purposes of this act be deemed to employ each individual in the employ of each such contractor or subcontractor for each day during which said individual is engaged in performing such work except that each such contractor or subcontractor who is an employer (as defined in the first paragraph of this subsection) shall alone be liable for the employer's contributions measured by the wages payable to individuals in his employ and except that any employer who shall become liable for and pay contributions with respect to individuals in the employ of any such contractor or subcontractor who is not an employer (as defined in the first paragraph of this subsection) may recover the same from such contractor or subcontractor Each individual employed to perform or to assist in performing work of any agent or employe of an employer shall be deemed to be employed by such employer for all the purposes of this act whether such individual was hired or paid directly by such employer or by such agent or employe provided the employer had actual or constructive knowledge of the work

Wherever a change of ownership of the assets or substantially all the assets of an organization trade or business occurs within a calendar year the successor in interest is deemed to be an employer within the meaning of this section if and when the addition of the employment record of the successor in interest to that of the predecessor within the same calendar year reveals that they together employed one or more employes (whether or not the same employe) for some part of twenty (20) different weeks in employment subject to this act

Where an employer maintains more than one place of employment within this Commonwealth all of the employes at the several places of employment shall be treated for the purposes of this act as if employed by a single employer

Any individual copartnership association or corporation who or which is not subject to this act may elect to become subject thereto by filing with the department his or its written application and if such application is approved by the department the election shall become binding for not less than two calendar years

An employer subject to this act may elect to include within the term "employment" subject to this act services performed by his or its employes [entirely without this Commonwealth] with respect to which no contributions are required and paid under an employment compensation law of any other state (1) if the employe or employes included in such election maintain a domicile within this Commonwealth and whose services are performed entirely without this Commonwealth or (2) if the employe or employes included in the election maintain no domicile within this Commonwealth but whose services though performed without this Commonwealth are directed from this Commonwealth

Such election shall be subject to the approval of the department and if such election is approved by the department the election shall become binding for not less than two calendar years or until the department on its own motion cancels the election

An employer subject to this act may elect to include within the term "employment" subject to this act services performed by his or its employes which are exempt under the provisions of subsection (j) of section four of this act Such election shall be subject to the approval of the department and if such election is approved by the department the election shall become binding for not less than two calendar years

Any services performed for an employer covered by an election pursuant to this subsection shall during the effective period of such election be deemed to be employment for all the purposes of this act Any election approved by the department pursuant to this subsection shall cease to be effective only as of January first of any calendar year subsequent to the initial two calendar years thereof and only if at least thirty (30) days prior to such first day of January the employer has filed with the department a notice of termination of his election

(j) "Employment" means all services performed prior to the effective date of this Act which was employment as defined in this section prior to such date and subject to the other provisions of this section service performed after the effective date of this Act for [remuneration] wages or under any contract of hire express or implied written or oral (1) which is localized within this Commonwealth or (2) which is not localized in any state but some of the service is performed within this Commonwealth and (a) the base for operations or place from which such service is directed or controlled is in this Commonwealth or (b) the base for operations or place from which such service is directed or controlled is not in any state in which some part of the service is performed but the individual's residence is in this Commonwealth Service shall be deemed to be localized within this Commonwealth if (a) the service is performed entirely within this Commonwealth or (b) the service is performed both within and without this Commonwealth but the service performed without this Commonwealth is incidental to the individual's service within this Commonwealth as for example where it is temporary or transitory in nature or consists of isolated transactions Services performed without this Commonwealth shall not be included within the term "Employment" if contributions are required and paid with respect to such services under an unemployment compensation law of any other state

An individual performing services for remuneration in an employment subject to this act shall be deemed to be performing such services for wages unless and until it is shown to the satisfaction of the department that (a) such individual has been and will continue to be free from control or direction over the performance of such services both under his contract of service and in fact and (b) that such service is either outside the usual course of the business for which such service is performed or that such service is performed outside of all the places of business of the enterprise for which such service is performed and (c) that such individual is customarily engaged in an independently established trade occupation profession or business

The word "employment" shall not include

(1) Agricultural labor which shall include all services performed

(a) On a farm in the employ of any person in connection with cultivating the soil or in connection with raising or harvesting any agricultural or horticultural commodity including the raising shearing feeding caring for training and management of livestock bees poultry and furbearing animals and wildlife

(b) In the employ of the owner or tenant or other operator of a farm in connection with the operation management conservation improvement or maintenance of such farm and its tools and equipment or in salvaging timber or clearing land of brush and other debris left by a hurricane if the major part of such service is performed on a farm

(c) In connection with the production or harvesting of maple sirup or maple sugar or any agricultural commodity or in connection with the raising or harvesting of mushrooms or in connection with the hatching of poultry or in connection with the ginning of cotton or in connection with the operation or maintenance of ditches canals reservoirs or waterways used exclusively for supplying and storing water for farming purposes

(d) In handling plainting drying packing packaging processing freezing grading storing or delivering to storage or to market or to a carrier for transportation to

market any agricultural or horticultural commodity but only if such service is performed as an incident to ordinary farming operations or in the case of fruits and vegetables an incident to the preparation of such fruits or vegetables for market The provisions of this paragraph shall not be deemed to be applicable with respect to service performed in connection with commercial canning or commercial freezing or in connection with any agricultural or horticultural commodity after its delivery to a terminal market for distribution for consumption

As used in this subsection the term "farm" includes stock dairy poultry fruit fur-bearing animal and truck farms plantations ranches nurseries ranges greenhouses or other similar structures used primarily for the raising of agricultural or horticultural commodities and orchards

(2) Domestic service in a private home local college club or local chapter of a college fraternity or sorority

(2.1) Casual labor not in course of employer's trade or business

(3) Service performed as an officer or member of the crew of a vessel on the navigable waters of the United States

(4) Service performed by an individual in the employ of his son daughter or spouse and service performed by a child under the age of twenty-one (21) in the employ of his father or mother

(5) Service performed in the employ of the United States Government or of an instrumentality of the United States exempt under the Constitution of the United States from the contributions imposed by this act except that to the extent that the Congress of the United States shall permit states to require any instrumentalities of the United States to make payments into an unemployment fund under a state unemployment compensation law all of the provisions of this act shall be applicable to such instrumentalities and to services performed for such instrumentalities and to services performed for such instrumentalities in the same manner to the same extent and on the same terms as to all other employers In the event that this State shall not be certified for any year by the Social Security Board under section one thousand six hundred three (c) of the Federal Internal Revenue Code the payments required of such instrumentalities with respect to such year shall be refunded by the department from the fund in the same manner and within the same period as is provided in section three hundred eleven of this act with respect to contributions erroneously collected

6 Service performed in the employ of a state or political subdivision thereof or an instrumentality of one or more states or political subdivisions

7 Service performed in the employ of a corporation community chest fund or foundation organized and operated exclusively for religious charitable scientific literary or educational purposes or for the prevention of cruelty to children or animals no part of the net earnings of which inures to the benefit of any private shareholder or individual and no substantial part of the activities of which is carrying on propaganda or otherwise attempting to influence legislation

(8) Service performed after June thirtieth one thousand nine hundred and thirty-nine either as an employe representative or service performed in the employ of an employer when such employe representative or employer is determined to be subject to the Act of Congress known as the Railroad Unemployment Insurance Act (52 U S Stat 1094) or to an Act of Congress establishing an unemployment compensation system for maritime employes by the agency or agencies empowered to make such determinations

(9) Service performed in any calendar quarter in the employ of an organization exempt from income tax under Section 101 of the Federal Internal Revenue Code as amended if (i) the remuneration for such service does not exceed forty-five dollars or (ii) such service is in connection with the collection of dues or premiums for a fraternal beneficiary society order or association and is performed away from the home office or is ritualistic service in connection with any such society order or association or (iii) such service is performed by a student who is enrolled and is regularly attending classes at a school college or university

(10) Service performed in the employ of an agricultural or horticultural organization exempt from income tax under Section 101 (1) of the Federal Internal Revenue Code as amended

(11) Service performed in the employ of a voluntary employes' beneficiary association providing for the payment of life sick accident or other benefits to the members of such association or their dependents if (i) no part of its net earnings inures (other than through such payments) to the benefit of any private shareholder or individual and (ii) eighty-five per centum or more of the income consists of amounts collected from members for the sole purpose of making such payments and meeting expenses

(12) Service performed in the employ of a voluntary employes' beneficiary association providing for the payment of life sick accident or other benefits to the members of such association or their dependents or their designated beneficiaries if (i) admission to membership in such association is limited to individuals who are officers or employes of the United States Government and (ii) no part of the net earnings of such association inures (other than through such payments) to the benefit of any private shareholder or individual

(13) Service performed in any calendar quarter in the employ of a school college or university not exempt from income tax under Section 101 of the Internal Revenue Code as amended if such service is performed by a student who is enrolled and is regularly attending classes at such school college or university and the remuneration for such service does not exceed forty-five dollars (exclusive of room board and tuition)

(14) Service performed in the employ of a foreign government (including service as a consular or other officer or employe or a nondiplomatic representative)

(15) Service performed in the employ of an instrumentality wholly owned by a foreign government (i) if the service is of a character similar to that performed in foreign countries by employes of the United States Government or of an instrumentality thereof and (ii) if the Secretary of State of the United States shall certify to the Secretary of the Treasury of the United States that the foreign government with respect to whose instrumentality exemption is claimed grants an equivalent exemption with respect to similar service performed in the foreign country by employes of the United State Government and of instrumentalities thereof

(16) Service performed as a student nurse in the employ of a hospital or a nurses' training school by an individual who is enrolled and is regularly attending classes in a nurses' training school chartered or approved pursuant to the laws of this Commonwealth and services performed as an interne in the employ of a hsopital by an individual who has ecompleted a four year's course in a medical school chartered or approved pursuant to the laws of this Commonwealth

(17) Service performed by an individual for an employer as an insurance agent or as an insurance solicitor if all such service performed by such individual for such employer is performed for remuneration solely by way of commission

(18) Service performed by an individual under the age of eighteen in the delivery or distribution of newspapers or shopping news not including delivery or distribution to any point for subsequent delivery or distribution

If the services performed during one-half or more of any pay period by an employe for the person employing him constitute employment all the services of such employe for such period shall be deemed to be employment but if the services performed during more than one-half of any such pay period by an employe for the person employing him do not constitute employment then none of the services of such employe for such period shall be deemed to be employment As used in this paragraph the term "pay period" means a period (of not more than

thirty-one consecutive days) for which a payment of remuneration is ordinarily made to the employe by the person employing him This subsection shall not be applicable with respect to services performed in a pay period by an employe for the person employing him where any of such service is excepted by paragraph (8) hereof

(k) "Employment Office" means a public employment office or branch thereof operated by the department

(l) "Full-time Weekly Wage" means the weekly wages that any individual would receive if he were employed at his most recent wage rate from employers during his base year and for the customary scheduled full-time week prevailing for his occupation in the enterprise in which he last earned wages from employers during his base year

If the department finds that the full-time weekly wage as above defined would be unreasonable or arbitrary or not readily determinable with respect to any individual the full-time weekly wage of such individual should be deemed to be one-thirteenth of his total wages from employers in that quarter in which such total wages from employers were highest during the first eight out of the last nine completed calendar quarters (excluding however any completed calendar quarter which occurs prior to January first one thousand nine hundred thirty-seven) immediately preceding the first day of his benefit year

(m) "Referee" means a referee appointed by the Governor to hear appeals under this act

(n) "Secretary" means the Secretary of Labor and Industry of this Commonwealth or his duly authorized re esentative

(o) "Social Security Act" means the act enacted by the Congress of the United States approved the fourteenth day of August one thousand nine hundred thirty-five entitled "An act to provide for the general welfare by establishing a system of Federal old-age benefits and by enabling the several States to make more adequate provision for aged persons blind persons dependent and crippled children maternal and child welfare public health and the administration of their unemployment compensation laws to establish a Social Security Board to raise revenue and for other purposes" as amended

(p) "Social Security Board" means the Social Security Board established by the Social Security Act

(q) "State" includes Alaska Hawaii and the District of Columbia

(r) "Suitable Work" means all work which the employe is capable of performing except work in which (1) the position offered is vacant due directly to a strike lockout or other labor dispute or (2) the remuneration hours or other conditions of the work offered are substantially less favorable to the employe than those prevailing for similar work in the locality or (3) as a condition of being employed the employe would be required to join a company union or to resign from or refrain from joining any bona fide labor organization

(s) "Total Unemployment" means that an employe during a particular week has had no work for which wages are payable to him An individual shall be deemed totally unemployed with respect to any week of less than full time work if the wages paid or payable to him with respect to such week do not exceed three dollars

(t) "Unemployment Trust Fund" means the Unemployment Trust Fund established by the Social Security Act

(u) "Wages" means all remuneration for services [employment] including the cash value of all remuneration paid or payable in any medium or other than cash except that the term "wages" [as used in sections three hundred one and three hundred two of this act] shall not include

(1) That part of the remuneration which after remuneration equal to three thousand dollars ($3,000) has been paid or becomes payable to an individual by an employer with respect to employment during or for any calendar year is paid or becomes payable to such individual by such employer with respect to employment during the calendar year one thousand nine hundred forty and during each calendar year thereafter

(2) The amount of any payment made to or on behalf of an employe under a plan or system established by an employer which makes provision for his employes generally or for a class or classes of his employes (including any amount paid by an employer for insurance or annuities or into a fund to provide for any such payment) on account of (A) retirement or (B) sickness or accident disability or (C) medical hospitalization expenses in connection with sickness or accident disability or (D) death provided the employe (I) has not the option to receive instead of provision for such death benefit any part of such payment or if such death benefit is insured any part of the premiums (or contributions to premiums) paid by his employer and (II) has not the right under the provisions of the plan or system or policy of insurance providing for such death benefit to assign such benefit or to receive a cash consideration in lieu of such benefit either upon his withdrawal from the plan or system providing for such benefit or upon termination of such plan or system or policy of insurance or of his employment with such employer

(3) The payment by an employer (without deduction from remuneration of the employe) of the tax imposed upon an employe under section one thousand four hundred (1400) of the Federal Internal Revenue Code

(4) Dismissal payments which the employer is not legally required to make

(5) Payments voluntarily made by the employer to employes while in the military or naval services of the United States and performing no services for the employer

(v) "Week" means any calendar week ending at midnight Saturday or the equivalent thereof as determined in accordance with general rules adopted by the department

Section 2 Section two hundred four of said act is hereby amended to read as follows

Section 204 Advisory Councils [The department shall have power to create and appoint members of State-wide and local advisory councils composed in each case of an equal number of employer and employe representatives who may fairly be regarded as representative because of their vocation employment or affiliations On each such council there shall also be members representing the general public

Such councils shall aid the department in formulating policies in discussing problems related to the administration of this act in assuring impartiality and freedom from political influence in the administration of this act in taking steps to reduce and prevent unemployment and in making studies relating to partial and seasonal unemployment

The members of such advisory councils shall serve without compensation but shall be entitled to be reimbursed out of the Administration Fund for all necessary expenses incurred in the discharge of their duties] There is hereby created a State Advisory Council to be composed of an equal number of employer employe and public representatives who may fairly be representative because of their vocation employment or affiliations The members of such council shall be appointed by the Governor within thirty days of the passage of these amendments Such council shall consider and advise the department upon all matters related to the administration of this act including the formulation of policies assuring impartiality and freedom from political influence in its admnistration taking steps to reduce and prevent unemployment and making studies relating to unemployment and unemployment compensation payments Such council may recommend upon its own initiative such changes in the administration of this act as it deems necessary and shall make periodic reports to the Governor regarding the performance of its duties and functions Such council shall have full access to information relating to the purpose of this act

The Governor shall have the power to create such local advisory councils as the State Advisory Council may deem necessary for the efficient performance of its functions Such councils shall be composed of an equal number of

members representing employers employes and the public and shall be appointed by the Governor

The members of such advisory councils shall serve without compensation but shall be entitled to be reimbursed out of the Administration Fund for all necessary expenses incurred in the discharge of their duties

The State Advisory Council may appoint an executive secretary and a research assistant to aid the council in the performance of its functions They may be appointed in the exempt class of the civil service and may be removed and replaced at the discretion of the council Such employes shall receive such compensation as may be fixed by the council and approved by the executive board and shall be allowed actual and necessary traveling and other incidental expenses incurred while engaged in the performance of their duties The compensation of such employes and the amounts allowed them for traveling and other incidental expenses shall be deemed part of the expenses incurred in connection with the administration of this section and shall be disbursed from the Unemployment Administration Fund

The department in cooperation with the advisory council shall make a study of the effect of experience rating on employers in Pennsylvania and shall first report its findings and recommendations in writing to the Governor and thereafter to the General Assembly at its regular session in one thousand nine hundred and forty-three

Section 3 Article two of said act is hereby amended by adding at the end thereof a new section to read as follows

Section 209 Obsolete Files Records etc The provisions of section five hundred twenty-four of the Administrative Code of one thousand nine hundred and twenty-nine to the contrary notwithstanding the department may with the approval of the Executive Board discard such files of correspondence reports records or other papers compiled or accumulated in the administration of this act as it shall deem to be obsolete retaining always such records as may be required for proper auditing and retaining also for a period of at least two years all contribution reports of employers Summaries or photographs of obsolete records and reports that are discarded shall be permanently kept by the department All discarded records and papers shall be disposed of by the Department of Property and Supplies in the manner provided by law

Section 4 Articles three and four of said act section three hundred and nine of which was amended by section three of the act approved the eighteenth day of May one thousand nine hundred and thirty-seven (P. L. 658) and section four hundred and two of which was amended by section two of the act approved the twentieth day of June one thousand nine hundred and thirty-nine (P. L. 458) are hereby further amended to read as follows

ARTICLE III

Contributions By Employers

Section 301 Contributions by Employers [of Eight or More Employes Each employer who has employed eight or more employes (whether or not the same employes) in employment for some portion of each of some twenty days (whether or not at the same moment of time) during a calendar year each day being in a different week shall pay for each such calendar year beginning with the calendar year one thousand nine hundred thirty-six contributions into the Unemployment Compensation Fund which shall be equal to but not more than the amount of the maximum credit allowable to such employer for such calendar year by section nine hundred two of the Social Security Act against the Federal excise tax imposed by section nine hundred one of the Social Security Act with respect to employment Such payments shall be made at such times and in such manner as the department shall prescribe Such contributions in order to be no more and no less than the maximum credit allowable under the Social Security Act against such Federal excise tax shall be equal to the following percentages of total wages paid or payable by the employer for such calendar year

(1) Nine-tenths of one per centum for the calendar year one thousand nine hundred thirty-six

(2) One and eight-tenths per centum for the calendar year one thousand nine hundred thirty-seven and

(3 Two and seven-tenth per centum for the calendar year one thousand nine hundred thirty-eight and each calendar year thereafter

Section 302 Contributions by Employers not Subject to Section 301 Each employer (as defined in this act) other than employers subject to section three hundred one of this act shall pay for each calendar year beginning with the calendar year one thousand nine hundred thirty-six contributions into the Unemployment Compensation Fund which shall be equal to but not more than the following percentages of total wages paid or payable by the employer for such calendar year

(1) Nine-tenths of one per centum for the calendar year one thousand nine hundred thirty-six

(2) One and eight-tenths per centum for the calendar year one thousand nine hundred thirty-seven and

(3) Two and seven-tenths per centum for the calendar year one thousand nine hundred thirty-eight and each calendar year thereafter

In the event that Title IX of the Social Security Act shall be amended or repealed by the Congress or held unconstitutional by the Supreme Court of the United States and for such reason the provisions of Section 301 of this act cannot be administered and the contributions imposed by said section cannot be collected from employers under said section then such employers shall become subject to the payment of contributions under the provisions of this section at the rates herein specified] Every employer as defined in this act shall pay for the calendar year one thousand nine hundred forty-one and for each calendar year thereafter contributions into the Unemployment Compensation Fund equal to two and seven-tenths per centum of the total wages as defined in this act paid or payable for employment as defined in this Act by the employer for such calendar year Such payments shall be made at such times and in such manner as the department shall prescribe

Section 303 Period and Termination of Contributions (a) Any employer who or which becomes subject to this act during any calendar year shall be subject to and shall pay the contributions required by this act during the whole of such calendar year

(b) Any employer subject to this act shall cease to be so subject [and shall be relieved of the payment of contributions] only upon written application to the department and finding by the department that he has not during the previous calendar year employed any employe (whether or not the same employe) in employment subject to this act for some portion of each of some twenty days each day being in a different week [during the previous or current calendar year] whether or not such weeks are consecutive and that he has not during the part of the current calendar year preceding the filing of his application employed any employe (whether or not the same employe) in employment subject to this act for some portion of each of some twenty days each day being in a different week whether or not such weeks are consecutive An employer shall be relieved of the payment of contributions for any calendar year in which the department upon application by such employer or upon its own motion shall find that such employer has failed to employ any employe (whether or not the same employe) in employment subject to this Act for some portion of each of some twenty days each day being in a different week whether or not such weeks are consecutive

Section 304 Reports by Employers Assessments Each employer shall file with the department such reports at such times and containing such information as the department shall require for the purpose of ascertaining and paying the contributions required by this act

a If any employer fails within the time prescribed by the department to file any report necessary to enable the

department to determine the amount of any contribution owing by such employer the department may make an assessment of contributions against such employer of such amount of contributions for which the department believes such employer to be liable together with interest thereon as provided in this act

Within fifteen days after making such assessment the department shall give notice thereof by registered mail to such employer If such employer is dissatisfied with the assessment so made he may petition the department for a re-assessment in the manner hereinafter prescribed

(b) Any employer against whom an assessment is made may within fifteen days after receipt of notice thereof petition the department for a re-assessment which petition shall be under oath and shall set forth therein specifically and in detail the grounds and reasons upon which it is claimed that the assessment is erroneous Hearing or hearings on said petition shall be held by the department at such places and at such times as may be determined by rules and regulations of the department and due notice of the time and place of such hearing given by registered mail to each petitioner

(c) Any petitioner dissatisfied with the action of the department on his petition for re-assessment may appeal therefrom to the Court of Common Pleas of Dauphin County within thirty days after being notified of the action of the department Such appeal to the court shall be by petition verified by oath and shall specify all the objections to such assessment or re-assessment and any objections not specified in the petition shall not be considered by the Court

(d) As to any employer who fails to petition for re-assessment or having petitioned after due notice of hearing fails to appear and be heard or in case of a re-assessment to appeal to the Court of Common Pleas within the time and in the manner herein provided such assessment or re-assessment of the department shall then become final and the contributions and interest assessed or re-assessed by the department become forthwith due and payable and no defense which might have been determined by the department or in the event of appeal from re-assessment by the court shall be available to any employer in any suit or proceeding brought by the Commonwealth in the name of the Commonwealth for use of the fund for the recovery of such contributions penalties and interest based on such assessment or re-assessment

(e) In any hearings held by the department in pursuance of the provisions of this section the department is hereby authorized and empowered to examine any person or persons under oath concerning any matters pertaining to the determination of the liability of the employer for contributions under the provisions of this act and to this end may compel the production of books papers and records and compel the attendance of all persons whether as parties or witnesses whom and which the department believes to have or contain knowledge or information material to such determination The conduct of hearings and appeals before the department shall be in accordance with rules of procedure prescribed by the department whether or not such rules conform to common law or rules of evidence or other technical rules of procedure but shall be under supervision of the Attorney General of the Commonwealth

(f) Witness fees and expenses of proceedings involving such assessments or re-assessments and the determination thereof shall be deemed part of the expenses of administering this act and shall be paid from the administration fund Testimony at any hearing before the department held in pursuance of the provisions of this section shall be taken by a reporter but need not be transcribed unless an appeal be taken from a re-assessment made thereon

Section 305 Payment of Contributions Concurrently with each report the employer shall pay to the department the amount of contributions imposed by this act for the period covered by the report but the department may in proper cases upon request made permit an extension of time for the payment of contributions due The amount of the contribution in respect of which an extension is granted shall be paid (with interest at the rate of one-half of one per centum per month) on or before the expiration of the period of extension

Section 306 Fractions of a Cent In the payment of any contributions a fractional part of a cent shall be disregarded unless it amounts to one-half cent or more in which case it shall be increased to one cent

Section 307 Interstate Commerce No employer required by this act to pay contributions shall be relieved from compliance therewith on the ground that he is engaged in interstate commerce or that this act does not distinguish between employes engaged in interstate commerce and those engaged in intrastate commerce

Section 308 Interest on Past Due Contributions Contributions unpaid on the date on which they are due and payable as prescribed by the department shall bear interest at the rate of one per centum per month or major fraction of a month from the date they become due until paid

Section 308.1 Contributions to be Liens Entry Thereof All contributions and the interest and penalties thereon due and payable by an employer under the provisions of this act shall be a lien upon the franchises and property both real and personal of the employer liable therefor from the date a lien for such contributions interest and penalties is entered of record whenever the franchises or property of an employer is sold at a judicial sale all contributions and the interest and penalties thereon thus entered of record shall first be allowed and paid out of the proceeds of such sale in the same manner and to the same extent that State taxes are paid subject nevertheless to the order of distribution prescribed in Section 310 hereof The department may at any time transmit to the prothonotaries of the respective counties of the Commonwealth to be by them entered of record certified copies of all liens for unpaid contributions interest and penalties which may now exist or hereafter arise upon which record it shall be lawful for writs of scire facias to issue and be prosecuted to judgment and execution in the same manner as such writs are ordinarily employed

Section 309 Collection of Contributions and Interest If after notice by the department any employer fails neglects or refuses to pay any contributions due or the interest or penalties due thereon the amount due [shall] may be collected by civil action in the name of the Commonwealth Civil actions brought under this section to collect contributions or interest thereon from any employer shall be heard by the court at the earliest possible date and shall be entitled to preference upon the calendar of the court over all other actions except petitions for judicial review under this act and cases arising under The Workmen's Compensation Act of one thousand nine hundred fifteen and its amendments and supplements No court costs shall be imposed on the Commonwealth in any such civil actions Judgments obtained in such civil actions to collect any of the contributions aforesaid shall include interest and penalties as provided in this act

Section 309.1 Compromises Where the department is satisfied (1) that the employer is unable to make payment in full of contributions interest and penalties imposed upon him by the law and (2) that the employer has acted in good faith the secretary is hereby authorized with the approval of the Attorney General and under rules and regulations adopted therefor to compromise delinquent interest and penalties due on any contribution and in the case of any employer that has been adjudged a bankrupt or for whom a receiver has been appointed to compromise the principal of any delinquent contribution as well as interest and penalties thereon

Section 310 Priorities Under Legal Dissolutions and Distributions In the event of any distribution of an employer's assets pursuant to an order of any court under the laws of this Commonwealth including any receivership assignment for benefit of creditors adjudicated insolvency composition or similar proceeding contributions

or installments thereof or interest thereon then or thereafter due shall be paid in full prior to all other claims except taxes claims arising under The Workmen's Compensation Act of one thousand nine hundred fifteen and its amendments and supplements and claims for wages of not more than two hundred and fifty dollars to each claimant earned within six months of the commencement of the proceeding In the event of an employer's adjudication in bankruptcy judicially confirmed extension proposal or composition under the Federal Bankruptcy Act of one thousand eight hundred ninety-eight as amended contributions and interest then or thereafter due shall be entitled to such priority as [is provided in section sixty-four (b) of that act (United States Code Annotated Title XI Section one hundred four (b) as amended)] are now or may hereafter be granted to taxes due a state under the said federal bankruptcy act or its amendments

Section 311 Refunds and Adjustments If not later than one year from the payment of any contribution or interest thereon an employer shall make application for an adjustment thereof in connection with subsequent contribution payments or if such adjustment cannot be made for a refund thereof and the department shall determine that such contribution or interest or any portion thereof was erroneously collected for any reason whatever including the failure to employ one or more employes (whether or not the same employe or employes) for some portion of each of some twenty days during the calendar year each day being in a different week for which the contributions were made the department shall allow such employer to make an adjustment thereof without interest in connection with subsequent contribution payments by him or if such adjustment cannot be made the department shall refund said amount without interest out of moneys to the credit of the Employers' Contribution Account in the Unemployment Compensation Fund For like cause and within the same period an adjustment or refund may be so made on the initiative of the department

Section 312 Interstate Adjustments The department is hereby authorized to enter into reciprocal arrangements with appropriate and duly authorized agencies of other states or of the Federal Government or both whereby

(a) Services performed by an individual for a single employer for which services are customarily performed in more than one state shall be deemed to be services performed entirely within any one of the states (i) in which any part of such individual's service is performed or (ii) in which such individual has his residence or (iii) in which the employer maintains a place of business provided there is in effect as to such services an election approved by the agency charged with the administration of such state's unemployment compensation law pursuant to which all the services performed by such individual for such employer are deemed to be performed entirely within such state

(b) Potential rights to benefits accumulated under the unemployment compensation laws of one or more states or under one or more such laws of the Federal Government or both may constitute the basis for the payment of benefits through a single appropriate agency under terms which the department finds will be fair and reasonable as to all affected interests and will not result in any substantial loss to the fund

(c) Wages or services upon the basis of which an individual may become entitled to benefits under an unememployment compensation law of another state or of the Federal Government shall be deemed to be wages for employment for the purpose of determining his rights to benefits under this act and wages for employment as defined in this act on the basis of which an individual may become entitled to benefits under this act shall be deemed to be wages or services on the basis of which unemployment compensation under such law of another state or of the Federal Government is payable but no such arrangement shall be entered into unless it contains provisions for reimbursements to the fund for such of the benefits paid under this act upon the basis of such wages or services and provisions for reimbursements from the fund for such of the compensation paid under such other law upon the basis of wages for employment as defined in this act as the department finds will be fair and reasonable as to all affected interests and

(d) Contributions due under this act with respect to wages for employment shall for the purpose of section three hundred one of this act be deemed to have been paid to the fund as of the date payment was made as contributions therefor under another state or Federal unemployment compensation law but no such arrangement shall be entered into unless it contains provisions for such reimbursement to the fund of such contributions and the actual earnings thereon as the department finds will be fair and reasonable as to all affected interests

Reimbursements paid from the fund pursuant to paragraph (c) of this section shall be deemed to be benefits for all the purposes of this act The department is authorized to make to other state or Federal agencies and to receive from such other state or Federal agencies reimbursements from or to the fund in accordance with arrangements entered into pursuant to this section

The administration of this act and of other state and Federal unemployment compensation and public employment service laws will be promoted by cooperation between this State and such other states and the appropriate Federal agencies in exchanging services and making available facilities and information The department is therefore authorized to make such investigations secure and transmit such information make available such services and facilities and exercise such of the other powers provided herein with respect to the administration of this act as it deems necessary or appropriate to facilitate the administration of any such unemployment compensation or public employment service law and in like manner to accept and utilize information services and facilities made available to this State by the agency charged with the administration of any such other unemployment compensation or public employment service law

To the extent permissible under the laws and Constitution of the United States the department is authorized to enter into or cooperate in arrangements whereby facilities and services provided under this act and facilities and services provided under the unemployment compensation law of any foreign government may be utilized for the taking of claims and the payment of benefits under the employment security law of this State or under a similar law of such government

Article IV

Compensation

Section 401 Qualifications Required to Secure Compensation Compensation shall be payable to any employe who is or becomes totally unemployed on or after January first one thousand nine hundred thirty-eight and who

(a) Has within his base year earned wages in employment as defined in this Act from employers of not less than [thirteen times his weekly compensation amount] one hundred dollars

(b) Has registered for work at a designated employment office at such times and in such manner as the department may prescribe

(c) Has made a claim for compensation in the proper manner prescribed by the department

(d) Is able to work and available for work and

(e) Has been totally unemployed for a waiting period of at least [three] two weeks (except as otherwise hereinafter provided in this clause) prior to any week for which he claims compensation [provided that such] [three] [weeks of total unemployment shall occur after compensation first becomes payable under this act] [Such [three] two weeks shall not include any week in which the employe was ineligible for compensation under section four hundred two of this act or was ineligible for compensation under any provision of this section excepting however paragraphs (a) and (c) of this section] The [three] two weeks of total unemployment need not be

consecutive [but may be accumulated over the period of fifty-two consecutive weeks preceding any week for which he claims compensation Provided That this requirement shall not interrupt the payment of compensation for consecutive weeks of unemployment] If the employe's total unemployment is due to a voluntary suspension of work resulting from an industrial dispute then he shall be ineligible for compensation for a further waiting period of three weeks in addition to the waiting period hereinbefore prescribed in this clause

No week shall be counted as a week of total unemployment for the purpose of this subsection (1) unless it occurs within the benefit year which includes the week with respect to which he claims payment of benefits provided that this requirement shall not interrupt the payment of benefit for consecutive weeks of total unemployment and provided further that the week or two weeks immediately preceding a benefit year shall be deemed (for the purposes of this sub-section only) to be within such benefit year or (2) if benefits have been paid with respect thereto or (3) unless the individual was eligible for benefits with respect thereto as provided in Sections 401 and 402 of this act except for the requirements of this sub-section and of subsection (c) of Section 402

Section 402 Ineligibility for Compensation An employe shall be ineligible for compensation for any week

(a) In which his unemployment is due to failure without good cause either to apply for suitable work when so directed by the employment office or to accept suitable work when offered to him by the employment office or by his previous employer In determining whether or not any work is suitable for an individual the department shall consider the degree of risk involved to his health safety and morals his physical fitness and prior training and experience and the distance of the available work from his residence

(b) In which his unemployment is due to voluntarily leaving work without good cause except where as a condition of continuing in employment the employe would be required to join or remain a member of a company union or to resign from or refrain from joining any bona fide labor organization or to accept wages hours or conditions of employment not desired by a majority of the employes in the establishment or the occupation or would be denied the right of collective bargaining under generally prevailing conditions

(c) With respect to which or a part of which he has received or is seeking unemployment benefits under an unemployment compensation law of any other state or of the United States Provided That if the appropriate agency of such other state or of the United States finally determines that he is not entitled to such unemployment benefits the disqualifications shall not apply

(d) In which his unemployment is due to dismissal for dishonesty in connection with his work or for the committing of an offense by him against the property of his employer provided such dishonesty or the commission of such offense is admitted by the employe or such employe is determined guilty thereof in a court of competent jurisdiction and provided further that where by reason of the alleged dishonesty in connection with his work or the commission of an offense against the property of his employer such employe is in legal custody or held to bail the determination of benefits shall be held in abeyance pending the release or conviction of such employe

Section 403 Rate and Payment of Weekly Compensation Compensation shall be payable at the rate of fifty per centum of the employe's full-time weekly wage but the amount shall not be more than fifteen dollars nor less than [seven dollars and fifty cents] eight dollars a week An employe's weekly compensation amount as determined for the first week of his benefit year shall constitute his weekly compensation amount throughout such benefit year Compensation shall be computed to the nearest multiple of five cents Compensation shall be paid through employment offices at such times and in such manner as the department may prescribe All accrued benefits due any deceased employe may in the discretion of the department be paid to the surviving spouse children or parents of the deceased without letters testamentary or of administration

Section 404 Amount of Compensation The maximum total amount of compensation payable to any eligible employe during any benefit year shall not exceed one-eighth of his total wages from employers during the first eight out of the last nine completed calendar quarters immediately preceding each week with respect to which compensation is payable (excluding however any completed calendar quarter which occurs prior to January first one thousand nine hundred thirty-seven) or fourteen times his weekly compensation amount whichever is the lesser

The department may maintain a separate account for each employe and in such event shall credit his account with all wages earned by him from employers subsequent to January first one thousand nine hundred thirty-seven Compensation paid to an eligible employe shall be charged against amounts credited to such account in the chronological order in which the wages of such individual were earned from employers

Section 405 Duties of Employers Each employer shall post in a conspicuous place or places in his establishment or establishments any printed statement or notice required by the rules and regulations of the department

Section 406 Non-liability of Commonwealth Compensation shall be deemed to be due and payable under this act only to the extent provided in this act and to the extent that moneys are available therefor to the credit of the Unemployment Compensation Fund and neither the Commonwealth the department nor the secretary shall be liable for any amount in excess of such moneys

Section 407 Status Preserved During and After Military or Naval Service Notwithstanding any provision of this act to the contrary the compensation rights of any employe who enters the military or naval service of the United States during any period of war or preparation for defense and is honorably discharged from such service shall become fixed as of the time he enters such service and shall remain in status quo for and during the period of such service and upon being honorably discharged from such service such employe shall be entitled to the same benefit rights under the act to which this is an amendment as he was at the time he entered the service In calculating the base year the base period the benefit year or any period of time under said act all time so spent in the military or naval service of the United States shall be excluded from computation therein

The legislature hereby declares the intent of this section to be that the benefit rights of an employe entering the military or naval service herein described and subsequently receiving an honorable discharge therefrom shall during the period of such service be and remain as they were of the time of entry into service and that upon the termination of such service by honorable discharge the benefit rights of such employe shall be and continue as though uninterrupted by the period of such service

Section 5 Sections five hundred and one five hundred and two and five hundred and four five hundred and nine five hundred and twelve and eight hundred and four of said act are hereby amended to read as follows

Section 501 [Initial] Determination [of Compensation] Revised Determinations Notices Appeals The department shall promptly examine any original or [continued] compensable claim filed and on the basis of the facts found by it shall determine (1) if an original claim whether or not [the] such claim [for compensation] is valid and if valid [the week with respect to which compensation shall commence] the first week of [a] the benefit year the weekly compensation payable and the maximum [duration thereof [The] In the case of industrial disputes or other circumstances where the determination of a number of claims depends on the same facts and principles the department may in its discretion make one de-

cision covering an entire group of claimants to be filed in one case above In all cases the claimant and other affected parties shall be promptly notified in writing of the decision and the reasons therefor Unless the claimant or other affected parties files an appeal from such decision with the board within ten calendar days after such notification was delivered to him personally or was mailed to his last known post office address and applies for a hearing such decision of the department shall be final and compensation shall be paid or denied in accordance therewith except that the department may revise or amend such decision upon the basis of after-discovered evidence at any time within one year from the date of such decision but such revised or amended decision shall not operate to affect the right of a claimant acting in good faith to any benefits previously received under a department decision In the event that an appeal is filed with the board [the payment of compensation shall be withheld pending determination of the claim but when a referee or the board affirms a decision of the department allowing compensation such compensation shall be paid notwithstanding] the amount of compensation allowed by the department shall be paid pending the determination of the claim before the board or any further appeal which may thereafter be taken] number of accumulated weeks of compensation to which the claimant [becomes] may become eligible during the benefit year or (2) if a [continued] compensable claim whether and in what amount claimant is entitled to benefits for the week with respect to which the determination is made and in event of denial the reasons therefor The department in accord with its rules and regulations consistent with the provisions of this act may provide that a single determination be made to all [claims for compensation] original or compensable claims arising out of and depending upon the same facts and circumstances and more especially as to those claims involving an industrial dispute Provided nevertheless that the department shall state in such single determination the individual claims to which such single determination shall apply And provided further that the right of any claimant affected thereby shall not be prejudiced as regards his right of appeal therefrom

The department may reconsider a determination whenever it finds that an error in computation or identity has occurred in connection therewith or that wages of a claimant pertinent to such determination but not considered in connection therewith have been newly discovered or that benefits have been allowed or denied or the amount of benefits fixed on the basis of the nondisclosure or misrepresentation of material facts irrespective of whether such nondisclosure or misrepresentation was known or fraudulent and to revise or amend its determination upon the basis of such after-discovered evidence However the department shall have no authority to revise or amend a determination later than one year after the date of the original determination Notice of any such revised determination shall be promptly given to the parties entitled to notice of the original determination in the manner prescribed in this Section with respect to notice of an original determination

The claimant or any party affected thereby may appeal from such revised determination in the manner as herein provided for appeals provided that when an appeal is taken from such a revised determination of the department increasing or decreasing the amount of compensation previously allowed the review thereof by a referee or the board shall be limited solely to matters affecting such increase or decrease

Subject to the same limitations and for the same reasons the department may reconsider the determination in any case in which the final decision has been rendered by the board of review or a court and may apply to such board or court which rendered such final decision to issue a revised decision In the event that an appeal involving an original determination is pending as of the date a revised determination thereof is issued such appeal unless withdrawn shall be treated as an appeal from such revised determination

Written notice of a determination or revised determination as the case may be shall be promptly given to the claimant [or] and to the affected parties by delivery thereof to him personally or by mail such notice to the last known post office address Unless the claimant or other affected parties files an appeal from such determination or revised determination as the case may be with the Board within ten calendar days after such notification was delivered to him personally or was mailed to his last known post office address and applies for a hearing such determination or revised determination as the case may be made by the department shall be final and compensation shall be paid or denied in accordance therewith In the event that an appeal is filed with the board the amount of compensation allowed by the department shall be paid pending the decision of the claim before the board or any further appeal which may thereafter be taken

Section 502 Decision of Referee Further Appeals and Reviews Where an appeal from the [decision] determination or revised determination as the case may be of the department is taken a referee shall after affording the parties reasonable opportunity for a fair hearing affirm modify or reverse such findings of fact and the [decision] determination or revised determination as the case may be of the department as to him shall appear just and proper The parties shall be duly notified of the referee's decision and the reasons therefor which shall be deemed the final decision of the board unless within ten days after the date of such decision the board acts on its own motion or upon application permits any of the parties to institute a further appeal before the board A memorandum of testimony of any hearing before any referee shall be made and be preserved for a period of two years

Section 504 Powers of Board Over Claims The board shall have power on its own motion or on appeal to remove transfer or review any claim pending before or decided by a referee and in any such case and in cases where a further appeal is allowed by the board from the decision of a referee may affirm modify or reverse the [decision] determination or revised determination as the case may be of the department or referee on the basis of the evidence previously submitted in the case or direct the taking of additional evidence. When any claim pending before a referee is removed or transferred to the board the board shall afford the parties reasonable opportunity for a fair hearing The parties shall be duly notified of the board's final decision and the reasons therefor A complete record shall be kept of each case heard before the board All testimony at any hearing before the board whether on appeal or otherwise shall be taken by a reporter but need not be transcribed unless the disputed claim is further appealed

Section 509 Finality of Decision [Any decision] Except insofar as reconsideration and revision of any determination is had under the provisions of Section five hundred and one any determination or revised determination made by the department or any referee or the board shall become final ten days after the date thereof unless appealed from as hereinbefore provided but any decision of the board or of a referee where an appeal has been disallowed by the board shall nevertheless be subject to appeal to the Superior Court after the same has become final

Section 512 Final Order of Board Upon the final determination of any appeal the board shall enter an order in accordance with the decree of the court

Section 804 Liability to Repay Compensation Unlawfully Received Any person who by reason of the nondisclosure or misrepresentation by him or by another of a material fact (irrespective of whether such nondisclosures or misrepresentation was known or fraudulent) has received any sum as compensation under this act while any conditions for the receipt of compensation imposed by this act were not fulfilled in his case or while he was disqualified from receiving compensation shall be liable

to repay to the Unemployment Compensation Fund to the credit of the Employers' Contribution Account a sum equal to the amount so received by him and such sum shall be collectible in the manner provided in this act for the collection of past due contributions

Any person who for any reason has received any sum as compensation under this act in excess of that to which he is legally entitled shall be liable to repay to the Unemployment Compensation Fund to the credit of the Employers' Contribution Account a sum equal to the amount of such overpayment which may be set off against any compensation due such person at any time thereafter or may be recovered by action at law

In every case where back wages are awarded to any employe by the National Labor Relations Board or other competent tribunal and such employe shall have been paid compensation under the provisions of this act for the whole or any part of the period covered by such award the department shall be subrogated to the rights of the employe to the extent of the compensation paid and shall first be paid such amount by the employer before any payment is made to the employe The receipt of the department for any such amount shall be a full discharge of the employer for the payment of so much of the award of the National Labor Relations Board or other tribunal

Section 6 Article VIII of the said Act is hereby amended so as to include therein a new Section to be known as Section 805 and to read as follows

Section 805 For the enforcement of this Act or any rule and regulation issued under the authority thereof the Department is hereby empowered and it shall be its duty to conduct such periodic spot checks and investigations as will disclose with reasonable certainty whether or not compensation benefits have been paid to persons not legally entitled thereto or as will disclose violations of this Act and to take such steps and adopt such means as may reasonably be necessary to enforce the provisions of this Act The conduct of such spot checks and investigations and all legal proceedings arising therefrom shall be under the supervision and direction of the Attorney General of the Commonwealth and the expenses thereof and in connection therewith are hereby declared to be administrative expenses to be paid from the Administrative Fund

Section [6] 7 The provisions of this act shall become effective on the first day of July one thousand nine hundred and forty-one except the amendments to clause (j) of section four and sections three hundred and one and three hundred and two which shall be effective for the calendar year one thousand nine hundred and forty-one and thereafter

Provided nevertheless that nothing herein contained shall be taken or construed to relieve any employer from the payment of any contributions penalties and interest imposed by the provisions of the Act or parts of Act to which this Act is an amendment or the rules and regulations issued thereunder in force at the time this Act becomes effective or to affect or terminate any petitions investigations prosecutions legal or otherwise or other proceedings pending under the provisions of any Act or parts of Act in force at the time this Act becomes effective or amended by this Act or to prevent the commencement or further prosecution of any legal proceedings by the proper authorities of the Commonwealth for violations of any Act or parts of Act in force at the time this Act becomes effective or for the collection or recovery of contributions penalties and interest due or owing under the provisions of any Act or part of Acts or rules and regulations issued thereunder in force at the time this Act becomes effective

Mr. HEYBURN. Mr. President, I introduce a resolution providing for study of partial unemployment compensation benefits and providing for a report to the next regular or special session of the Legislature, which is a concurrent resolution asking the concurrence of the House of Representatives.

RESOLUTION AUTHORIZING APPOINTMENT OF COMMITTEE TO STUDY PAYMENT OF UNEMPLOYMENT COMPENSATION FOR PARTIAL UNEMPLOYMENT

Mr. HEYBURN. Mr. President, I ask unanimous consent to offer a resolution at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. HEYBURN offered the following resolution which was twice read:

In the Senate, July 15, 1941.

Whereas, The payment of partial unemployment compensation has been a much debated question at this session of the Legislature and remains unsettled by reason of the lack of definite information on the subject by Members; therefore be it

Resolved (if the House of Representatives concurs), That a Special Joint Legislative Committee be appointed to study the subject and all specifically related subjects concerning payment of unemployment compensation for partial unemployment and report with recommendations to the next regular or special session of the Legislature; that the Committee consist of three members of the House to be appointed by the Speaker of the House and three members of the Senate to be named by the President Pro Tempore of the Senate, one of the Senators to be Chairman; and that the records of the Bureau of Employment and Unemployment Compensation be made freely accessible to the Committee for its work.

MOTION TO SUSPEND RULE 39

Mr. HEYBURN. Mr. President, I move that Rule 39, which requires resolutions be referred to an appropriate committee, be dispensed with and the Senate proceed to the consideration of the foregoing resolution.

The PRESIDENT. Is there objection?

Mr. COLEMAN. Mr. President, I object to immediate consideration.

MOTION TO LAY RESOLUTION ON THE TABLE

Mr. COLEMAN. Mr. President, I move that the resolution be laid on the table.

Mr. COX. I second the motion.

On the question,

Will the Senate agree to the motion?

Mr. HEYBURN. Mr. President, I desire to interrogate the gentleman from Lackawanna.

The PRESIDENT. Will the gentleman from Lackawanna permit himself to be interrogated?

Mr. COLEMAN. I will, Mr. President.

Mr. HEYBURN. Mr. President, does the Senator from Lackawanna know that this is a concurrent resolution, and if he delays consideration and adoption it will mean that the House will not have time to adopt it, and this great problem, which we all agree will be a pressing one, in the hard coal regions, especially, after the prosperity now existing is over, does the gentleman from Lackawanna realize that delay will probably mean the House can not adopt the resolution and there will be no study.

Mr. COLEMAN. I would say, Mr. President, in answer to the interrogation, that the resolution can be immediately lifted from the table at any time, it would

only require a period of ten minutes, and as I understand it, the House is meeting at 12:01 p. m.

Mr. HEYBURN. Mr. President, might I also suggest to the Chair since the gentleman from Lackawanna objects, that means automatically that the resolution must be referred to committee. If the gentleman from Lackawanna desires to withdraw his objection, in order that it may be studied, I have no objection, with the understanding, however, that the resolution will not be held up too long.

Mr. COLEMAN. Mr. President, I have no intention of seeing the Legislature adjourn—I asked that it be laid on the table, because I have seen many things happen in the dying hours of a legislative session, and I am hoping that the conferees and others interested in this particular bill will arrive at a satisfactory agreement before this session adjourns sine die.

The PRESIDENT. There is before the Senate for action a motion by the gentleman from Lackawanna that the resolution introduced by the gentleman from Delaware be laid upon the table.

QUESTION OF PARLIAMENTARY INQUIRY

Mr. KEPHART. Mr. President, I rise to a question of parliamentary inquiry.

The PRESIDENT. The gentleman from Philadelphia will state his question of parliamentary inquiry.

Mr. KEPHART. Is it not true, Mr. President, that this resolution must be referred to committee under the rules of the Senate, and can not be laid on the table.

The PRESIDENT. The Chair rules that the motion of the gentleman from Lackawanna prevails and the resolution may be laid on the table.

And the question recurring.

Will the Senate agree to the motion?

It was agreed to.

PERMISSION TO ADDRESS SENATE

Mr. HENRY I. WILSON. Mr. President, I ask permission to address the Senate.

The PRESIDENT. The gentleman from Jefferson may proceed.

Mr. HENRY I. WILSON. Mr. President, by being recognized at this time, it might appear that I would rise to speak on the question of unemployment compensation, but I wish to call attention to the fact that I have already spoken upon that matter and do not propose at this time to take up the valuable time of the Senators—in the last hours of this session, I hope.

I do wish, however, to take this opportunity to state publicly that I happened to serve on a commission which studied for eighteen months or longer this very grave question, and I also happened to be the chairman of the Unemployment Compensation Committee, to which this bill was referred and reported out with a favorable recommendation, we believing that there was no contest, we believing that there was no political opposition or difference of opinion, and that matter was passed through this Senate in a proper and legal form. All of these other questions that have come up since have come up by reason of the amendments which were placed in this bill in the House, and therefore all I want to do now is to say this, that I want to thank the gentleman, the Senator from Delaware County, for making such a very fair, such a very modest and such an accurate and careful statement of this affair. I feel that the thanks of the Senate and the thanks of the public generally should go out to the Senator for his very careful consideration of this matter and the evident sincerity of his purpose to try to do the thing which is right.

At this point, Mr. President, I wish to put a period to all remarks from myself relating to unemployment compensation, and with that period I shall now offer to the Chair a communication which it is not necessary to read or that any attention be paid to it by the Senate, but which I ask be spread upon the Journal. It does not directly refer to unemployment compensation. I only wished to be recognized for this purpose; it is a communication that is of interest to the general public and I ask it be spread upon the Journal. It is not necessary to read such a communication.

The PRESIDENT. Is there any objection to spreading on the Journal, the communication referred to by the gentleman from Jefferson.

The Chair hears none. It is agreed to.

The report was read as follows:

April 15, 1941.

Honorable Franklin S. Edmonds
Chairman, Senate Insurance Committee
Harrisburg, Pennsylvania

My Dear Senator:

As I said to you when you told me of the meeting of the Insurance Committee of the Senate, to be held Tuesday evening, April 15, it is impossible for me, on account of departmental appointments, to be present, but on the assumption that the Compensation Bills introduced by Senator Shapiro, having to do with a monopolistic State Fund, etc., will be discussed, I am taking the liberty of attaching hereto comments made to me by my Compensation Actuary, Mr. Elliott (pages 1 to 16), and by Mr. Gregory C. Kelly, Manager of the Pennsylvania Compensation Rating and Inspection Bureau (pages 17 to 20).

I would ask you to read very carefully these comments, because to my mind they answer Senator Shapiro's worries, and justify the activities of the Pennsylvania Compensation Rating and Inspection Bureau, and the supervision by myself and my predecessors.

I have heretofore said to your Committee when speaking of Senator Dent's Bill, that compensation rates are made from a study of a five year period and that these rates of necessity do not change radically either up or down, and it is well that it should be that way, so as to stabilize industry and their budget anticipations, but in the end it results in equality between the assured and the carrying company.

It is only a question of whether or not workmen's compensation insurance shall be primarily a business undertaking, or whether or not it shall be on the socialistic plan, and if there should be any attempt or thought to establish a plan whereby administration is assumed by the State and paid from taxation, then in that event it must not be overlooked that a fair estimate of that cost to the State would be at least three million dollars a year.

Respectfully submitted,

MATTHEW H. TAGGART,
Insurance Commissioner.

Subject: Workmen's Compensation Insurance as Discussed by Senator Shapiro

To: Honorable Matthew H. Taggart
Insurance Commissioner

From: George B. Elliott
Compensation Actuary

Senator Shapiro has presented a number of serious charges against the workmen's compensation insurance system in Pennsylvania. It appears that the easiest way in which to answer the charges is to follow the speech made by the Senator and take up the points in the order he has made them.

On page 3 he quotes a statement made by Senator Ealy in the special session of 1938 which statement quotes the loss record of a certain coal operator in western Pennsylvania for the years 1936 and 1937. For this risk in these two years the premiums were greatly in excess of the losses incurred and for that reason Senator Ealy stated at that time, "There is something radically wrong here." Senator Shapiro makes much of this example although he does refer to it as an isolated case.

It so happens that the risk referred to is the Irwin Gas Coal Company, of which Mr. John B. Brunot is President. Mr. Brunot submitted the same figures supplemented by certain additional ones to a subcommittee of the Senate Insurance Committee at its meeting on March 17.

To illustrate the erroneous conclusions which can be drawn from taking a single risk and further in selecting the experience of that risk for merely one or two years, an analysis of the experience of this employer for other years is informative. That is, in 1931 this employer had losses of $5,004 and paid premiums of $6,339. In 1932 he had losses of $17,934 and premiums of $6,486. Thus the total for these two years showed losses of $22,938 as against premiums of $12,825 or a net loss exclusive of any administrative expense of over $10,000. Insurance is based on averages and runs in cycles. There are favorable years and there are unfavorable years and in all insurance a sufficient period and a sufficient volume of experience must be taken in order to produce average results. In the case of this risk, over a ten year period for the years 1930 to 1939, the losses incurred were $89,385 against premiums earned of $132,970, or a ratio of losses to premiums of 67.2%. This is slightly in excess of the basic loss ratio of 66.7% which is necessary to produce adequate coal mine rates.

Much has been made of the limitation of the power of the Insurance Commissioner to the approval or disapproval of compensation rates and rating plans. Senator Shapiro again brings up this point on page 5. He states that the Insurace Company Law of 1921 gives the Commissioner "no right to promulgate a rate of his own," which is true, but he makes a further statement that "if he (the commissioner) does not approve of a rate there is nothing that he can do about it." He continues by saying, "The insurance companies can stand pat unless the Insurance Commissioner is courageous enough to expose the situation and trust to public opinion to correct it." These statements are not substantiated by the facts. The Commissioner does have the power to disapprove rates or rating plans and has done so in a number of instances. Therefore, any disapproved rates or rating plans cannot be used by the insurance companies and it is necessary that the Rating Bureau present rates and rating plans which can receive the Commissioner's approval before they may be used by any insurance carrier. The insurance companies can "stand pat," but until the rates or rating plans are approved they are without the power to write any business. Therefore the control of rate making is by law in the hands of the Insurance Commissioner and not, as Senator Shapiro indicates, in the hands of the Rating Bureau.

Also, on page 5, Senator Shapiro makes the statement that the Pennsylvania Compensation Rating and Inspection Bureau was organized by the insurance companies. This also is not a correct statement of the facts. At the Senator's request I advised him in my letter of March 24 concerning the organization of the Bureau, and I refer you to the statements in that letter which plainly indicate that the Bureau was organized at the specific request of the Insurance Commissioner and that the procedure pertaining to organization, reporting of experience, classification of risks, etc. was dictated by Dr. Downey, the Special Deputy Insurance Commissioner brought from Wisconsin by Governor Brumbaugh for that purpose. The Senator has therefore seen fit to make a misstatement even though he had correct information in his possession.

On page 6, by asking a number of rhetorical questions he makes some unjustified implications. His first question asks if it was a coincidence that following the Insurance Company Act of 1921 the Bureau previously organized was approved by the Insurance Commissioner. Since, as has been previously stated, the organization of the Bureau of all its methods of operation had been dictated by the Deputy Insurance Commissioner, it logically follows that this Bureau would have and should have been approved by the Commissioner.

Several other questions imply that regulation of compensation insurance is undesirable. I do not need to dwell on any arguments on this score since it has been proven time and again that regulation is unquestionably in the public interest.

Another of his questions implies that the provision for rate regulation has kept rates extremely excessive and that companies could write this form of insurance "at rates 30% to 40% cheaper and still make a profit."

An examination of the record will easily refute this statement. Table I attached shows for a seventeen year period from 1923 to 1939 inclusive the premiums, losses and expenses of all compensation insurance carriers writing this form of insurance in Pennsylvania, the figures being obtained from Pennsylvania Special Schedule "W". (1923 was the first year for which the Department required the filing of Schedule "W".) If the nonparticipating companies had had premiums of 30% less than they earned during this period, the premiums would have amounted to $83,997,925. The losses incurred were $73,659,041 and expenses incurred were $53,473,480, or total losses and expenses of $127,132,521. Thus this group of companies would have sustained an underwriting loss of $43,134,596 during this period. The use of the 40% figure quoted by Senator Shapiro produces an even greater loss, namely $55,134,300. Obviously the statement is untrue with regard to this group of companies, so much so in fact that if rates had been 30% to 40% less during this period we would unquestionably have had no solvent stock companies in Pennsylvania at the present time.

Applying the same ratios to the premiums of the participating companies, this class of insurance carriers would have sustained an underwriting loss of $14,096,404 if rates had been 30% less and $29,635,830 if rates had been 40% less. It should be borne in mind also that this group of

companies pays dividends to policyholders, so that the actual losses if they had attempted to pay dividends would have been far greater. The "profit" referred to in Senator Shapiro's statement would be, when the actual figures are consulted, a tremendous underwriting loss.

On page 7, Senator Shapiro outlines the organization of the Rating Bureau committees correctly, but then makes the startling statement that the Bureau, created by law, and its committees which were established by the Constitution of the Bureau for the purpose of enabling the Bureau to function efficiently, constitute a "colossal conspiracy." Why an impartial organization created by law and subject to supervision and examination at all times by a public officer of the Commonwealth, namely the Insurance Commissioner, should constitute a "colossal conspiracy" is, to say the least, difficult to comprehend.

The Senator also makes mention of the fact that the State Workmen's Insurance Fund is required to observe the same rates and rating plans required of all compensation insurance carriers. Since the Pennsylvania State Fund is a competitive fund, in competition with private insurance, it is desirable that this should be so. However, his statement that the Fund while being required to use the same rates required of other carriers could "safely adopt a very substantially lower rate for the same risks" is again not proven by the facts. That is, taking the twelve year period 1928 to 1939 which comprises periods of both prosperity and depression, the Fund had total earned premiums, including coal mining, of $51,683,292, incurred losses of $39,474,896 and expenses of $9,380,819. (1928 was the first year coal mining figures were tabulated separately in Schedule "W"—hence the selection of this period as the longest for which combined figures are readily available.) During this period the Fund therefore had an underwriting profit of but 5.47%, and it should not be overlooked that over four millions of dollars in dividends, representing some 8% of premiums, were returned to subscribers during this period.

The statement in the second paragraph on page 8 implies that mutual companies are unable to compete with stock companies even though they can operate at a lower cost than the stock companies because "competition between these insurance companies is throttled by the rate making bureau." Throughout his presentation the Senator has disregarded completely the dividends returned to policyholders by the mutual companies and participating stock companies. Since the Senator must have known that these companies have returned many millions of dollars in the way of dividends and since he has completely failed to mention this fact, the only logical inference is that he has intentionally disregarded this feature in order to color the charges contained in his discussion before the Senate.

Actually, mutual companies can and do compete favorably with stock companies. In fact mutual competition is making serious inroads on the stock companies' business as can be observed by referring again to Table I. That is, up until the early 30's, the business was about evenly divided between participating and nonparticipating companies. However, by 1939 the participating companies had 65% of the business as against only 35% for the stock companies.

The statements made at the bottom of page 8 indicate that Senator Shapiro advocates the approval of a different set of rates either for each company or for each class of companies because of variation in administrative expenses. Such a suggestion would throw the compensation insurance business into such chaos that it would be forever impossible to determine proper rates and classifications for Pennsylvania employers. For example, there are some 70 companies writing this type of business in Pennsylvania and there are approximately 200 different classifications in the Pennsylvania Manual. There would therefore be 200 different classification rates in effect each year for each of the 70 companies—14,000 different basic rates on some 150,000 policies.

If the Senator had recognized the fact that the participating companies pay dividends he would not of course have made such statements. That is, the expense loading is predicated on what has been shown by analysis of Pennsylvania experience to be the necessary operating expenses for the stock companies. The participating companies are able to return any savings from difference in administrative expense to their policyholders and do not, as the Senator implies, retain the difference in the form of profits.

Again on page 9 dividends have been completely disregarded. He states that "the stock comyanies with this high rate make a comparatively small profit and the mutuals make a tremendous profit."

The statement that the State Workmen's Insurance Fund is being slowly strangled is not borne out by the facts. He attempts to show this first by comparing profits and surplus in the predepression years with similar figures during the depression. The findings of the Sterling Committee that the surplus of the Fund was seeping away and premium income was lessening were not peculiar to the State Fund. They were typical of all insurance companies during this period. That this is so can be seen by referring to a comparison of earned premiums for all companies writing compensation insurance in Pennsylvania. In 1929 premiums amounted to $17,628,967, while by 1932 premiums had dropped to $10,829,693. The heavy losses incurred during the depression period by all companies and the number of company failures during this period are well known and need no further comment.

The comparison made between premiums earned in 1931 and those in 1938 is unfair. The year 1931 was a depression year when all premiums were at greatly reduced levels because of smaller payrolls in industry; in addition the benefits in effect at that time were those of the compensation law as amended in 1927. On the other hand, by 1938 substantial recovery from the depression had been made, industrial payrolls were greatly increased, and what is most important, the 1937 Compensation Act with its high benefits and resulting high premiums was in effect. In order to determine whether or not the increase shown by the State Fund was typical of all carriers, it is only necessary to examine the record. The total premiums on all business, including coal mining, for all carriers in 1931 was $15,813,676, whereas in 1938 they amounted to $31,986,246, or just about double. The State Fund figures, comparing the same two years show an increase of 87% instead of the 100% for all carriers. In 1931 the State Fund wrote 21.6% of the total business, whereas in 1938 this figure had changed very little, the amount being 20%.

The movement of the Fund's surplus and the fact that in some years underwriting profits were shown and in others underwriting losses developed is, as pointed out previously, typical of all insurance. The decrease in the surplus from 1939 to 1940 was due to the declaration of

a dividend on the 1938 business of the Fund, amounting to between $700,000 and $800,00. The amount of this dividend is considerably larger than the decrease in surplus so that the decrease may be regarded as a legitimate return of surplus to policyholders.

Senator Shapiro's criticism of the present administration in not actively soliciting risks for the Fund implies that this is an entirely new policy adopted for the first time in the history of the Fund. This is not the case as it was only during the Earle administration that the State Fund solicited insurance on an organized basis. The State Fund has always remained solvent even though it did not actively solicit risks prior to 1936.

The figures quoted on pages 11, 12, 13 and 14 are substantially correct. However, as mentioned previously, the statements made concerning these figures are misleading since they do not recognize any legitimate expense of administration or the fact that participating companies return savings to their policyholders. These facts cannot be stressed too strongly in reviewing the figures shown on these pages. For example on page 11 when reciting the losses and premiums for the five years 1935 to 1939, the Senator has designated the difference between the premiums earned and losses incurred as "profits." The implication is of course that this amount of money was retained in its entirety by the companies and that none of it was needed for the proper administration of the business. This is certainly not a true statement of the facts or a fair method of presentation.

It should be pointed out also that the figures on these pages are based on the results of a five year period when experience has been favorable. To use this period as a basis for saying that compensation rates are and always have been excessive by 30 to 40 percent, as Senator Shapiro has stated, is to tell only part of the story. For example, contrast the results of the five year period which immediately proceeded the period from 1935 to 1939. The detail of the experience for this earlier period is shown in Table 11. Note that premiums earned (exclusive or coal mining) for all types of carriers, both participating and nonparticipating, amounted to $65,369,860, incurred losses to $43,264,495 and incurred expenses to $21,488,509. Thus a balance of but $616,856 remained after payment of losses and expenses, 0.9% of premiums earned. For the nonparticipating stock companies the experience was particularly bad, this class of companies showing an underwriting loss of 16.4% during the period. It is essential when considering any exhibit of experience not to select a single year or a single cycle, and attempt to prove from the results of this single period that rates may be either excessive or inadequate.

On pages 13 and 14 certain comparisons have been made involving the State Workmen's Insurance Fund and the Pennsylvania Manufacturers' Association Casualty Insurance Company. On page 13 the statement is made that the premiums earned by the State Fund dropped from $6,400,000 in 1938 to $3,400,000 in 1939. These figures, even if correct, make no mention of the difference in rates resulting from two entirely different benefit levels effective in those two years. In any event the premiums earned by the State Fund in 1939 were not $3,400,000; they were $4,900,000. Therefore the net reduction from 1938 to 1939 was $1,500,000 and not $3,000,000.

The comparisons made on page 14 are particularly unfair. That is, the statement is made that the State Fund lost $3,000,000 in premiums from 1938 to 1940; then instead of using the same two years in comparing the premiums earned by the Pennsylvania Manufacturers' Association Casualty Insurance Company, the Senator has compared the premiums of this company in 1937 with those in 1939. Obviously a comparison made for different years in meaningless and misleading. Furthermore the figures are confusing. On page 13 the statement is made that the Fund lost $3,000,000 in premiums from 1938 to 1939. On page 14 it is stated that this same amount was lost from 1938 to 1940. Then at the bottom of page 14, a comparison is made from 1937 to 1939. If the comparison desired is 1938 with 1939, then this shows a decrease for the State Fund from $6,400,000 to $4,900,000 and a decrease of a smaller amount for the Pennsylvania Manufacturers' Association Casualty Insurance Company from $6,427,000 in 1938 to $6,327,000 in 1939.

The figures shown on page 17 have been taken from Table 9 of the Annual Reports made by the Superintendent of Insurance of New York. The figures as shown are correct but again it should be pointed out that while 1938 and 1939 were admittedly favorable years, insurance experience runs in cycles and these good years have been and will be balanced by unfavorable years. That this is so is illustrated by referring to pages 12 and 13 of the New York report showing the results for stock companies and mutual companies by years for the period 1930 to 1939 inclusive. These figures are shown in Table III attached hereto. Note the comparatively small underwriting profits of the last 4 years in the table when contrasted with the tremendous underwriting losses of the first 4 years of the table. In considering the record of the mutual companies the dividend payments should be taken into consideration, these payments averaging about 20% of premiums.

The statement on page 18 that the Pennsylvania Manufacturers' Association Casualty Insurance Company has been instrumental in maintaining a high and unwarranted premium rate is again not substantiated by the facts. Compensation premiums in Pennsylvania are built upon experience compiled from data reported to the Rating Bureau by all insurance carriers writing this type of insurance in Pennsylvania and the rates built on such experience are not placed in effect without first being considered and adopted by the Classification and Rating Committee of the Rating Bureau and finally approved after investigation and study by the Insurance Commissioner.

The comparison on page 19 of the old common law practice of attorneys' retaining 50% of damages awarded to the injured workmen with the system under the compensation law is unfair and misleading. When compensation is awarded in accordance with the definite schedule shown in the compensation law and in accordance with the interpretation of that law by the Workmen's Compensation Board or the courts, the full amount of that award is paid to the claimant. The only exception is when the compensation authorities in unusual cases award a certain small percentage to the claimant's attorney for bona fide legal fees.

The charges made on page 20 do not take into consideration what has been pointed out a number of times

previously, namely that insurance is based on the law of averages and is composed of favorable periods as well as unfavorable periods. The desired goal of an efficient insurance system is that companies engaged in writing such insurance be maintained in a solvent condition so that all claims may be paid promptly and fully. In order to maintain companies in a solvent condition, rates must be adequate. A careful study of Table I will indicate the cycles through which the insurance of workmen's compensation has passed in the years 1923 to 1939. It will also indicate that because of the heavy losses during the depression period the rates for the stock companies during the entire seventeen year period have not been adequate. The record of the participating companies, assuming an average 20% dividend, has produced premiums which have been almost exactly sufficient to pay losses and expenses and return the balance to policyholders. Therefore on the basis of past experience it is submitted that compensation rates have been kept under close control and that over this period they have not been excessive.

On pages 20 and 21 the statement is made that after repeal of the 1937 amendments to the Compensation Act the reduction in rates was not equal to the increase effective when the 1937 amendments became effective on January 1, 1938. This statement as it is given, unqualified by any further comment, implies that the 1939 amendments place the benefit level at exactly the same point as in 1937 and further takes into consideration no change in economic conditions, wage rates or experience in the meantime. The facts of the matter are that the Manual rates which became effective January 1, 1938, were approximately 56% above those effective in 1937.

The rates effective July 1, 1939, when the 1939 amendments became effective were 30% below those effective under the high benefit Act. Applying these factors (1.56 x .70=1.09), it can be seen that the 1939 rates were 9% greater than those effective in 1937. As nearly as it is possible to estimate, the 1939 amendments are approximately 10% greater than those in effect prior to January 1, 1938. Therefore the rate reduction followed almost exactly the change in benefits. It may be further pointed out that rates were reduced 10%, on the average, effective July 1, 1940, so that present rates are slightly below those of 1937 even though the benefits of the present law are some 10% greater than those in effect in 1937.

The balance of the speech is confined to mention of the bills introduced providing for an exclusive state fund and the abolition of the privilege of self-insurance. The Ohio State Fund has been selected by Senator Shapiro, presumably as a good example of how a monopolistic state fund operates and the benefits to be derived from that method of operation for employees and employers. A most comprehensive reply can be given to this portion of the address by referring to the reports of various committees which have from time to time investigated the operation of the Ohio Fund. A review of the reports of the various investigating committees should conclusively prove to the satisfaction of all concerned that if Ohio is the outstanding example of the "advantages" of compensation insurance under a monopolistic state fund, then such a system most certainly should not be adopted in Pennsylvania.

TABLE I

WORKMEN'S COMPENSATION INSURANCE

CALENDAR YEARS 1923-1939

PENNSYLVANIA PREMIUMS, LOSSES AND EXPENSES AS REPORTED IN PENNSYLVANIA SPECIAL SCHEDULE "W"

All Business Except Coal Mining

	All Carriers			Nonparticipating Companies			Participating Companies		
	Premiums Earned	Losses Incurred	Expenses Incurred	Premiums Earned	Losses Incurred	Expenses Incurred	Premiums Earned	Losses Incurred	Expenses Incurred
All Years	$275,391,297	$166,372,716	$83,632,192	$119,997,035	$73,659,041	$53,473,480	$155,394,262	$92,713,675	$30,158,712
1939	26,522,950	12,848,797	7,032,816	9,282,850	4,486,585	3,920,719	17,240,100	8,362,212	3,112,097
1938	28,571,367	14,635,487	8,094,573	9,852,449	5,012,166	4,403,591	18,718,918	9,623,321	3,690,982
1937	21,548,765	12,393,407	5,917,864	7,447,297	3,899,727	3,208,248	14,101,468	8,493,680	2,709,616
1936	17,072,699	10,628,713	4,916,408	6,148,097	3,823,238	2,711,825	10,924,602	6,805,475	2,204,673
1935	14,187,319	8,233,929	4,176,384	5,484,940	3,144,086	2,427,636	8,702,379	5,089,843	1,748,748
1934	13,404,164	7,997,475	3,753,686	5,368,215	3,159,428	2,414,501	8,035,949	4,838,047	1,339,185
1933	10,835,188	6,881,550	3,726,311	4,577,323	3,261,569	2,195,657	6,257,865	3,619,981	1,530,654
1932	10,829,693	7,836,976	3,829,709	5,090,754	3,772,034	2,431,380	5,738,939	4,064,942	1,397,829
1931	13,457,702	9,692,971	4,634,845	6,454,533	5,006,475	3,058,144	7,003,169	4,686,496	1,576,701
1930	16,843,113	10,855,523	5,543,958	8,364,468	5,599,670	3,845,119	8,478,645,	5,255,853	1,698,839
1929	17,628,967	11,071,561	5,410,477	8,616,568	5,517,759	3,828,247	9,012,399	5,553,802	1,582,230
1928	16,889,718	9,750,224	5,365,135	8,422,510	4,894,959	3,877,185	8,467,208	4,855,265	1,487,950
1927	15,854,352	8,777,683	5,011,293	8,170,227	4,152,809	3,642,959	7,684,125	4,624,874	1,368,334
1926	14,886,501	9,262,101	4,595,533	7,741,449	4,722,056	3,281,542	7,145,052	4,540,045	1,313,991
1925	13,496,297	9,025,028	4,152,006	6,971,763	4,832,062	2,956,597	6,524,534	4,192,966	1,195,409
1924	12,408,178	8,526,469	3,931,740	6,476,133	4,409,484	2,817,775	5,932,045	4,116,985	1,113,965
1923	10,954,324	7,954,822	3,539,364	5,527,459	3,964,934	2,451,855	5,426,865	3,989,888	1,087,509

TABLE II

WORKMEN'S COMPENSATION INSURANCE

CALENDAR YEARS 1930-1934

PENNSYLVANIA PREMIUMS, LOSSES AND EXPENSES AS REPORTED IN PENNSYLVANIA SPECIAL SCEDULE "W"

All Business Except Coal Mining

	Premiums Earned	Losses Incurred	Expenses Incurred	Under-Writing Profit %
All Carriers	$65,369,860	$43,264,495	$21,488,509	0.9
Stock Companies —Nonparticipating	29,855,293	20,799,176	13,945,301	—16.4
Stock Companies —Participating	15,656,511	9,398,776	3,193,504	19.6
Mutual Companies	9,171,481	5,672,222	2,447,922	11.5
Reciprocal Exchanges	193,910	91,874	69,691	16.7
State Workmen's Insurance Fund	10,492,665	7,302,447	1,832,091	12.9

TABLE III

WORKMEN'S COMPENSATION INSURANCE AGGREGATE RESULTS—COUNTRYSIDE BASIS

CALENDAR YEARS 1930-1939

From Table 9, Eighty-first Annual Report, Part III, of the Superintendent of Insurance, State of New York, 1940

	Premiums Earned *	Loss Ratio	Total Expense Ratio	Ratio-of Net Gain or Loss from Underwriting
Stock Companies				
1930	$150,222	68.8	43.5	—12.3
1931	125,802	72.6	45.5	—18.1
1932	94,484	71.6	46.7	—18.3
1933	83,921	73.3	47.2	—20.5
1934	98,010	62.2	42.6	4.7
1935	107,070	60.4	42.2	2.6
1936	122,062	58.3	40.7	1.0
1937	141,773	52.8	40.4	6.8
1938	134,679	50.7	42.8	6.5
1939	132,404	54.6	47.7	2.7
Mutual Companies				
1930	37,896	59.4	23.8	16.8
1931	30,546	61.5	26.0	12.5
1932	25,227	58.0	27.3	14.7
1933	23,722	63.7	27.4	8.9
1934	34,423	61.3	23.0	15.7
1935	43,882	57.7	22.7	19.6
1936	54,711	58.1	21.7	20.1
1937 ..	70,297	54.3	21.3	24.4
1938	74,292	53.0	23.1	23.9
1939	75,825	54.0	23.7	22.3

* Last 000 ommitted.

Subject: Workmen's Compensation Insurance as Discussed by Senator Shapiro

To: Honorable Matthew H. Taggart
Insurance Commissioner

From: Gregory C. Kelly, General Manager
Pennsylvania Compensation Rating and Inspection Bureau

It has been stated that the Pennsylvania Compensation Rating and Inspection Bureau was established by insurance carriers and that the Insurance Commissioner, restricted to the approval or disapproval of proposals, was helpless to secure compensation rates and rating plans advantageously.

The fact is that the Pennsylvania Bureau was organized at the demand of the Insurance Department—a demand which met with objection from insurance carriers—for the purpose of securing statistical information on which insurance rates could be made and as a basis for the Commissioner's approval or disapproval. The Insurance Commissioner has at various times in the intervening years since 1915 established the present experience rating procedure, and statistical plan for the reporting of experience, the classifications under which the experience was accumulated and tabulated—in fact, the whole structure of the rate-making procedure, the classification system and the rules. Since this procedure and rating program were reasonable, insurance carriers have cooperated with the Insurance Commissioner in putting them into effect. The Insurance Commissioner, as Chairman and a voting member of all Bureau committees, is in a position to review the experience, partake in the rate-making itself, and can act with knowledge in the public interest.

Reference is made to the legislation of 1937 and that Pennsylvania took second place in the amount of benefits then provided. The fact is that the benefits of both New York and Wisconsin exceeded the benefits of the Pennsylvania 1937 legislation. It is true, too, that while Pennsylvania benefits were approximately 80% of New York benefits in 1938 the Manual rates were but 66% of New York rates and at the same time when Pennsylvania benefits exceeded those of New Jersey by about 30% the New Jersey Manual rates on the other hand exceeded ours by 6%.

Reference is made to a neighboring state in which the State Fund is the only insurance agency. This fund is not, as was stated, a compulsory fund, since self-insurance is permitted in Ohio. This system of insurance is upheld as a means of securing increased benefits for injured workmen. The fact is that there have been few increases in Ohio benefits and these benefits at the present time do not exceed the present Pennsylvania benfits by more than about 10%. Moreover, in excluding employer's of three employees or less the Ohio system excludes a considerable number of employees who are included in the Compensation Act of Pennsylvania. The proponent of this system omitted from his discussion the fact that the expenses of the Ohio State Fund are paid from general taxation and that efficient auditing, inspecting and claims adjustment, all of which are essential to a reasonable rate level, could not be performed for less than 20% of premiums in a state where 100,000 out of the 150,000 policies have a premium of $100 or less. The state would therefore have to find from three to four millions per annum to operate a state fund efficiently and would also suffer the loss of some quarter of a million of compensation insurance premium taxes. As a matter of fact, the premium rates in Ohio—even without the expenses of administering the payment of claims and collection of premiums—are not far from the Pennsylvania rates including all expenses and paying very nearly the same benefits. A comparison is difficult because of the difference in the meaning and use of classifications. I have therefore included, in illustration of this statement, a comparison of the rates of the two states for approximately 30 classifications taken at random and including approximately all the types of industrial activity conducted in the two states, except for coal mining, and as you know the rates for coal mining in Ohio are much more than the Pennsylvania rates for that business.

It is fair to say, as to this matter of classifications, that the very large number of Ohio classifications is discriminatory—a fact which has been recognized for a good many years and to which attention has been called in many examinations of the Ohio Fund. To correct this inequity of classification there is an experience rating procedure which is ridiculous in its application to very small risks and for periods of time as short as six months.

Classification (1)	Manual Rates Penna. (2)	Ohio (3)
Quarries	$4.75	$4.00
Oil Producing	3.20	5.00
Oil Producing ex. Drilling	....	3.00
Oil Drilling	4.35	5.00
Breweries	1.75	2.20
Canneries	1.45	2.50
Dairies	1.65	1.50
Grain Milling	1.60	2.50
Packing Houses	1.80	1.60
Paper Mfg.	1.55	1.60
Board	....	1.60
Gloss	....	2.00
Coating and Finishing	....	1.10
Boiler Making	2.65	3.00
Bolt and Nut Mfg.	1.50	2.00
Hardware Mfg.	1.00	1.00
Automatic screw	....	.90
Hand tools	....	.80
Bridge Shops	3.05*	3.00
Steel Foundries	1.80	1.80
Sheet Metal Shop	1.55	1.10
Rolling Mills	1.70	1.00
Glassware Mfg.	.85	.90
Iron Erection	12.50	18.00
Carpentry	3.30	2.50
Excavation	4.60	4.50
Painting	4.35	4.50
Plumbing	2.10	2.00
Garages	1.35	1.00
Bus Operation	1.00	.80
Coal Dealers	2.55	1.70
Department Stores	.34	.40
Janitor Contractors	4.80	6.00
Paper Stock Dealers	2.90	2.50
Colleges	.18	.45
Restaurants	1.00	1.00
Amusement Parks	2.40	4.50
Y.M.C.A.'s	.50	.45

(*) Includes erection, separately classed in Ohio at $18.00.

NOMINATIONS BY THE GOVERNOR

NOTARIES PUBLIC

The Secretary to the Governor being introduced, presented in writing from His Excellency, the Governor of the Commonwealth, nominations for appointment as Notaries Public.

CONSIDERATION OF NOTARIES PUBLIC

Mr. JAMES. Mr. President, I move that the Senate do now proceed to the consideration of nominations for appointment as Notaries Public, sent to the Senate, July 15, 1941 by His Excellency, the Governor of the Commonwealth.

Mr. EALY. Mr. President, I second the motion.

The motion was agreed to.

The nominations were read as follows:

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, July 15, 1941.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Miss Frances Elizabeth Broad, Broad Building, New Kensington, Westmoreland County, for appointment as a Notary Public in and for the City of New Kensington, Westmoreland County, for a term of four years, to compute from the date of confirmation.

ARTHUR H. JAMES

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, July 15, 1941.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following persons for appointment as Notaries Public, for terms of four years to compute from the date of confirmation:

LANCASTER COUNTY

Mrs. Lorena W. Mease, Lancaster.

WESTMORELAND COUNTY

Miss Stella Jerome, New Kensington.

ARTHUR H. JAMES

EXECUTIVE SESSION

By unanimous consent,

A motion was made by Mr. JAMES and Mr. EALY

That Rule 38 which requires nominations made by the Governor be referred to an appropriate committee be dispensed with, and the Senate do now resolve itself into Executive Session, for the purpose of acting on the foregoing nominations.

Which was agreed to.

Whereupon,

A motion was made by Mr. JAMES and Mr. EALY

That the Senate do advise and consent to said nominations.

On the question,

Will the Senate agree to the motion?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—38

Barr,	DiSilvestro,	Letzler,	Snowden,
Bartlett,	Ealy,	Mallery,	Stevenson,
Becker,	Farrell,	McCreesh,	Tallman,
Carr,	Frey,	McGinnis,	Taylor,
Chapman,	Geltz,	McQuiddy,	Thomas,
Coleman,	Haluska,	Miller,	Wade,
Cox,	Heyburn,	Mundy,	Walker,
Crider,	Homsher,	Ruth,	Watkins,
Crowe,	James,	Shapiro,	Wilson, H. I.,
Dent,	Kephart,		

NAYS—0

Two-thirds of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Governor be informed accordingly.

Mr. JAMES. Mr President, I move that the Executive Session do now rise.

Mr. EALY. Mr. President, I second the motion.

The motion was agreed to.

BILLS SIGNED

The PRESIDENT (Lieutenant-Governor Samuel S.

Lewis) announced that the Chief Clerk having reported that the following bills had passed both houses of the General Assembly and the same being correct, the titles were publicly read as follows:

House Bill No. 481, entitled:

An Act to amend section eighteen of the act approved the second day of July, one thousand nine hundred and thirty-five (P. L. 589), entitled "Milk Sanitation Law" requiring local ordinances in certain cases to conform to this act and the regulations made thereunder.

House Bill No. 690, entitled:

An Act to further amend sections 402, 411, 703, 704, 705 and 903 and to repeal section 706 of the act approved the first day of May, one thousand nine hundred twenty-nine, (P. L. 905) entitled, "Vehicle Code," providing for the registration and fixing registration fees of commercial motor vehicles, truck tractors, trailers and semi-trailers according to gross weight; fixing the maximum gross weight of such vehicles which may be used and operated on the highways; and eliminating existing provisions relating to the chassis of such vehicles.

House Bill No. 803, entitled:

An Act to amend section six hundred and forty-three of the act, approved the twenty-fourth day of June, one thousand nine hundred and thirty-nine (P. L. 872), entitled "The Penal Code," prohibiting selling, giving away or permitting or employing minors under eighteen to sing, dance, act or exhibit in dance houses, concert saloons, theatres, places of entertainment, tap rooms, clubs, cafes, restaurants or eating houses, where or connected with which, wines or spirituous or malt liquors are sold or given away.

House Bill No. 957, entitled:

An Act to amend the act approved the fourth day of June one thousand nine hundred and thirty-seven (P. L. 1625) entitled "An act providing for the creation maintenance and operation of a county employes' retirement system in counties of the third class and imposing certain charges on counties," by defining "Average Salary" and further defining "County Employe" and "Retirement Allowance"; further regulating retirement funds and allowances and the payment of retirement allowances and refunds in case of withdrawal or death of members; validating certain contributions; providing for further admissions to the system and protecting rights heretofore vested.

House Bill No. 1176, entitled:

An Act making an appropriation out of the Motor License Fund to the Department of Highways for allocation to and expenditure in the second class townships of the Commonwealth for maintenance, construction, reconstruction, resurfacing or improvement of township roads and bridges during the calendar years one thousand nine hundred forty-two and one thousand nine hundred forty-three; permitting the use of the funds for maintenance and repair of township roads and bridges under certain conditions; and providing for the method of payment to townships.

House Bill No. 1727, entitled:

An Act providing that proceedings, acts and bonds issued, by Authorities incorporated under the Municipality Authorities Act, as amended and supplemented, shall not be invalid by reason of certain circumstances.

House Bill No. 1729, entitled:

An Act to add section fourteen and one-tenth to the act, approved the seventh day of August, one thousand nine hundred and thirty-six (P. L. 106), entitled, as amended "Flood Control Law," authorizing the Secretary of Highways and the various political subdivisions, with the approval of the Water and Power Resources Board, to grant easements and flowage rights to the Federal Government, over certain highways, roads, streets and bridges.

Whereupon,

The PRESIDENT (Lieutenant-Governor Samuel S. Lewis) in the presence of the Senate signed the same.

PERMISSION TO ADDRESS SENATE

Mr. DENT. Mr. President, I ask permission to address the Senate.

The PRESIDENT. The gentleman from Westmoreland may proceed.

Mr. DENT. Mr. President, I did not know there was going to be such a detailed discussion on unemployment compensation by the gentleman from Delaware, and therefore I shall not go into a detailed statement and give figures such as he has prepared. However, I do have a few remarks I intend to make relative to the subject.

In the first place, Mr. President, I want to say I, of course, did not object to the statement being presented to the Chair by the gentleman from Jefferson, Mr. Henry I. Wilson, nor did I object to it being entered upon the Journal. However, I realize that in not objecting I shall probably, and my colleagues on this side, are probably signing a blank check, inasmuch as we do not know what may have been said about our actions. I trust the gentleman from Jefferson, however, because I have known him for a good many years and I do not believe he would enter anything upon the Journal that would be in any way a criticism of the actions of the Democratic Senators.

Mr. President, in partial answer to the gentleman from Delaware, I want to say it is true we worked a long time—

(The gentleman from Jefferson spoke to the gentleman from Westmoreland, aside, after which the gentleman from Westmoreland continued.)

Mr. DENT. Mr. President, I always knew Henry I. Wilson was a gentleman, and I am glad my judgment was not mistaken in this case.

Mr. President, it is true we worked a long time. I was a member of the commission that studied unemployment compensation. It is also true that we agreed to present a bill with certain noncontroversial amendments to the present act, and it is also true that when the bill was introduced I said then, I said also in committee, and again further on the floor, that the bill in itself had about twenty-two amendments, twenty of which were good, and two of which I considered bad, and my colleagues agreed. I said at the time in committee that if we gave consideration to those two main items in any unemployment compensation bill that you may be dealing with first, the question of the time or the length of time that payments were to be received by unemployed persons, and secondly, the amount of money to be received by those persons, that was controversial, and the committee refused in every instance to have anything to do with liberalizing any of the provisions that I proposed. I am speaking now for labor, and labor was willing to accept twenty of the twenty-two amendments in Senate Bill No. 80.

However, they felt that in fairness to the persons whom they represent that they were entitled to more considera-

tion in the matter of benefits. Every person in Pennsylvania knows that we have about $160,000,000 in the unemployment fund at the present time, and by the end of this year experts say it will reach $190,000,000. Another year of defense activity and we will have a quarter of a billion dollars in the unemployment compensation fund belonging to Pennsylvania. The idea behind unemployment compensation is not to accumulate a vast fund that can be tapped for other purposes or that can be tapped by the Federal Government by the simple passage of a law to take that money that has been accumulated in the Commonwealth of Pennsylvania and feed it into states that have high benefit payments for their employes but do not have the income to sustain the payments. I said to the committee that if they would liberalize those features of the bill, that we would be willing to sit down and work out some sort of a formula that would give us a bottom and a top. In other words, we would work out a formula that would be on a sliding scale basis; in times when we had sufficient money in the fund we would have a ceiling that I had recommended, and in times when the fund was being tapped because of the excess number of unemployed persons in the state, we would be able to reduce the amount of payments, and in certain instances reduce the number of weeks in which they would receive those payments.

In that way we would always keep a staple fund, and we could always pay the employes of Pennsylvania the just sum that they are entitled to. If fifteen dollars a week was justified in 1936 when we passed this bill, any person in Pennsylvania knows that fifteen dollars a week is not justified today. Every person in this Senate knows that fact, and if they have to buy groceries or pay rent for their families or if they have to buy clothes for the family, they know the cost of living has increased. In Pennsylvania today with all the defense activities we still have unemployable persons and the persons who are unemployed have to buy the necessities of life out of the unemployment compensation check they receive from the Unemployment Compensation Fund.

I want to say to all of you if you fail to take cognizance of the facts as they are presented to you, then you eventually wind up in the same position we found ourselves in concerning workmen's compensation. For years and years and years certain individuals and certain interests in the State of Pennsylvania fought against any liberalization of the workmen's compensation fund and then, because labor and because the people of Pennsylvania revolted, then we had in 1937 the passage of an act which many persons thought was too stringent at the time, but why did we get that act? Because we failed to take cognizance of the facts as they were presented to us and because we failed to have the courage to amend the Workmen's Compensation Act in the lush days of 1926 and 1927; because we failed to do what that we were forced to take an act which we could not stand, at least some employers said they could not stand it.

Now, Mr. President, we find ourselves in the same predicament; we find unemployment compensation set at a certain base and from that base they will not move.

Yes, they have liberalized the act—fifty cents a week on the minimum payments—and nothing whatsoever on the maximum, nothing whatsoever in the regular graded schedule.

Of course, you reduce the waiting period and that is perfectly all right. The purpose behind the waiting period is this: if we have less waiting period, with sufficient funds in the unemployment compensation fund to pay, you have less persons who must apply for relief. Remember, those persons in most cases who receive unemployment compensation are those who are border line cases of relief; they do not have steady employment and therefore they are usually the ones who apply not once but twice or three times during a year for unemployment compensation, and it is that group that we are trying to stabilize with unemployment compensation. Men who now have espoused the cause of labor fought the original passage of unemployment compensation in the State of Pennsylvania and I want to say to you that they will fight every decent liberal amendment from now on.

Now, Mr. President, a significant feature of the act is that of partial payments. A great many persons misunderstand partial payments. Pennsylvania has a great many people employed in the coal industry who may work, for long periods of time, two and a half days one week, one day, a day and a half, three days, or three days and a half a week. The reason I opposed the partial payment proposition, if we were to make up the difference between what a person earned, the total, by the amount unemployment compensation would pay, was because that was unfair to those persons who work in the high day rate positions in the coal industry and in the steel industry, and yet if you will total the number of days that a coal miner works in any one period you will find that he is probably employed, at the regular number of days that he should be employed in a month, about seven to seven and a half months out of a year. I believe that the only fair basis for paying partial payments for unemployment compensation would be on the basis of cumulative days. In other words, if a person works two and a half days a week on the basis of a five day work week—which is included in the amendment inserted by the House—then he is entitled to an accumulation of two and one half days.

That is basically fair. There is not any difference in a man who works a total of six days out of a month, if he only works a day and a half a week, than in the case of a person who works six days during a month and works five days in one week and one day in another week and gets credit for two weeks of unemployment. Basically there is no difference, and in justice to those persons who work in many industries of this state, particularly the basic industry of coal, you will find in justice to them the only fair basis of paying partial payments is an accumulative day basis. Therefore labor has taken a stand and the Democratic Party has taken a stand for that because we always strive to be fair in what we do; we do not hand out a half baked loaf of bread; if we are going to give bread we are going to give it so it is fit to eat.

I would like, Mr. President, at this time to read a statement into the record. I have heard so much about how labor agreed on unemployment compensation and how much labor went along with unemployment compensation, how much it was pleased with Senate Bill No. 80. The impression has been getting around that labor is in favor of Senate Bill No. 80 and that the Democratic Party is the only stumbling block. Therefore, Mr. President, I would like to read into the record at this time a statement signed by James L. McDevitt, president of the Penn-

sylvania Federation of Labor, and John A. Phillips, president of the Pennsylvania Industrial Union Council, and I believe that every man in this room will say that they are qualified to speak for labor.

July 12, 1941.

"To Senator John H. Dent

Dear Senator:

"Answering your inquiry for a statement from the State organizations of labor as to the order of importance in the proposed amendments to the Unemployment Compensation Law, to be found in Senate Bill No. 80, as amended, the following is submitted:

"1. Partial Unemployment

"Pennsylvania is one of the few States which does not compensate the worker who takes as little as a day's work a week, rather than be totally unemployed and thereby collect a week's benefits. The remedy is to allow a worker to accumulate his days of unemployment, just as at present the act permits him to accumulate his waiting period during the year." (I might say this present method of computation, through adverse court decisions, may disrupt that entire procedure, and I understand there have been adverse court decisions.)

"This change is provided in definition of "Total Unemployment," Article 1, Section 4.

"2. Waiting Period

"Reduction of the waiting period to one week (five days of unemployment in seven consecutive days) means that the worker will receive compensation out of the Federal Treasury as soon as he qualifies and is unemployed one week, thereby keeping him off the State relief roll for the next week or two, where he goes at present. This improvment would save that much in State expenditure for relief and taxes.

"Reduction of the waiting period to one week was recommended by the Federal Social Security Board as long ago as February 1940.

"The present section on "Qualifications" is loosely worded and has been subjected to an interpretation which would have the worker unemployed for three weeks before each time he is then unemployed, so that working the one day a week after the three weeks of waiting would disqualify him for another period of three weeks. Thus a worker could be unemployed almost continuously, be qualified otherwise and yet get no benefits in the year.

"Under the present wording of Sec. 401-E we request a clarification of the waiting period through the substitution of the word "first" for the word "any," in other words an unemployed person shall be eligible for benefits for the entire year after serving one waiting period provided he or she complied with all other provisions of the Act.

"These changes are provided in Article IV, Section 401 (e).

"3. Duration of Benefits

Extend the benefit period from 13 weeks as at present to 16 weeks. This increase in the duration of payments is of special need where, as in the present defense program, establishment of priorities may close down an entire plant or industry and bring distress to the workers, merchants and the employers in a community. Likewise it would serve in the future, should a period of business slump threaten to set in.

"This change is provided in Article 4, Section 404.

"4. Increased Payments.

"Pennsylvania's Unemployment Compensation Act has not been amended since its adoption in December 1, 1936.

"Increased benefits are justified, both because of increased living costs and because the payments are inadequate for a decent existence.

"The fund can readily bear increased (1) minimum, (2) maximum and (3) per cent of earnings allowed for the rate of benefits.

"The Federal Social Security Board as long ago as February, 1940 advocated such improvements in the State Unemployment Compensation Acts.

"These changes are provided in Article IV. Sections 403 and 404.

"Your attention is respectfully called to the fact that changes proposed in Senate Bill No. 80 have been limited to those which are already in practice generally throughout the country, and that these changes are restricted to the purpose of caring for the meritorious unemployed, tiding business over bad times, yet conserving the funds.

"In this anaylsis labor would assist on the proposals in the order named, leaving "(4) Increased Payments" open to the judgment of the conferees of Senate and House, should they hesitate to accept the suggestions here made and which are amply supported by the fact that the fund idle in the Federal Treasury is already $160,000,000, rapidly piling up and, if allowed to rise too high, may be a temptation for Congress to tap by pooling the various State funds.

Labor feels strongly that this money belongs in Pennsylvania and should be spent here, which can be done only by increasing benefits as provided in the amendments to Senate Bill No. 80.

Respectfully submitted,

JAMES L. McDEVITT,
President, Penna. Federation of Labor.
JOHN A. PHILLIPS,
President, Penna. Industrial Union Council."

Mr. President, with regard to the argument of the gentleman from Delaware that if we pass a partial payment plan we must also pass a merit rating plan, of course, he and I have differed on this subject since we started in the early days to discuss merit rating. I am opposed to merit rating, naturally. Merit rating would result in a greater use of labor saving devices and would result in the end in greater unemployment. It also means that persons who happen to own industries or businesses which have stable employment would be paying practically nothing towards the general fund of unemployment compensation, which is existent for the general good of all persons in the state and the general good of the community in which that particular industry may reside, and at the same time the person who happens to take a so called risky job or who might have a seasoned occupation, jobs which carry a greater number of persons through one season and then drop them because of the slackening of that industry, he would pay the maximum amount for the protection of all the community and all the persons in the State of Pennsylvania.

I am unalterably opposed to a merit rating system until

the time may come when it can be worked out on a more meritorious plan than any which have been so far advanced.

I want to say with regard to the old argument that fly-by-night sweat shop employers would come flocking back into Pennsylvania, that is an old story that need not be rehashed here now. In 1937, under the guidance of Governor Earle, a Democratic General Assembly placed on the statute books of the Commonwealth of Pennsylvania certain safeguards against an influx of that particular type of employer into the State of Pennsylvania again; that will never occur unless certain laws placed on the statute books by the Earle administration are now followed; there will never be those sweatshops with a two and a half dollar week such as the gentleman from Delaware talked about.

I want to say also that if we increase payments we would stand in no danger at the end of this so called defense boom, because the thing that creates greater unemployment is when you cut down on wages and when you remove wage earning jobs, and if we have partial payments and decent living standard payments of compensation for those unemployed, when we hit the so-called slump at the end of this defense boom, certain persons who would probably work two days a week will receive a certain amount of unemployment compensation which would tide them over and which would stop a general slump such as the one we hit in 1929, when there were no safeguards, and when the employes of the State of Pennsylvania and of this nation week after week found their wages cut, from month to month, week to week and from day to day, to as low as twenty-six cents an hours. Naturally you cut down the buying power necessary for the normal prosperity in this state and this nation when wages would be halved or quartered of what they normally were.

So therefore, Mr. President, I can see why the conferees on the part of the House have failed to sign this unemployment compensation report, because you have not given anything, you have only given in substance the things that are now in practice. We only clarify the law in Pennsylvania in order to bring it up to the standards set up by the Federal Government. That is all the twenty amendments do in this bill. There is an amendment which gives fifty cents a week increases and if any person here thinks fifty cents a week is the amount of increase necessary to keep up the standard of living for a person on unemployment compensation, then that person does not know what is happening in this state and this nation

Mr. President, I hope the conferees can get together and I hope some of them can make concessions. We are willing to make concessions. We say to you of the twenty-two amendments you propose we will accept twenty of them, and we will accept twenty of them for a slight increase in the weekly payment and a slight increase in the number of weeks of compensation; we will accept all your amendments if you will give us accumulative days in order that justice may be meted out to the persons who are employed part time.

Mr. HEYBURN. Mr. President, this is a very serious subject which should be discussed dispassionately, without appeals to any class or any other thing. This is an insurance fund and we are trustees of this fund. We want to keep it solvent so that when the day comes, when the test comes, it will be there, and it is something which must be discussed in a dispassionate manner. I sincerely hope, Mr. President, some agreement can be reached here and labor not be denied these benefits, which were agreed to by the gentleman from Westmoreland in committee, and if the gentleman will only take the trouble to study the proceedings of that committee I think it will be found that the gentleman from Westmoreland, Mr. Dent, approved all of these amendments and moved their adoption in some cases.

May I make a further statement, Mr. President, and then I will be finished with this matter, as there is no sense in prolonging this thing now as every one is tired. We could argue this question for days but when you get down to figures and talk figures, based on investigations made by this committee and based on testimony taken, that is another thing.

The gentleman from Westmoreland spoke of the great liberal labor administration of Governor Earle and yet I believe, Mr. President, that we are recommending still more liberalizing features to this law, if adopted, than those recommended by Governor Earle.

The gentleman from Westmoreland spoke of some objection to the table and he said, according to my recollection, that he thought the table was the best type in the United States, excepting at the last meeting he did suggest that the rate should be changed somewhat, the duration of the benefits extended. We extended the duration of benefits, which means the table is necessarily out the window and we would have to return to the old formula system.

The gentleman from Westmoreland spoke of the vast accumulation of funds and stated that when you have the money in there you ought to get rid of it. That to my mind is contrary to the theory of unemployment compensation insurance. The theory of this law, if you take the trouble to investigate it, is simply this: that you store up money when times are good and when times get bad and people become unemployed then this fund is a cushion against unemployment; there is a tax levied on payrolls and placed in this fund, which is a trust fund, and when times get bad and people lose their jobs, it is to this fund they apply for money to carry them over what might otherwise be a rather serious situation.

The gentleman from Westmoreland also spoke of a sliding scale of benefit payments. No one has any objection to that but there again, Mr. President, after a conference with a representative of the Social Security Board I was told, as well as other members of the committee, and I assumed the gentleman from Westmoreland knew about it, we were told that a sliding scale of benefits just would not work under the law.

The gentleman from Westmoreland also spoke of unemployment compensation checks not being sufficient in amount to maintain a family, especially a large family. I quite agree with him, Mr. President, but if the gentleman from Westmoreland will investigate the relief laws of the Commonwealth of Pennsylvania, he will find that where a check from unemployment compensation is not sufficient it may be and is supplemented by checks from the Department of Public Assistance. I assume the Senator from Westmoreland did not know that.

Mr. President, also I have already told the gentleman from Westmoreland that a man can earn as much as three dollars a week and still receive a check of fifteen dollars from unemployment compensation, without being considered employed, which means if that man goes out and looks for a few odd jobs he probably can receive a total of eighteen dollars a week.

The gentleman from Westmoreland also spoke of a half baked loaf, or something or other, whatever that means. Mr. President, the worst half baked loaf I know of would be so do what some people want us to do, that is, simply leave the strike-outs in the bill as amended by the House and do away with all of those liberalizing features I have mentioned and take nothing but partial benefits. That would not conform to the Federal Act in lots of ways and propably, according to the representative of the Social Security Board with whom I spoke and whose name I have now forgotten, in some instances that would mean that funds would be probably cut off from the Commonwealth of Pennsylvania by the Federal administration.

Mr. President, the gentleman from Westmoreland also spoke of a one week waiting period. There again I suggest the gentleman from Westmoreland investigate this study which was made by the committee of which he was a member. If he looks through that study he will find there are only two states in the nation that have one week waiting periods, according to this study, which was completed in January of 1940, and those two states are Rhode Island and Texas, I think; it is contained in the report of the committee but I am of the opinion those are the two states which have such a provision, and in those two states labor itself pays one-half of the contribution, and I wonder if the gentleman from Westmoreland would want us to enact legislation whereby labor would be required to make a contribution of one-half, which would have to be taken out of the pay envelopes of labor.

The gentleman from Westmoreland also spoke of more liberalized payments in view of the fact there is a substantial belance in the fund. I want to say, Mr. President, I am heartily in favor of liberalizing payments as far as is possible based on the true situation, as long as it is safe, and I am most happy to say that this fund is very healthy with $161,000,000 in it now, and I would not care if there were $361,000,000 in the fund, because that would mean when the next depression comes, if it is as long as the last one, we could probably get half way through it before the fund became bankrupt.

The gentleman from Westmoreland also spoke of the possibility, Mr. President, of Congress taking this fund away from us. This fund belongs to us, it has been built up by a tax on our payrolls, by the work of our labor working in our factories, and if any Congress would take a fund like that away from any soverign state in the United States then it is about time we get a new Congress in Washington. That would be an absolute violation of the rights of a state and it would be a dishonest and improper act, to take this fund and put it into a pool and parcel it out to some state which has been careless in its administration of the law and careless in the amendments it has placed in its law and which therefore has depleted the fund.

That is what the gentleman from Westmoreland speaks about, that some state which has been careless in its administration and has permitted its fund to become bankrupt due to its careless administration, the gentleman from Westmoreland now says Congress may take this money of ours that has been paid into this fund and place it in a pool to help take care of states which have not been cautious in the manner in which they have administered their own fund.

We members of the Legislature are trustees of this fund for the protection of the workingmen and women of the Commonwealth of Pennsylvania and that is a very serious matter and it should not be taken lightly. Therefore, Mr. President, I contend the gentleman from Westmoreland has convicted himself and that his argument falls of its own weight when he suggests the Congress of the United States will take our fund away from us to pay into some other fund which has become bankrupt.

Mr. President, a recommendation that an increase in payments should be made on account of that, for political purposes—and some politicians would do that—if any Congress would take this money which belongs to us, I say to you, Mr. President, that would be the biggest crime known to history.

I like to talk about the law and the state when it is necessary, but I do not like to run it down because when you run your state down, you convince labor this is a state they should not live in and I think that is something that should not be done until after the record is looked at.

The gentleman from Westmoreland speaks of those states having these partial unemployment compensation benefits and as I outlined before, after this investigation which I made in a matter of a few hours and which is not complete, for that reason, I have offered this resolution providing for a complete investigation. If the gentleman from Westmoreland will look at this study we have made as of January of this year, he will find that some sort of merit rating or control of this situation is in effect in the following states and territories:

Alaska, Arizona, Arkansas, California, Colorado, Connecticut, Delaware, District of Columbia, Florida, Hawaii, Illinois, Indiana, Iowa, Kansas, Kentucky, Louisiana, Massachusetts, Michigan, Missouri, Nebraska, Nevada, New Hampshire, New Jersey, New Mexico, North Carolina, North Dakota, Ohio, Oklahoma, Oregon, South Carolina, South Dakota, Tennessee, Texas, Utah, Vermont, Virginia, West Virginia, Wisconsin, and Wyoming.

In all of those states there is merit rating provided for or there is some other provision to protect this chiseling or robbing of the fund which I just outlined to you a little while ago. That is one thing we must be very careful about in order to keep this terrible situation out of Pennsylvania that I just outlined to the Senator from Westmoreland.

The gentleman from Westmoreland spoke about the bad effect on the state and the nation. That is what I meant, Mr. President, when I said these things deserve a lot of consideration. I am not going to bore the Senators here with any further discussion. I have been sitting up nights with this thing now for sometime and I am pretty well bored myself but I would like to run through the list of states and show you whether or not Pennsylvania has a liberal unemployment compensation law. I maintain by passing Senate Bill No. 80, even in its original form, we

would have one of the best unemployment compensation laws in the United States, and this is why I say that: Alabama has a three week waiting period and pays a maximum per week of $15 and a minimum of $2. Our minimum is $8. Alaska has a two week waiting period, which is what we will have if this proposed amendment is adopted; they have a maximum of $16 per week and a minimum of $5 per week. There again I say our minimum is $8 per week. Arizona has a waiting period of two weeks, 15 maximum and $5 minimum. Arkansas has a $15 maximum and $3 minimum. Our minimum is $8. The gentleman made light of the increase from $7.50 to $8.00; that is only fifty cents, it is true, but when you work it out actuarially that means two million dollars.

California has a two weeks' waiting period, the maximum is $18.—that is more than ours—and the minimum is $10. California has experience rating, and employers of four or less are not covered. We cover every employe down to one. Colorado has a two weeks' waiting period, $15 maximum and $5 minimum. Connecticut has a two week waiting period, $15 maximum, nothing minimum. You can get as low as ten cents in Connecticut. Delaware has a two weeks' waiting period, $15 maximum, nothing minimum. District of Columbia, four weeks waiting period, $15 maximum, nothing minimum. Florida, two weeks waiting period, maximum $15, $3 minimum Again I say our minimum is $8. Georgia has a two weeks' waiting period, $15 maximum, $5 minimum. Hawaii, two weeks' waiting period, $15 maximum, $5 minimum. Idaho, two weeks' waiting period, $18 maximum, nothing minimum. Illinois, is a state of commerce similar to Pennsylvania, excepting it does not have as much mining as we have, and they have a two weeks' waiting period, $16 maximum, $7 minimum. Indiana has a two weeks' waiting period, $15 maximum, nothing minimum. And so it goes on, Mr. President.

I do not want to bore the Senators but it goes on and on, all the way through the states, and you will not find any state with as liberal provisions as we have. So I insist, Mr. President, if you run this thing down, and run down the Commonwealth of Pennsylvania, you will have labor unions, labor leaders and employers everywhere believing this is no state to move into, it will prevent progress in the Commonwealth and that should not be done until after a full and complete investigation.

I suggest to everyone here that they get a copy of this report of the Joint Legislative Committee and read it carefully, because this gives the complete story up to January 1, 1941; out of this book I can answer almost any question but the hour is getting late and I know we are all tired. If there are any other questions I would suggest that they be asked after we have finished here and I will try and answer them.

Mr. COLEMAN. Mr. President, there is not much that I can say to augment the very able argument presented by the gentleman from Westmoreland, who has studied this problem, together with the Senator from Delaware, Mr. Heyburn, and others for a period of two years. Mr. President, I have had a tremendous concern about unemployment compensation since its adoption. It so happened that I was one of the four House members that sponsored a bill as a member of the House in 1936, that set up the unemployment compensation fund and the machinery in the Commonwealth of Pennsylvania.

I know the gentleman from Philadelphia, Senator Shapiro, has asked me to yield some of the time which I would have devoted in answer to the gentleman from Delaware, Senator Heyburn, and I am sure the gentleman from Westmoreland, Senator Dent, wants another opportunity in order to clarify some of the things that have been said, but there is just one thing I want to say in connection with a statement of the gentleman from Delaware which may be misunderstood. Prior to the arrival of the Minority Floor Leader the gentleman from Delaware made an assertion to the effect that Senator Shapiro had moved in and had taken complete charge of the conference committee. As a conferee considering the bill I want it thoroughly understood that Senator Shapiro was simply giving the conferees and others interested in the bill the benefit of his wide legislative experience and his profound knowledge of this particular subject.

PERMISSION TO ADDRESS SENATE

Mr. COLEMAN. Mr. President, I ask permission to address the Senate.

The PRESIDENT. The gentleman from Lackawanna will proceed.

Mr. COLEMAN. Mr. President, appreciating that the remarks of the gentleman from Delaware will be properly answered by others, I now ask permission to interrogate the gentleman from Cumberland, Senator Wade.

The PRESIDENT. Will the gentleman from Cumberland permit himself to be interrogated?

Mr. WADE. I will, Mr. President.

Mr. COLEMAN. I desire to ask the gentleman from Cumberland whether or not he consulted James Torrance, Republican State chairman, in considering congressional reapportionment.

Mr. WADE. I did not, Mr. President.

Mr. COLEMAN. I desire to ask the gentleman from Cumberland whether or not he consulted one Joseph R. Grundy, when he considered this particular proposition.

Mr. WADE. I did not, Mr. President.

Mr. COLEMAN. I desire to ask the same question with respect to Joe Pew.

Mr. WADE. I did not.

Mr. COLEMAN. I desire to ask the gentleman from Cumberland whether or not he conferred with the Governor of Pennsylvania.

Mr. WADE. I did not, Mr. President.

Mr. COLEMAN. Mr. President, I desire to ask the gentleman from Cumberland whether or not he conferred with any Republican leader in the State of Pennsylvania on this particular proposition.

Mr. WADE. I did, Mr. President. I consulted with Senator M. Harvey Taylor.

Mr. COLEMAN. Mr. President, I desire to interrogate the gentleman from Dauphin.

The PRESIDENT. Will the gentleman from Dauphin permit himself to be interrogated?

Mr. TAYLOR. I will, Mr. President.

Mr. COLEMAN. Mr. President, for the purpose of conservation of time I desire to ask the gentleman from Dauphin the same questions that I asked the gentleman from Cumberland.

Mr. TAYLOR. With respect to the same people?

Mr. COLEMAN. I desire to ask the gentleman from Dauphin whether or not he conferred with any of the aforementioned gentlemen with respect to congressional apportionment.

Mr. TAYLOR. I did not.

Mr. COLEMAN. I desire to interrogate the Majority Floor Leader.

The PRESIDENT. Will the majority floor leader permit himself to be interrogated?

Mr. GELTZ. I will, Mr. President.

Mr. TAYLOR. Is that all the gentleman from Lackawanna is going to ask me, Mr. President?

Mr. COLEMAN. I desire to ask the Majority Floor Leader whether or not he considers congressional apportionment essentially a census proposition rather than a political proposition?

Mr. GELTZ. Mr. President, I may be a little thick tonight but that question certainly is not understandable to me.

Mr. COLEMAN. Then, Mr. President, I will phrase my interrogation in different language.

Mr. GELTZ. I wish the gentleman from Lackawanna would.

Mr. COLEMAN. I desire to ask the gentleman from Allegheny whether or not the problem of congressional apportionment now before the House and Senate is not the result of the taking of the census of the State of Pennsylvania.

Mr. GELTZ. Mr. President, as I understand the situation, the question of congressional reapportionment is a matter of law.

Mr. COLEMAN. That, Mr. President, is a very technical answer. I desire to ask the gentleman from Allegheny whether or not he will be agreeable to a recess of the General Assembly for the purpose of consulting with census experts with a view to honestly and sincerely and equitably apportioning the congressional districts of the Commonwealth of Pennsylvania and have them report back at some later date.

Mr. GELTZ. Mr. President, that sounds like a rather childish and silly suggestion to me. We have now been in session for substantially seven months and the question of congressional reapportionment has not only been a question since we have been in session, but it was a question for some period of time before we came into session. Certainly if my colleague from Lackawanna had had his wits about him he would have known some months before we came to Harrisburg that question would be one of the important questions in this session. After seven months, Mr. President, I certainly would not want to agree to any proposition or suggestion such as the gentleman from Lackawanna has just made.

Mr. COLEMAN. Mr. President, there was an assertion made this afternoon that the reason we did not have congressional reapportionment was because of the leaders of the party—and he indicated the Democratic Party, a statement that I propose to answer later—and I now suggest that since he has stated very definitely that the reason we are not having apportionment is because of the influence of political leaders, does he not think this problem ought to be handled by the conferees in a recess, have them sit down with the men who are familiar with the census figures, in a room from which political leaders of both parties will be barred from participation in any discussion.

Mr. GELTZ. Mr. President, if my recollection serves me correctly, sometime ago I suggested to my colleague from Lackawanna County, that if he were really sincere in wanting to solve this congressional reapportionment problem, instead of just wanting to attract attention and make a noise, he would have endeavored to have his colleagues in the House get down to business and reach some conclusion.

Mr. COLEMAN. Mr. President, I think that is a very impertinent answer. I think that is very impertinent.

Mr. GELTZ. Mr. President, I agree that it was an impertinent answer to an impertinent question.

Mr. COLEMAN. I should like to ask one more question, Mr. President, and ask the gentleman if he will bear with me until such time as I give him some biblical and some legal background which may enable him to arrive at an answer to my question.

I call to the attention of the gentleman that at some time or other during the course of this discussion on congressional apportionment the question of tossing a coin or casting lots in handling this problem has been suggested and there arises in the minds of some people the thought that there may be some criticism from the people of the Commonwealth who think that we are injecting an element of gambling into consideration of important legislation.

I should like to call to the attention of the gentleman, as I understand the Bible—I am not a keen student of Holy Writ—that when Christ appointed the apostles, Judas betrayed him later, committed suicide, and the responsibility for picking his successor rested upon the eleven remaining apostles, and I should like to read into the record that portion of the Bible which indicates that the successor was chosen by lot, and I quote from the Bible:

"And they appointed two, Joseph called Barsabas, who was surnamed Justus, and Matthias.

"And they prayed, and said, Thou, Lord, which knowest the hearts of all men, shew whether of these two Thou hast chosen,

"That he may take part of this ministry and apostleship, from which Judas by transgression fell, that he might go to his own place.

"And they gave forth their lots and the lot fell upon Matthias; and he was numbered with the eleven apostles."

I should like to also read, Mr. President, a provision in the Constitution of the State of Pennsylvania, Section 17, regarding the prorating of judges' commissions and I read from Section 17 of the Constitution:

"Should any two or more judges of the Supreme Court, or any two or more judges of the court of Common Pleas for the same district, be elected at the same time, they shall, as soon after the election as convenient, cast lots for priority of commission, and certify the result to the Governor who shall issue their commissions in accordance therewith."

I am attempting to furnish the gentleman with a biblical

spiritual and a legal background which may aid him in answering my next question.

Will the gentleman, as the Majority Floor Leader, be agreeably to having the Republicans—and I am speaking for myself; this suggestion has not been made at a conference with any leaders of the party—to having the Democrats submit one proposition, and the Republicans submit another proposition, and then decide by the casting of lots.

Mr. GELTZ. Mr. President, that all depends upon whether the propositions are examined before lots are cast. From past experience during this session, I would not want to make any agreements ahead of time, because making agreements at the time are bad enough.

Mr. COLEMAN. Mr. President, I am the fellow who is a little thick now—what does the gentleman from Allegheny mean by not knowing the agreement before time or the proposition before time? I am suggesting that the Democrats lay on the table what proposition they will accept—there is not anything to hide—and the Republicans suggest a proposition which they will accept.

Mr. GELTZ. Mr. President, that was not what my colleague from Lackawanna County said first. If he means that he is willing, for instance, to draw lots as to whether or not a Congressman be taken from Allegheny County or Philadelphia County, as far as I am concerned, Mr. President, I would be very happy to have that decided by lot.

Mr. COLEMAN. The gentleman, Mr. President, is very adroitly evading a direct answer to a very plain and definite question.

Mr. GELTZ. I think not, Mr. President. My colleague from Lackawanna knows well that I can but speak for myself, and although he may have had the unfortunate experience in this session of being bound or directed on the other side, I assure him that we do not conduct our affairs on this side in that fashion.

Mr. COLEMAN. Mr. President, at the outset I want to answer the subtle intimation of the gentleman that I am bound by some leader or other in the Democratic Party. I want it very clearly understood that the only one in Lackawanna County who has talked to me about congressional apportionment was a Congressman from our district, when the census figures were known late last summer. I had one casual conversation in a local restaurant, and then along about March or April, I received a telegram asking me to support an apportionment bill. I have had no conversation with any Lackawanna County leaders of any character, high or low, in connection with congressional apportionment. I have stated my particular feeling about apportionment and my sincere determination that this Legislature shall not adjourn, as far as I was concerned, until such time as we had met the issue squarely in the face.

Now, there were just one or two things that happened this afternoon and I had hoped I would have had the opportunity, when the subject was hot, to present my side very clearly. The Majority floor leader very adroitly created the impression that I singled out some Democratic leader as being responsible for the position that the General Assembly finds itself in.

Mr. President, at a critical period of American History the Democratic Party was born. It entered the arena when the people of America were still seeking freedom, and building around them the secred fire of liberty which God has lighted in every human heart and which all the power of political leaders can never wholly destroy. I am a member of the Democratic Party because I am thoroughly sold on the philosophy of the party, but for the benefit of the gentleman I am not so rabid a partisan that I think that all the virtues and all the honesty and all the milk of human kindness is focused in the political party of which I am a member. I have been tolerant enough to be able to consider the other fellow's point of view and see in those on the other side of the Senate a lot of honest and thoroughly decent fellows, sincere, whose actions in the Senate have challenged my admiration and won my respect, but the Majority Floor Leader this afternoon created the impression that I had singled out a Democratic leader, and I want to get it very clearly on the record that I singled out no Democratic Leader, that I designated no party, that I said the leaders of both parties, and I have, in all my conferences with Senator Wade and with Senator Taylor and in my discussions with the Majority Floor Leader, been honest and sincere.

I am just as determined as anybody in the Commonwealth; we are faced with a problem and we ought to meet it squarely in the face, and if the leader of both parties are responsible, then we ought to take it right on our own shoulders, because we are the ones who are supposed to settle that problem. I want the gentleman to have it very clearly understood that when I referred to political leaders, I also referred to Republican leaders as well as Democratic leaders, who were looking at the practical aspect of the problem, caring nothing about the people of the Commonwealth, the practical disfranchisement of hundreds of thousands of voters in this particular state.

I still think there is opportunity to arrive at an agreement; I still think these conferees ought to sit down with their feet under a table and discuss this thing in friendly spirit, and apportion the state on the basis of census figures rather than at the direction of any political leader of any particular party.

I hope I have it clearly understood by the members of the Senate that I did not say that the Democratic Party or any individual leader was responsible for this. I said the leaders of both parties and I want the record to so state.

Mr. SHAPIRO. Mr. President, this afternoon I found it necessary to leave the Senate for a short period but, thanks to the airplane, I was able to return here to be able to again participate in the interesting discussions of the Senate. Always believing that until the last bell rings nobody is locked out or knocked out. I offer the following information with respect to unemployment compensation, Senate Bill No. 80, with an explanation, if I may, of my participation.

Mr. President, I do not think it is necessary to go into detail; I think every man in this Senate knows I did not inject myself into the picture; I think my colleagues on both sides know that I was asked to get into the picture and see what could be done. I assume that is one of the functions of a leader on the Senate floor, whether he be the majority or minority floor leader.

I am not intimately acquainted with all of the facts concerning unemployment compensation, but I have had some experience. I think I was co-sponsor of the act which is now the law. I may suggest that the words of the act, while not original, were the words which were formed in the office of the Attorney General, I think by one of the present assistants—my recollection is a little hazy there—but as a result of an examination of the laws of all the states and countries in existence at that time—I think the only law we did not have the benefit of was that of Switzerland and the gentleman from Philadelphia, the good Doctor Woodward, was able to procure a translation but we did not get that in time. I have been watching and keeping in touch with the progress of this verc fine social piece of legislation, and I have been concerned about the waste and expenditure of a considerable sum of money by the Joint State Legislative Commission in holding hearings and making reports on this subject, when all you have to do is go to Washington and you can get information and data concerning every phase of this subject in every state of the United States.

Mr. President, when I got into this picture of unemployment compensation, in the last three or four days, it was for the purpose of arriving, not at what is the actual safest thing to do, but what is the agreement that can be reached with the two sides of the problem.

There are two sides that are interested in this fund, two groups of people, those who created the fund and those who benefit from it. The sole purpose of this fund is to distribute its money amongst the unemployed, those out of work. The fund is created and maintained out of industry. Two things must be kept in mind—the safety of the fund and a fair compensation to industrial employes from that fund.

It does not take a great deal of research by the Joint State Government Committee to get information that is available in Washington.

I have heard suggestions here that there is reluctance to accept propositions which have been advanced, because of the safety of the fund. When the proposition started out at first labor, which is interested in the fund, the sole beneficiary of it, asked for a number of things, and one of them was a reduction of the waiting period from three weeks to one week. I say now and repeat what I said then, that there are two dangerous points in this act. One of them is the number of weeks that comprise the waiting period. The narrower you draw that line the more dangerous it becomes. There is much less danger in increasing the compensation period from thirteen to twenty weeks than there is in decreasing the waiting period from three weeks to one week. There is much more danger in increasing the minimum payment from $7.50 to $8.00, than there is from increasing the maximum from $17.00 to $20.00. It is obvious, if you think about it, that you increase the number of persons coming into the fund when you increase the maximum—I mean, minimum, you increase the fund—when you increase the maximum there are very few people who reach that point, and the danger is not at all great.

Mr. President, with that thought in mind I approached representatives of labor on the theory that they should attack the most serious problem which they found as a result of the operation of this fund, and after much discussion I found the most serious problem was that which has already been discussed here, namely, partial unemployment compensation. That has always been a serious problem which widens into what is known as seasonal unemployment. In that phase very few people have been able to find a solution on what is partial unemployment. Statistics which I hold in my hand show, as has been stated here, that forty-five states in the union have it. The statement has been made that there are a number of states—approximately as I counted them, thirty states, according to the report of the Joint Legislative Commission—that have a merit rating system ,and that the two are tied up together. I deny that. The two are not tied up together. I would say as far as Pennsylvania is concerned, the greatest danger that can ever happen to this fund, because of the character of the state, is to have a merit rating system, and until that matter is studied by an unbiased committee, nobody ought to urge that proposition.

I deny there are as many states which have partial payments that do have merit rating. Here is a report of April, 1941 published and available to anyone on request, by the Secretary of the Federal Social Security Board. Let me read you some of these figures concerning the status of the fund. The unemployment compensation fund topped the two billion dollar mark in April for the first time. Two billion dollars, an increase of almost $98,000,000 over March; with $128,000,000 received in April, collections deposited in the state clearing accounts from January to April, 1941, totaled $353,000,000. This amount was $28,000,000 above collections for the first four months of 1940. Increases over last year were reported by thirty-three of the forty-eight states submitting comparable data for both four month periods. Declines shown by comparison, in the comparable 1940 period, were reported by fifteen states during the first quarter of 1941. Experience rating plans were in operation in thirteen states during the first quarter of 1941. Modified rates which is a form of merit rating, have been assigned to employers in only six of the nine states in which the plans became effective January 1941. That means that thirty-two states in the nation have awarded partial compensation without merit rating.

Mr. President, the partial payment proposition is the important proposition now. This fund, as has been pointed out, will have $198,000,000 in the treasury by the end of this year. The high peak, in 1938, was $71,000,000. In 1940 payments from the fund were $44,000,000, and this year, the first quarter, was $7,800,000 and the second quarter was either $7,400,000 or $7,500,000, which indicates that four times $7,500,000 will be $30,000,000 paid out, as against four times $22,400,000 receivec during the first quarter, and that means close to $90,000,000.

I want to submit to you this question: the indications are the highest rate paid for partial unemployment compensation in any state was 15.28 compared to total payments—California, $4,400,000 paid out for total and $479,000 paid out for partial unemployment compensation. This fund if it takes thirty per cent of its highest item of $71,000,000 means $21,000,000. If you adopt thirty per cent of the thirty million dollars this year, it would be ten million dollars.

Mr. President, if you would like to have some interesting data concerning partial unemployment compensation, here it is available without an investigating committee.

Nearly 2.6 million weeks of unemployment were compensated during the month of April, a decline of nineteen per cent from March and thirty-nine per cent below April of 1940. Approximately ninety-two per cent of all weeks compensated were for total unemployment, practically the same proportion as in the past two months. I want to repeat that, and then you can see with what you are dealing. Approximately ninety-two per cent of all weeks compensated were for total unemployment, practically the same proportion as in the past two months. Therefore we are dealing with eight per cent of this fund and therefore ninety-two per cent of the cases were total and eight per cent were partial.

Now, in conclusion, Mr. President, I make the suggestion, in this interest of arriving at a conclusion, that we eliminate the question of reducing the waiting period from two weeks to one that we accept a number of the provisions in Senate Bill No. 80, for procedures which are necessary and good, and eliminate the question of increasing the maximum or dealing with the minimum any further than it is.

I also want to say now, Mr. President, that the gentleman from Delaware inadvertently stated that when you increase benefits by fifty cents you are dealing in millions; I want to say that when you increase them fifty cents, I think you will find you are dealing with about nine hundred thousand dollars, according to the figures furnished last night. I think the gentleman can verify that.

The total amount that could be involved is from $10,000,000 to $20,000,000. This fund can stand it at this time. As a matter of fact, it would be much less, and in my opinion this is the time to experiment because this is the time when it would cost you the least. In a time of progress like we have now of high rate employment, the danger is lessened and minimized, and therefore I suggest, with appropriate safeguards, instead of putting in these innocuous resolutions year in and year out when these problems come up, and saying we ought to have more time to study them and letting the people wait in the meantime—I suggest putting a law into effect up to a definite period and include as a part of the bill a provision that a committee be appointed to make an investigation; then the law could be modified, increased, lowered, or discontinued, according to the recommendations of that committee. I am quite sure with the tremendous amount of money in this fund that can be done safely.

The other side of the picture is this: for years employers have come to the conclusion—and there is something to be said for their right to make that argument—that there are a number of employers who have an even rate of employment and they feel they ought not to be called upon to bear the burden of those employers who have a high rate of unemployment. They have a just right to complain, but sooner or later we may have to come to the conclusion that in an industrial state like ours, diversified as it is, but with thousands of unemployed, they will have to bear some of the burden in order to make possible unemployment compensation, because it does not take much imagination to know what will happen if unemployment rating in Pennsylvania should be put upon a merit rating basis, with the coal and the steel industry, with its high rate of unemployment as against the other industries, which have a low rate. The coal and steel industries could wreck that fund within a year or two.

It is interesting however to note, and it must be remembered, that the longer the period of depression the less the drain on the fund, because after a period of time there is no basis for compensation because there has been no employment, and the danger arises only in a short period of depression. We had one of those in 1938, where the last portion of 1937 was used in the compensation figures and our payments were $71,000,000, and you can see the inroad made when you find in two years the payments dropped to $44,000,000.

I suggest since the bell has not rung, that these facts ought to be considered in approaching a possible solution to this problem.

Mr. President, so far as congressional reapportionment is concerned, I now make the statement on personal privilege, and I repeat what I have said frequently here during this session, I paid no attention to and participated in no way in connection with the matter of congressional reapportionment. My reason for doing that was that after talking to persons whom I had a right to talk to, people who in the final analysis will have to decide this problem, that is, some leaders of the Democratic Party, I came to the conclusion this was purely a political situation and in a political situation I could not do anything about it, because I know that when you get thirty-four Congressmen one of whom is to be eliminated, you will have thirty-four points of view, and when you have that situation, you will have to have someone who will have to decide the question and that someone can only be a leader.

I have been always brought up on the basis that someone has to decide a question at some time, and there has to be some one man to whom it must be submitted. There are plenty of leaders on both sides, and I say without fear of contradiction, in the final analysis they are the men who will decide the question, because the Senators will not be able to decide it, but so far as I am concerned I am not interested in it and I repeat that. That is the statement I made yesterday. I was correctly quoted on it. I am not interested in it. My political beliefs I have expressed publicly and they have no place on this floor, but I say again I shall not participate in that subject because it is one to which I can not contribute anything. I have been Minority Floor Leader here since the beginning of the session; I may not have satisfied everybody, and I am sure I have not, but I have satisfied myself on one thing, I have tried to do what I could to bring about a solution of state problems through whatever contribution I could make to such a solution.

Mr. President, I have been brought up under two different types of leadership. One has been the Republican and the other the Democratic. I never asked anything more in the Republican Party than the right to express my views, and after my views were expressed I allowed the leaders to determine the problems, because the program for the state must be made by the political leaders of either party. It is their responsibility and it is their duty.

Early in my career as a Republican, Mr. President, when I first held office in 1932 and came here in 1933, I was disappointed in the management and the manner in which the Republican Party conducted its affairs, because I did not get an opportunity to express my opinion. When I became a Democrat, I met a man in Philadelphia for

the first time, whose name is Jack Kelly, who has been charged here today with having sold out the Democratic Party.

Well, Mr. President, let me say this to you: there are men on this side of the House who have seen the way in which the Democratic Party is managed in Philadelphia. There have been statements made here that secret caucuses were held in Philadelphia every Saturday and that I among others attended them. That is true, I frequently attend those caucuses, and I attend them because they are very interesting caucuses. There was the first time I ever saw every member of the Senate and House permitted to express his opinion on a subject. I have seen every bill discussed, I have seen lobbyists invited into those meetings and permitted to give their opinions on bills, and permitted to voice their views on a subject, and subjected to as good a cross-examination as any lawyer on this floor could give them, by those men who become trained in their work from week to week. I have seen Mr. Kelly express his opinion and I have seen Mr. Kelly voted down on his opinion on bills more than once, and I have seen him go along with the result of the caucus. I have seen here in the Senate and in the House the voice of Philadelphia translated into the general caucus and I have seen in the general caucus, after being heard, the voice of Philadelphia go along with the result of the general caucus. I know of no other way, no better way, to manage it.

I have seen the same leader slow down, you might call it, the Democratic victory which was in the hands of the Democratic Party in the City of Philadelphia because of decency and statesmanship. Everybody in Philadelphia knows that Philadelphia would have a Democratic mayor today, if Jack Kelly had not been an honest citizen of Philadelphia. The sale of the water works through the R.F.C. in Washington was brought about only by the intervention of Jack Kelly, and the failure of bringing that about would have thrown Philadelphia into bankruptcy. It was over forty million dollars short in cash, it could not continue its financing without imposing an extremely high additional tax both real and personal, on the citizens of Philadelphia. Mr. Kelly was told by certain leaders if he would sit tight and do nothing, he would have the finest argument to elect our mayor, and Mr. Kelly made a statement to those gentlemen that Philadelphia came first and the party next, and he personally went to Washington and reached a conclusion which no one else was able to reach, by inducing the R.F.C. to make a loan, to help finance a loan, in order to save Philadelphia from bankruptcy. As a result of that, there were few issues as important as that to present to the people of Philadelphia. I am satisfied with what he did in Philadelphia and I am satisfied with what he did here in Pennsylvania and I am satisfied, even though his suggestions were in a measure obstructing and interfering with a plan for which I had worked for several years, and I say, whether the Governor happens to be a Democrat or a Republican, when the Governor calls upon a man who has influence in the state to help him solve a problem, he has a perfect right to do so, and I would like to know how, in the Commonwealth of Pennsylvania, by anything Jack Kelly did, the party has been sold down the river.

The party obtained its program. The Moul-Woodring Bill was passed, the hospitals were taken over, the road money was given to the townships and I repeat, Mr. President, what bill, what important bill to the Democratic Party has been defeated by anything that Jack Kelly did? Let me add one further word to that; not one step that was taken by the conferees who were trying to reach an agreement with the Governor was taken without consultation with all the leaders, in the office of the Speaker of the House, after discussion on the merits and demerits of every plan that was suggested. It is true that Mr. Kelly made suggestions on how to reach an agreement through the press before discussing the matter with us. That has happened dozens of times, and it is true some of those suggestions at first upset me because I felt they were not in accordance with what we had outlined, but it is also true that somebody had to give and both sides had to give in order to receive, and it strikes me that I recall that even on this side of the House I was severely criticized—and I say that in a most friendly manner—by a number of people from certain sections, who objected to their hospitals being taken over, not because it was not a good program, not because it was not a fine social piece of work, not because it was not the party program, because it was, because I sat in when the party made up its program for this session, along with the rest of the leaders in the Democratic Party, and every plank in that platform was adopted by and with the approval of the leaders. One of those planks, for instance, was the taking over of the mental institutions, and yet a number of men on this side of the House were willing to allow that program to drop, because they were local situations which would adversely affect the party.

Mr. President, you will remember that I made a statement on this floor that I did not care whether it was on this side of the House or on the other side of the House, and I now repeat it, I do not care on which side of the House it falls, if there is any party in this state, any local party, that depends for its existence and its life upon control politically of any institution for the care and treatment of patients in any form, then that party is better dead than alive.

That program today accomplished in the state after two or three years, will be on our statute books because the Democratic Party wanted it, fought for it and got it, and, I may say, because the Governor of this Commonwealth was finally willing to go along on a give and take proposition—and I say this in all kindness—I hope the discussions between two gentlemen from Philadelphia and other places will continue on the basis which it has in the newspapers, because there is still a sense of humor in both of them, but let me say before it is too late, that the values and virtues of the accomplishments in this Senate, this Democratic Party, should not be thrown to the four winds because of discussions between two able, two conscientious and two sincere men, both of whom can sit down tomorrow and reach agreements affecting the state and which will be in the interests of our citizenship. I hope the friendship which exists between them now will continue.

As a student of the politics of Jack Kelly—even though those statements were made in my absence—I want to clear the atmosphere and say I owe it to him to stand here and say that there is nobody in Philadelphia who has contributed more to the success of the Democratic Party in building it up from nothing to be a potent factor in our affairs; there is nobody in Philadelphia or in Phila-

delphia politics who has the respect of both sides in the political arena more than Jack Kelly; and there is not a citizen in Philadelphia who has done more for the good of that city than Jack Kelly, I say in all kindness to my friend Dr. Mundy, for whom I have high regard and affection, that I am not going to interfere in their fight and their quarrel. I hope they will continue to conduct it on a high plane, but I can not stand by and let the statement go into the record, by innundo, direct, or in any way, that anything that Jack Kelly did should be criticized on the basis that he sold the party. There are people who do not understand his actions but I know them. I have suffered many disappointments in that party in Philadelphia, but so have other people, and the only way I know to build a party is to stifle your own ideas and ambitions, in the interests of what is more important in these times than anything else, the building up of respect for politics, the building up of respect for people in public life, and the building up of respect for politicians, as they are known, so that when the word is used there will be no misunderstanding. The time must not come when we will return to those years when decent citizens were unwilling to allow their names to be placed on the ballot for fear they would go into public activity and have their names smeared without any rhyme or reason. If we can continue to have in politics men with the ideals of Jack Kelly and, yes, Dr. Mundy, and many of the men who are around here, we will be able to get politics on a high plane.

My position here has been to try to bring about a respect for law and order, and try to bring about respect for this Senate. I have paid no attention to personal attacks and remarks made in my absence and in my presence, even though by thinly veiled intolerant remarks of individuals, they were brought to a very low level when they were produced on this floor, because I am as of nothing compared to the big factor which confronts all of us and concerns me greatly, that is, the future of this great country, the last great democracy that there is, and its future can only be continued and maintained as long as the people all around us agree that there must be respect for law and order, and their degree of respect for law and order will be in proportion to our respect for the position which we occupy in public life.

Mr. MALLERY. Mr. President, it is not often but occasionally I must disagree with my colleague from Philadelphia, Senator Shapiro. I was shocked to hear him state just a few minutes ago, and I feel that I correctly understood what he stated, that the matter of effecting congressional reapportionment was the duty of the leaders of the two parties of this state, and that in due time those leaders would perform their function. That is incomprehensible to me.

I believe and I feel that every other Senator in this Chamber is in accord with me when I state that it is not the duty of any leader, the law does not direct any leader to perform that duty, but that it is a duty with which this Legislature is charged. The complaint that was made, in which I did not take any part, was that congressional reapportionment has been stifled by reason of the fact that the conferees of the House were helpless to act because of the fact that they willingly were abiding by the dictates of certain leaders.

I never will, I hope, and I have no reason, to speak disrespectfully of the so-called leaders of either of the great parties, but I take it that it is our duty, Mr. President, we are charged with the duty, and I am still optomistic that if we are given an opportunity that we, the members of the Legislature, can effect a proper solution of this vexing problem.

Mr. DENT. Mr. President, a lot of water has gone over the dam since I wanted to get up to answer directly the statements made by the gentleman from Delaware, Mr. Heyburn, and I seemed to get the impression he was talking directly to me in his statements, because repeatedly he pointed his hand at me and told me he was talking to me. I do not want to go into that, Mr. President, but I want to clear up one or two points. It is true that I served on the commission, it is true I accepted or probably made more motions of acceptance of the great majority of the amendments being made on Senate Bill No. 80, but I believe that he in fairness will say that I always make the reservation that I did not agree with the amounts of unemployment compensation paid. I agreed with the type of the schedule and I still say that we ought to think that it is a great improvement over the method of computation that is being applied today when determining the amounts to be received by those who are unemployed.

We agreed on a great many things in Senate Bill No. 80, and there is no reason in the world why we can not agree on one or two vexing problems which still remain before us. I can remember my father telling me how year after year and year after year he went out and voted for the Republican Party because of the full dinner pail argument, but when the time came and the entire country was hit by the crash of 1929, the full dinner pail did not mean anything because he did not have any work to go to. You can not blame that on the Democratic Party. We have not had control so many long years and any mistakes that were made forty-four years ago certainly would not have had any bearing on the crash of 1929. I want to say for the record I am absolutely convinced that I am sound in my proposition and in my reasoning and in the logic that I stood for on this matter of unemployment compensation. Since we are hearing so many stories about who takes personal pride in sponsorship, I want to state for the record also that the first compensation bill ever introduced in Pennsylvania was introduced in 1935 by myself, for which I received the general condemnation of pretty nearly everybody in the state.

Mr. COX. Mr. President, I like to think of bills which are introduced in the Senate as legislative children. From my observations I have found very frequently that those bills die at birth and are not even presented to the Senate. Then at other times these legislative infants are born and sent to committee, and they die in their early infancy. At other times they are born and they get perhaps as far as early adolescence and then they die, and there are other times when they approach the age of maturity, and then they are executed on the floor of the Senate.

One of the legislative children which we have had in the Senate is a legislative child that was born ill. We felt that if we gave it sufficient time that the illness would be cured and eventually it would reach health, old age, and perhaps, with the blessing of this Senate, become law of our great state. Unfortunately the pass-

age of time has not cured that illness, and now we find that the spark of life in that infant is growing very very low. Perhaps it is wishful thinking on my part, but I feel that some place and some time within the next several hours there is going to be proper medication given to that legislative child and perhaps it will become a law of our Commonwealth, and I refer again the reapportioning of the congressional districts.

Regardless of the fact that I feel, and I have no foundation for feeling so, that there is a solution, I do think that if we should adjourn without something being done on the matter of reapportionment we would be remiss in our duty.

Congressman Samuel Weiss, formerly a member of the Legislature of Pennsylvania, an able and capable lawyer, and a man conversant with the very problem which bothers us, has introduced in the Congress of the United States a resolution which would have the effect, if it passes that body, of enabling the Census Director of the United States to reopportion the congressional districts of Pennsylvania.

MOTION TO SUSPEND RULE 39

Mr. COX. It is my intention at this time, and I now offer a resolution, and because of the fact that Rule 39 of the Senate makes it impossible to act on this resolution immediately if anyone objects to it, I offer the resolution and I move that Rule 39 of the Senate be suspended.

Mr. COLEMAN. I second the motion, Mr. President.

RESOLUTION MEMORIALIZING PRESIDENT AND CONGRESS TO ENACT INTO STATUTE HJ RESOLUTION 207

Mr. COX. Mr. President, I ask unanimous consent to offer a resolution at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Messrs. COX, DENT, COLEMAN and BARR, offered the following resolution which was twice read:

In the Senate, July 15, 1941.

Whereas, The General Assembly of the Commonwealth of Pennsylvania has been unable to agree to a proper plan for reapportioning the various Congressional Districts of the Commonwealth in disregard of a constitutional mandate so to do; and

Whereas, The failure to reapportion the Congressional Districts in the Commonwealth of Pennsylvania will lead to great expenses and a breakdown in the election machinery of the Commonwealth; and

Whereas, Congressman Samuel Weiss has introduced in the Congress of the United States of America HJ Resolution 207, which, if enacted into a law, will permit the Director of the United States Census to reapportion the Congressional Districts of the Commonwealth of Pennsylvania if the General Assembly of Pennsylvania fails to reapportion the Congressional Districts; now, therefore, be it

Resolved, If the House concur, it is the intention and desire of the General Assembly of the Commonwealth of Pennsylvania that the President of the United States and the Congress of the United States be memorialized and they are so memorialized to enact into a statute HJ Resolution 207.

On the question,

Will the Senate agree to the motion to suspend Rule 39?

POINT OF ORDER

Mr. GELTZ. Mr. President, I rise to a point of order.

The PRESIDENT. The gentleman from Allegheny will state his point of order.

Mr. GELTZ. There has been a resolution presented and a motion at the same time.

The PRESIDENT. The Chair is only entertaining the motion.

Mr. GELTZ. Mr. President, I would like to suggest to my colleague from Allegheny that he should first present the resolution and have it read. Otherwise I will have to ask my colleagues to vote "no" on the motion to suspend Rule 39.

Mr. COX. I might say by way of explanation that it was my desire, after the resolution was read, to move to lay the resolution on the table. I was not going to ask for immediate consideration. During the afternoon we found, by study of the rules, that it would be impossible for me, the resolution having been read, to move to lay it on the table. If my colleague and friend, the Senator from Allegheny, Mr. Geltz, is willing, the resolution having been read, I will not move that Rule 39 be suspended, if he will consent to have it laid on the table.

The PRESIDENT. A similar situation arose some time ago, at which time the Chair made no immediate ruling but first examined the rules of the Senate. When approached today by the Senator from Allegheny, Mr. Cox, the Chair told him the only method of preventing this resolution being automatically referred to committee would be by suspension of Rule 39. There is nothing to prevent the Senator moving to suspend the rule, presenting the resolution, asking for its immediate adoption, or that it be laid on the table, or anything else that he wishes to have done with it.

PARLIAMENTARY INQUIRY

Mr. GELTZ. Mr. President, I rise on a question of parliamentary inquiry.

The PRESIDENT. The gentleman from Allegheny will proceed.

Mr. GELTZ. Mr. President, if a resolution is presented and request is made that it be read, could not thereafter there be a request for immediate consideration or a motion to suspend Rule 39.

The PRESIDENT. If the Chair were in the position of the Senator from Allegheny, Mr. Cox, he would not take that chance, because should there be objection the Chair would then automatically be obliged to refer the resolution to a committee. There is similar analogous action taken when the gentleman from Bucks, Senator James, moves that Rule 38 be suspended in order that the Senate may take immediate action on Executive Nominations; otherwise appointments reported by the chairman of the Committee on Executive Nominations with a favorable recommendation would have to lay over for a day.

Mr. GELTZ. Because of my neighborly nature, Mr. President, I dislike to oppose the motion of my colleague from Allegheny, but I am afraid under the circumstances I will have to request my colleagues to vote against the motion. It may be that my colleague will withdraw his

resolution temporarily and allow us an opportunity to see it. In such an event it is possible we may have no objection.

The PRESIDENT. If the Chair may be permitted a suggestion, he would suggest you might reach a gentleman's agreement, and then we will not take snap judgment.

Mr. COX. Mr. President, I would be very willing to immediately confer with the Majority Floor Leader, with the understanding that after that conference I again will have the privilege of introducing the resolution.

Mr. GELTZ. I promise not to tear it up, Mr. President.

And the question recurring,

Will the Senate agree to the motion?

The PRESIDENT. The motion now is will the Senate agree to suspend Rule 39.

Mr. GELTZ. Mr. President, I must ask my colleagues to vote against the motion to suspend Rule 39, and I would like to give the reason for making that request. If we have had so much difficulty here in the Legislature of Pennsylvania, in coming to a conclusion and reaching a proper determination in this matter, what can we expect from Congress, where they are selfishly, or I should say more selfishly interested in the matter.

The PRESIDENT. The Chair also calls attention to the fact that twenty-six votes are required to suspend a rule of the Senate.

Mr. COX. Mr. President, may I ask the Senator—I do not know whether he got the point of the resolution or not, but it is to the effect that Congress would make a plan of apportionment through the director of the census, who is equipped with the proper census figures and unquestionably could do an able job.

POINT OF ORDER

Mr. BARR. Mr. President, I rise on a point of order.

The PRESIDENT. The gentleman from Allegheny will state his point of order.

Mr. BARR. Mr. President, is the question now before the Senate the motion that the resolution be laid on the table.

The PRESIDENT. The question is on the motion to suspend Rule 39.

Mr. BARR. Can the resolution be laid on the table without a motion?

The PRESIDENT. It cannot.

Mr. BARR. Notwithstanding unanimous consent of the Senate, Mr. President?

The PRESIDENT. Automatically, in the event of objection, the Chair would be compelled to refer the resolution to a committee.

MOTION TO SUSPEND RULE 39 WITHDRAWN

Mr. COX. Mr. President, I ask unanimous consent to withdraw the motion to suspend Rule 39.

The PRESIDENT. Is there objection? The Chair hears none.

It was agreed to.

RESOLUTION LAID ON TABLE

Mr. COX. Mr. President, I ask unanimous consent that the resolution be laid on the table.

The PRESIDENT. In the absence of unanimous consent, the resolution would be referred to committee.

Mr. COX. Mr. President, I ask unanimous consent that the resolution be laid on the table.

The PRESIDENT. Is there objection?

Mr. GELTZ. I have no objection, Mr. President, providing it lays there for some time.

It was agreed to.

PERMISSION TO ADDRESS THE SENATE

Mr. McGINNIS. Mr. President, I ask permission to address the Senate.

The PRESIDENT. The gentleman from Allegheny will proceed.

Mr. McGINNIS. Mr. President, this afternoon there were newspaper articles read here and statements made to the effect that some Senator on this floor heard some newspapermen say that they had heard that Congressman Weiss had said that Senator Guffey had said that he was opposed to congressional reapportionment in Pennsylvania.

I received a telegram a few moments ago from Senator Guffey, which reads as follows: "Statements have been made to the effect that I am opposed to apportionment in the State of Pennsylvania. Such rumors are based upon misinformation or are deliberate falsehoods. During my entire political career I have been in favor of apportionment. I am in favor of apportionment now and the Legislature of the Commonwealth of Pennsylvania in my judgment should not adjourn without legislating for apportionment in accordance with the census taking of 1940." That, Mr. President, is signed by Joseph F. Guffey.

I talked to Congressman Weiss, Mr. President, and he told me that he had never talked to Senator Guffey about reapportionment, either for or against, in Pennsylvania.

I talked with Senator Guffey on the phone myself and he defied any congressman, Democratic or Republican, to say that he had advocated or not advocated apportionment or reapportionment in the State of Pennsylvania. He also told me this, that if there was one thing that he had done during this session it was to attend to his business in Washington. He said these are not the days of Quay o Penrose, when no move was made without telephoning to Washington. I am very frank to say I do not think Senator Davis has bothered or put his finger on any man on the other side of the House, and I am sure that I can say that every man on this side of the House has not been influenced or no effort has been made by Senator Guffey to influence him or his vote on any subject that we have had before us during this session. I might also say that our national committeeman from Pittsburgh, David L. Lawrence, has never asked me and I am sure that he has never asked a single soul on this side of the House to oppose reapportionment. In fact, he has insisted on the 'phone tonight, when I called him, that we should not adjourn here until we have reapportionment in this state.

Now, Mr. President, we have had a conference committee working day and night, and I have the greatest respect for every one of them, and when they tell us they can not agree I take them at their word because I know they are sincere about it, but that is not satisfying to me.

I as one Senator refuse to sit in this Senate and hide behind any political leader from any section of this state and I say to you, Mr. President, that if this Senate adjourns, hiding behind some leaders somewhere—we have not heard them named very definitely—but if on either side of this House we must listen to some leader outside of this body, it is a pathetic situation.

Therefore, I feel, Mr. President, I am going to direct a question to every member of the conference committee, if they choose to answer it: can they submit to this body a plan or an alternative plan on which we may vote?

I do not think we are true to our districts back home; I do not think we are true to the people of Pennsylvania if because of some conference committee that has labored assiduously, honestly and fairly to settle something, that we must sit back and go back home and face our constituents and say we did not have an opportunity to vote on this proposition.

I feel that if this committee or any member of it will submit something to us—I do not care what it is—whether directly or in the alternative, that we can vote one way or the other, we can at least go back home with our eyes open and face our constituents. Otherwise I feel that we are the creatures of legislative custom, old as it may be, but there is no custom that we can not change.

Therefore, Mr. President, I do not care what the House does, the other side of this chamber, they may not agree with us, but I say to you, Mr. President, that we ought not to go out of this Senate, without expressing individually our vote on any reapportionment proposition from either side of the House.

Mr. COX. Mr. President, when I read this article in the newspaper, when I heard the accusations which were made by the gentleman from the right, I, like my colleague from Allegheny, Senator McGinnis, was very indignant and for that reason I called Senator Guffey and Senator Guffey assured me, as he did Senator McGinnis, that he had always been for congressional reapportionment and he directed a little advice to Senator Walker and myself. He said if we were going to enter into our literary career on the floor of the Senate, in addition to the books we had suggested that we both might read, that we might also read Pilgrims Progress.

Mr. MUNDY. Mr. President, I think my speech this afternoon was certainly productive of results. When the Senator from Philadelphia came into this Chamber I was about to ask him if he had passed himself at Paoli, on the way back, but he clarified the situation very well by saying that he arrived by airplane.

My speech has been very effective, I believe, in healing a very serious breach that previously existed within the organization of Philadelphia itself. If, by that speech, I have been able to bring together in amicable relationship two men who hold such diverse points of view on subjects as Senator Shapiro and Jack Kelly, then I indeed have done some great service to the Philadelphia party organization.

I recall, going back again to history, from say the Spring of 1938 to the present time, when perhaps the Senator would not have been in such a frame of mind as to so ably champion the cause of Philadelphia leadership as he has been tonight. I really was surprised and astounded when I saw Senator Shapiro ride into the lists, where we must admit he was an able champion, an able champion of any cause, and I believe myself if I was in dire distress and sorely pressed and wanted to find a very, very plausible explanation and wanted to re-establish myself in the estimation of the community, I would not hesitate, Senator, to hire your services, and while I have criticized Mr. Kelly on some other things, I think he did exercise judgment in having you come back in such a hurry to take up the cudgels in his defense on the floor this evening. But, Senator, you must admit that having explained the differences that have existed recently between you and Mr. Kelly, while you were an able champion, that you did ride into the lists with a horse slightly spavined and with your lance slightly bent, and your shield dented in a few places from your past conflicts with the champion whose cause you now have so ably espoused, and may I say, if I did not know the situation and were not so thoroughly cognizant of all the facts pertaining to it, that you, by your ability to so ably paint word pictures and so deftly to clarify each action, I indeed might be swayed by your oratorical presentation of these facts, and if it be any balm of Gilead to your honor, anything that might soothe you in your concern for the future of the Democratic Party, I assure you that from tonight on, if Mr. Kelly wishes to issue any further statement, that he will simply be competing with Hamlet, in rendering another soliloquy.

PERMISSION TO ADDRESS SENATE

Mr. BARR. Mr. President, I desire permission to address the Senate.

The PRESIDENT. The gentleman from Allegheny will proceed.

Mr. BARR. Mr. President, this sounds like Democratic night. This afternoon when my colleague from Allegheny, Senator Geltz, was speaking I made a remark from my chair which I think the Senator misunderstood, and if possible I would like to have it taken from the record. I said someone, in a little stronger term, was trifling with the truth, but I did not mean him, I meant the person who inserted or through his influence, had this article inserted in the paper, of which Tony Smith is so able a reporter. I have talked with Mr. Geltz personally and I think he understands that also; I do not think any one in this room, knowing me, would think I would get up on this floor and call any one of my colleagues a liar.

PERMISSION TO ADDRESS SENATE

Mr. HALUSKA. Mr. President, I request permission to address the Senate.

The PRESIDENT. The gentleman from Cambria will proceed.

Mr. HALUSKA. Mr. President, I think today we have gone rather far afield. I just want to take a minute and a half to make a few brief remarks.

When this session opened in January I introduced a number of bills, enabling bills, to help finance the program pertaining to assistance to the aged of our Commonwealth. There were certain reforms, known to this body as gambling bills, and my colleagues on both sides of the House frowned upon them because they did not believe in gambling in the Commonwealth of Pennsylvania, so my bills are peacefully sleeping now, and I had forgotten about them until now, when lo, and behold, the gentleman from Lackawanna quotes Scripture and tells us that eleven of the twelve apostles believed in lottery. Then, upon interrogation, I found, much to my amazement and surprise, that our good friend from Allegheny, Mr. Geltz, submitting to interrogation, stated that he would be satisfied to enter into a lottery to decide the congressional reapportionment bill. I am amazed and I am dumbfounded, but I am happy, Mr. President, now that in the closing hours of this session we have two outstanding Senators, one a Democrat and the other a Republican, who have told us that both of them believe in gambling, and in the next session I am satisfied they will be of great aid to me.

PERMISSION TO ADDRESS THE SENATE

Mr. WADE. Mr. President, I ask permission to address the Senate.

The PRESIDENT. The gentleman from Cumberland will proceed.

Mr. WADE. Mr. President, I hesitate to take up any time in this very pleasant Democratic fall-out, but I do believe that the invitation from the Senator from Allegheny, Mr. McGinnis, is worthy of consideration. On repeated occasions I have taken the opportunity to express to my colleagues here in the Senate trends of population that have led to some very definite conclusions in this matter of congressional reapportionment.

I again repeat this evening, Mr. President, that the City of Philadelphia during the past decade has been one in particular that has shown this particular trend of a decrease in population. As a matter of fact, it has lost the total number of 15,875 while on the other hand the surrounding counties have shown very definite trends of population increase.

Ten years ago, when this very contentious matter of arranging congressional districts was dealt with, Pennsylvania at that time lost two of their delegation and the matter was solved by consolidating districts throughout central Pennsylvania and disturbing the then existing figures considerably. One of those districts which was broken up was changed from one county to four counties and the population of that district now is approximately 428,000, much over the quota.

Then again I say to you, to substantiate my point, that I have tabulated these districts according to their size, beginning with the smallest, which is in Allegheny County and is short 92,000 of the present state ratio, and continuing through to the twenty-second district, each of those first twenty-two districts are low in population and in these first twenty-two small sized districts, all of which are under the new state ratio, the City of Philadelphia has six of their seven districts. The seventh district has an excess of population, but only five thousand more, while on the other hand the largest district in the State of Pennsylvania, comprising the County of Luzerne, has an excess population of 140,000.

Therefore, Mr. President, and my colleagues, it is my studied opinion, after making considerable research, that the proper solution of this problem is to remove one district from Philadelphia, thus cutting their delegation from seven to six and on the invitation of the gentleman from Allegheny, Mr. McGinnis, I make the following motion.

SENATE URGES ONE CONGRESSIONAL DISTRICT BE REMOVED FROM PHILADELPHIA

Mr. WADE. Mr. President, I move you that this body go on record as substantiating the decision that one district should be removed from the City of Philadelphia, and if it is agreeable to the other conferrees I now invite them to second this motion.

Mr. MUNDY. So there may not be any misunderstanding relative to my position in this matter, and because of the developments of the last few days, I told my colleagues from the beginning that the population figures showed that Philadelphia had lost 177,000, whereas numerically, in computing the number in individuals who would make up the various congressional districts—nationally with 435 members, the average is 302,687; whereas the Pennsylvania ratio, figuring thirty-three members, would be an average of 300,005 individuals to each congressional district. Each congressional district in the City of Philadelphia has fallen short of that as shown by the following figures.

One district, 61,000; another district, 46,000; another district 28,000; another district, 26,000; another district 6,000; another district, 5,000; another district, 5,000; making a total deficit in ratio of 177,000.

I second the motion of my colleague from Cumberland, Mr. Wade.

On the question,

Will the Senate agree to the motion?

Mr. DiSILVESTRO. Mr. President, although the census figures show the facts that have been produced by Senator Mundy and the other conferees, I feel that we are losing sight of the fact that with the national defense program booming, Philadelphia is receiving thousands and thousands of skilled laborers from all over the country. In south Philadelphia we have the navy yard where there are three shifts; we have Cramp's shipyard which pretty soon will be working night and day, three shifts; we have housing projects which have been erected at Thirty-third and Tasker Streets, Twenty-Second and Ridge Avenue and Twelfth and Poplar Streets, and so on and so forth, and I feel that with the roaring furnaces and with the boom in the City of Philadelphia, it is really unfair to look on this matter wholly as one of census, and for the committee on reapportionment to strike at the City of Brotherly Love, the cradle of liberty, where millions of dollars are being spent and being put into Philadelphia in the defense projects that are being worked at the present time, seems to me unfair.

Let us direct our minds to the present and forget the census as shown by the figures produced by the gentleman from Luzerne, Senator Mundy; let us think of the way Hitler has been moving in the past six months and the way Philadelphia is moving to stop him. I feel it is unfair.

Mr. TAYLOR. Mr. President, the gentleman from Philadelphia, Senator DiSilvestro, is a hard man to follow. I also want to second this motion. As I see it this also proves the fact the Senate is ready to move at all times on this proposition. I think it is a healthy aspect, if we can get a unanimous vote in this Senate on a resolution and send it over to the House, that we take one congressman from Philadelphia.

I still say that ten years ago when the question of reapportionment was last considered, there was not a chance for the rural counties; you split us all up ten years ago, and surely you are willing to deduct one now. You gave it to us and we did not make much fuss about it, except the gentleman from Cambria, Senator Haluska, who had one county and there were three counties added to it, he is away over, I will admit that. I say let us take care of the rural counties once in awhile. Don't sell us down the river all the time.

I second the motion of the gentleman from Cumberland if there can be a second seconder.

Mr. HALUSKA. Mr. President, I desire to interrogate the gentleman from Dauphin.

The PRESIDENT. Will the gentleman from Dauphin permit himself to be interrogated?

Mr. TAYLOR. I will, Mr. President.

Mr. HALUSKA. Mr. President, before I interrogate the gentleman from Dauphin, I want to go on record by saying that I will vote for this motion regardless of what the interrogation may bring forth, but I would like to ask this question: as one of the conferees would the gentleman from Dauphin be willing to go on record that he would include some adjustment in there for my district, if possible? I think the gentleman has agreed that ten years ago we had added to my county three other counties, and now we are overbalanced and overloaded.

I think every member here agrees something ought to be done in the Twenty-Seventh Congressional District. Therefore I ask the gentleman from Dauphin whether he will be willing to make some adjustment in my own district and take one out of Philadelphia.

Mr. TAYLOR. I say that would just complicate the matter, Mr. President. We are now unanimous about this and apparently the gentleman from Cambria will have to suffer for ten more years. At that time I will agree, if I am in the Senate, I will try to do that ten years from now.

Mr. HALUSKA. Mr. President, that is a long range program but with the thought in mind that we might reach some agreement at that time I will yield, with the hope that in ten years we will both be here and may be able to come to some agreement.

Mr. SHAPIRO. Mr. President, I desire to interrogate the gentleman from Cumberland.

The PRESIDENT. Will the gentleman from Cumberland permit himself to be interrogated?

Mr. WADE. I will, Mr. President.

Mr. SHAPIRO. Assuming, Mr. President, that the Senate and the Senate conferees agree, would that solve the problem?

Mr. WADE. No, Mr. President, but I sincerely believe it would be a step in the right direction.

Mr. SHAPIRO. What is the next step the gentleman from Cumberland thinks would then be necessary?

Mr. WADE. Then, Mr. President, it would be necessary to inform the House we have taken that step.

Mr. SHAPIRO. I mean, Mr. President, should the conferees report the bill, would it solve the problem by removing one district from Philadelphia.

Mr. WADE. Yes, Mr. President, that is correct.

Mr. SHAPIRO. Now, Mr. President, I desire to interrogate the gentleman from Luzerne, Dr. Mundy.

The PRESIDENT. Will the gentleman from Luzerne permit himself to be interrogated?

Mr. MUNDY. I will, Mr. President.

Mr. SHAPIRO. Mr. President, is the gentleman from Luzerne one of the conferees on this bill?

Mr. MUNDY. I am, Mr. President.

Mr. SHAPIRO. Who else is a member, on the Democratic side, I mean.

Mr. MUNDY. From the House, the members are Tate, Shaffer and Bretherick.

Mr. SHAPIRO. Has that plan been proposed and submitted to the three gentlemen representing the Democratic members, conferees.

Mr. MUNDY. On numerous occasions, Mr. President.

Mr. SHAPIRO. Was that agreed to?

Mr. MUNDY. It was not, Mr. President.

Mr. SHAPIRO. Mr. President, has the gentleman from Luzerne agreed to that?

Mr. MUNDY. I did, sir.

Mr. SHAPIRO. I did not hear the answer, Mr. President.

Mr. MUNDY. I did.

Mr. SHAPIRO. The gentleman from Luzerne has agreed to that?

Mr. MUNDY. Yes, Mr. President.

And the question recurring,

Will the Senate agree to the motion?

The yeas and nays were required by Mr. Wade and were as follows, viz:

YEAS—31

Barr,	Crowe,	Letzler,	Tallman,
Bartlett,	Dent,	Mallery,	Taylor,
Becker,	Ealy,	McGinnis,	Thomas,
Carr	Geltz,	Miller,	Wade,
Chapman,	Haluska,	Mundy,	Walker,
Coleman,	Heyburn,	Ruth,	Watkins,
Cox,	Homsher,	Snowden,	Wilson, H. I.,
Crider,	James,	Stevenson,	

NAYS—2

DiSilvestro,	McCreesh,

PRESENT—2

Kephart,	Shapiro,

So the question was determined in the affirmative.

Mr. SHAPIRO. Mr. President, I want to explain my vote. If I had not said before that I was not going to participate in congressional reapportionment, I would have voted on this matter, but since I did say that, I am going to play no part in it or vote on it. In addition, Mr. President, I have never liked to participate in jokes on the Senate floor when they are put to a vote. I do not mind a joke, but passing an innocuous resolution when we are in session, dealing with an important problem—I prefer not to vote on what I consider a joke and an

innocuous resolution. I suggest we ought to continue this further and now take a vote and see how many people will vote that we shall remove one congressman from Pittsburgh, from Allegheny County, and so on down along the line, and you will then still come back to my father's proposition that two men will always agree to the amount a third shall give to charity.

SENATE TO NOTIFY HOUSE OF SENATE ACTION

Mr. WADE. I want to state to you, my colleagues, I was entirely sincere and I fully believe this is a solution of the problem, and I now move you, Mr. President, that the House be officially notified of our action here.

Mr. GELTZ. I second the motion, Mr. President.

On the question,

Will the Senate agree to the motion?

Mr. SHAPIRO. Mr. President, I should like to make a statement in answer to what the gentleman from Cumberland has said. I will make it very brief.

The PRESIDENT. Does the Chair hear objection to the motion? He hears none. The motion prevails and the House will be notified accordingly.

Mr. SHAPIRO. Mr. President, I never had any personal quarrel with Jack Kelly; I never had and do not now have any scars on my escutcheon or whatever you want to call it, because Jack Kelly never fights when a man is running away. I hope I make myself clear. Secondly, I want to say I can have political battles with anybody and not have any disruption of friendship. I think there are very few who have had political battles with Jack Kelly and disrupted friendship.

Third, Mr. President, I want to say I have not talked with Jack Kelly today, since I was back or before I was back. I think the Majority Floor Leader of this Senate knows I told him, when I was told by Senator Walker yesterday that there was going to be adjournment by one, or two, certainly not later than three o'clock, at least to his best information and belief, I made an engagement today with some people who come from a place called Allegheny, a state called Allegheny, and I kept those gentlemen waiting until the last moment and I took a train to keep that appointment, and then I came back on a plane and I did not talk with anybody excepting my secretary, who informed me of the matters that were going on here.

Fourth, Mr. President, I want to say I think the gentleman from Luzerne has got his metaphors mixed. I think when a man soliloquizes he talks to himself, at least that is what happened with Hamlet, and the gentleman said if Jack Kelly makes any more statements it will be a soliloquy. The gentleman from Luzerne knows well that if Jack Kelly makes a statement, he will not be talking to himself.

Mr. DENT. Mr. President, on the question of the vote just taken, it may seem a joke to the gentleman from Philadelphia, but it is not a joke to me. I am convinced, after giving the matter some attention, and although the gentleman from Philadelphia has not taken much interest in the matter, I think every man in the Senate knows I have taken a very deep and sincere interest. Mr. President, I said tonight I would not vote to adjourn, I did not care if we stayed here all year, unless we did pass some bill pertaining to apportionment and therefore I did vote "no" on the motion for final adjournment. I voted "no" because I knew we had to come to some agreement, and I still feel we ought to come to some agreement, and I voted for this motion because it is the only way that has been presented to us since we got into this deadlock concerning reapportionment where I can express my opinion. I say that I do not care where you take a Congressman from, one Congressman is not sufficient reason for a horseswap and for a delay in adjournment sine die of this session.

Therefore, Mr. President, I voted to take one out of Philadelphia and I will tell you frankly if I had two in my county, I know the Congressmen and the people from my county would be magnanimous enough to give you one of them.

REPORT OF CONFERENCE COMMITTEE ON SENATE BILL No. 253

Mr. Walker. Mr. President, I am directed by the Committee of Conference to make the following report:

The report was read as follows:

To the Members of the Senate and House of Representatives:

We, the undersigned, Committee of Conference on the part of the Senate and House of Representatives for the purpose of considering Senate Bill No. 253, (Printer's No. 152), entitled:

"An Act relating to members of the bureau of fire in cities of the second class providing subject to the approval of the electors for a three-platoon system for such members with certain exceptions providing for an election on such question and regulating hours of service hours of rest and annual vacation."

respectfully submit the following bill as our report: that we are unable to reach an agreement relative to the aforesaid bill.

JOHN M. WALKER
M. HARVEY TAYLOR
(Committee on the part of the Senate)
GEORGE J. SARRAF
JOHN J. BAKER
ROBERT D. FLEMING
(Committee on the part of the House of Representatives)

On the question,

Will the Senate agree to the report?

It was agreed to.

SENATE RECEDES FROM ITS NON-CONCURRENCE IN HOUSE AMENDMENTS TO SENATE BILL No. 253, (PRINTER'S No. 152)

Mr. GELTZ. Mr. President, I move that the Senate recede from its non-concurrence in the House amendments to Senate Bill No. 253, (Printer's No. 152), entitled:

An Act relating to members of the bureau of fire in cities of the second class; providing subject to the approval of the electors, for a three-platoon system for such members, with certain exceptions, providing for an election on such question; and regulating hours of service, hours of rest and annual vacations.

Mr. TAYLOR. Mr. President, I second the motion.

On the question,

Will the Senate agree to the motion?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—36

Barr,	Dent,	James,	Shapiro,
Bartlett,	DiSilvestro,	Kephart,	Snowden,
Becker,	Ealy,	Letzler,	Stevenson,
Carr,	Farrell,	Mallery,	Tallman,
Chapman,	Frey,	McCreesh,	Taylor,
Coleman,	Geltz,	McGinnis,	Thomas,
Cox,	Haluska,	Miller,	Wade,
Crider,	Heyburn,	Mundy,	Watkins,
Crowe,	Homsher,	Ruth,	Wilson, H. I.,

NAYS—1

Walker,

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk inform the House of Representatives accordingly.

REPORT OF CONFERENCE COMMITTEE ON HOUSE BILL No. 448

Mr. MILLER. Mr. President, I present the report of the Committee of Conference on House Bill No. 448, as follows:

The report was read as follows:

To the Members of the Senate and House of Representatives:

We, the undersigned, Committee of Conference on the part of the Senate and House of Representatives for the purpose of considering House Bill No. 448, Printer's No. 1167, entitled:

"An Act to further amend clause (e) of section seven and to amend the first paragraph of section nine of the act, approved the twenty-fourth day of June, one thousand nine hundred and thirty-seven (P. L. 2051), entitled 'An act relating to public assistance; providing for and regulating assistance to certain classes of persons designated and defined as dependent children, aged persons, blind persons and other persons requiring relief; providing for the administration of this act by the Department of Public Assistance and county boards of assistance hereby created for this purpose, * * *,' by redefining eligibility for assistance; providing for appeals from certain decisions of the Department of Public Assistance to common pleas courts and imposing powers and duties on common pleas court," and respectfully report that we have been unable to agree on a report and request to be discharged.

ROBERT M. MILLER
C. A. P. BARTLETT
(Committee on the part of the Senate)
ROBERT J. CORDER
FRANCIS X. McCLANACHAN
HOMER S. BROWN
(Committee on the part of the House of Representatives)

On the question,

Will the Senate agree to the report?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—37

Barr,	DiSilvestro,	Kephart,	Snowden,
Bartlett,	Ealy,	Letzler,	Stevenson,
Becker,	Farrell,	Mallery,	Tallman,
Carr,	Frey,	McCreesh,	Taylor,
Chapman,	Geltz,	McGinnis,	Thomas,
Coleman,	Haluska,	Miller,	Wade,
Cox,	Heyburn,	Mundy,	Walker,
Crider,	Homsher,	Ruth,	Watkins,
Crowe,	James,	Shapiro,	Wilson, H. I.,
Dent,			

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk inform the House of Representatives accordingly.

CONFERENCE COMMITTEE UNABLE TO AGREE ON SENATE BILL No. 559 AND DISCHARGED

Mr. HOMSHER. Mr. President, I am directed by the Committee of Conference on Senate Bill No. 559, entitled:

An Act prescribing additional powers and duties on the Joint State Government Commission to make a survey of the educational facilities of the Commonwealth conferring upon the commission full power to issue subpoenas to carry out such additional functions and duties conferring upon the commission full power to issue subpoenas and conferring upon the courts of common pleas power to enforce obedience to subpoenas so issued; imposing duties on departments and agencies of the State government and on colleges and universities; and making an appropriation.

to report that the Committee is unable to agree and move that it be discharged.

Mr. COX. I second the motion, Mr. President.

On the question,

Will the Senate agree to the motion?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—37

Barr,	DiSilvestro,	Kephart,	Snowden,
Bartlett,	Ealy,	Letzler,	Stevenson,
Becker,	Farrell,	Mallery,	Tallman,
Carr,	Frey,	McCreesh,	Taylor,
Chapman,	Geltz,	McGinnis,	Thomas,
Coleman,	Haluska,	Miller,	Wade,
Cox,	Heyburn,	Mundy,	Walker,
Crider,	Homsher,	Ruth,	Watkins,
Crowe,	James,	Shapiro,	Wilson, H. I.,
Dent,			

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk inform the House of Representatives accordingly.

RECESS

Mr. GELTZ. Mr. President, I move that the Senate do now take a recess for 30 minutes.

Mr. KEPHART. Mr. President, I second the motion.

The motion was agreed to.

AFTER RECESS

The PRESIDENT. The time of recess having elapsed the Senate will be in order.

CONFERENCE COMMITTEE REPORT ON SENATE BILL No. 653 ADOPTED

Mr. TALLMAN. Mr. President, I am instructed to submit the following Conference Committee Report on

Senate Bill No. 653. I move that the Senate proceed to consideration of the report.

Mr. GELTZ. Mr. President, I second the motion.

The motion was agreed to.

SUSPENSION OF RULE 21

Mr. GELTZ. Mr. President, I move that Rule 21, which requires Conference Committee Reports to be noted on the Calendar, be in this case dispensed with, and that the Senate proceed to the consideration of the Report of the Committee of Conference made by the House to the foregoing bill.

Mr. EALY. Mr. President, I second the motion.

The motion was agreed to.

The report was read as follows:

REPORT OF THE COMMITTEE OF CONFERENCE ON SENATE BILL No. 653

To the Members of the Senate and House of Representatives:

We, the undersigned, Committee of Conference on the part of the Senate and House of Representatives for the purpose of considering Senate Bill No. 653, entitled:

"An Act regulating and imposing the civil service of certain departments and agencies of the Commonwealth vesting in the State Civil Service Commission and a Personnel Director certain powers and duties providing for classification of positions adoption of compensation schedules and certification of payrolls imposing duties upon certain officers and employes of the Commonwealth authorizing service to other State departments or agencies and political subdivisions of the Commonwealth in matters relating to civil service defining certain crimes and misdemeanors imposing penalties making certain appropriations and repealing certain acts and parts thereof"

Respectfully submit the following bill as our report:

O. J. TALLMAN
JOHN M. WALKER
FRANK W. RUTH
(Committee on the Part of the Senate)

ALBERT S. READINGER
JOHN E. VAN ALLSBURG
(Committee on the Part of the House of Representatives)

An Act regulating and improving the civil service of certain departments and agencies of the Commonwealth vesting in the State Civil Service Commission and a Personnel Director certain powers and duties providing for classifications of positions adoption of compensation schedules and certification of payrolls imposing duties upon certain officers and employes of the Commonwealth authorizing service to other State departments or agencies and political sub-divisions of the Commonwealth in matters relating to civil service defining certain crimes and misdemeanors imposing penalties making certain appropriations and repealing certain acts and parts thereof

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The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows That a system of personnel administration is hereby established for the regulation and improvement of the civil service of certain departments and agencies of the Commonwealth

Article I

General Provisions

Section 1 SHORT TITLE This act shall be known and cited as the "Civil Service Act"

Section 2 Purpose Greater efficiency and economy in the administration of the government of this Commonwealth is the primary purpose of this Act The establishment of conditions of service which will attract to the service of the Commonwealth qualified persons of character and ability and their appointment and promotion on the basis of merit and fitness are means to this end

Section 3 Definition of Terms In this Act unless the context otherwise clearly requires

(a) "Commission" means State Civil Service Commission as created by "The Administrative Code of 1929" and its amendments

(b) "Director" means the Personnel Director

(c) "Service of the Commonwealth" includes all offices and positions now existing or hereafter created in the Department of Public Assistance State Board of Public Assistance and county boards of assistance all offices and positions now existing or hereafter created in the Department of Labor and Industry charged with the administration of the Unemployment Compensation Law all offices and positions now existing or hereafter created under the Pennsylvania Liquor Control Board all offices and positions under the State Civil Service Commission and the Personnel Director and any other offices and positions of any department or agency to which this Act may hereafter be extended

(d) "Unclassified service" means all positions now existing or hereafter created in the service of the Commonwealth which are held by

(1) Heads of departments of the Commonwealth the first deputy heads thereof and the person appointed to administer the Federal-State employment service and the unemployment compensation work of the Department of Labor and Industry

(2) Members of boards and commissions

(3) One secretary or one confidential clerk to each state appointing authority or each member thereof as the case may be except the Commission and the Director

(4) Any person temporarily appointed or designated to render special services or to make or conduct a special inquiry investigation or examination where such appointment or designation is certified by the Commission to be for employment for not more than six months in any twelve month period and which for reasons set forth in the minutes of the Commission should not be performed by persons in the classified service

(5) Any person employed by any other State agency or department which by law performs services directly or indirectly for the departments set forth in subsection (c) hereof

(6) Such attorneys as the Attorney General shall appoint and the Governor shall approve

(e) "Classified service" means all positions now existing or hereafter created in the service of the Commonwealth not specifically included in the unclassified service

(f) "Appointing authority" means the officers board commission person or group of persons having power by law to make appointments in the service of the Commonwealth

(g) "Position" means any office or place of employment in the service of the Commonwealth such that the duties and responsibilities thereof are exercised by one person

(h) "Class" or "class of positions" means a group of positions in the service of the Commonwealth established under this Act sufficiently similar in respect to the duties and responsibilities thereof that the same descriptive title may be used for each of such positions the same requirements as to experience knowledge and ability are demanded of incumbents the same tests of fitness may be used to choose qualified appointees and the same schedule of compensation may be made to apply with fairness under like working conditions

(i) "Permanent position" means a position in the service of the Commonwealth which is likely to be needed continuously for a period of six months or more

(j) "Extra position" means a position in the classified service which arises out of temporary pressure of extra work and will continue for a period of less than six months

(k) "Employe" means a person legally occupying a position in the service of the Commonwealth

(l) "Regular employe" means an employe who has been appointed to a position in the classified service in accordance with this Act after completing his probationary period

(m) "Entrance examination" means an examination for positions in a particular class admission to which is not limited to persons employed in the service of the Commonwealth

(n) "Promotion examination" means an examination for positions in a particular class admission to which is limited to employes in the classified service who have held a position in another class

(o) "Employment list" means a list of persons who have been found qualified by an entrance examination for appointment to a position in a particular class

(p) "Promotion list" means a list of persons who have been found qualified by a promotion examination for appointment to a position in a particular class

(q) "Eligible list" means an employment list a promotion list or a reemployment list

(r) "Eligible" means a person whose name is on an eligible list

(s) "Demotion" means a change in status to a position in a class carrying a lower maximum salary

(t) "Furlough" means the termination of employment because of lack of funds or of work

(u) "Probationary period" means a preliminary period of employment prior to permanent appointment of an employe for the purpose of determining his fitness for permanent employment

(v) "Promotion" means a change in status to a position in a class carrying a higher maximum salary

(w) "Removal" means the permanent separation from the classified service of an employe who has been permanently appointed

Article II

Civil Service Commission and Personnel Director and Their Powers

Section 201 Qualifications and Removal of Commissioners Any person appointed as a member of the Commission shall be a citizen and legal resident of the Commonwealth for a period of not less than one year who is in sympathy with modern personnel methods and the application of merit principles to public employment No person who within one year preceding his appointment has been an officer of a political party shall be eligible to serve as a commissioner The Governor may remove any member of the Commission but only for incompetence inefficiency neglect of duty malfeasance or misfeasance in office by giving such member a statement in writing of the charges against him and affording him after notice of not less than ten days an opportunity of making written answer and upon request being publicly heard in person and by counsel A copy of the charges and answer of the

Governor's findings and a transcript of the record shall be filed with the Secretary of the Commission

Section 202 Meetings of Commission The Commission shall meet at least once each month except that meetings may be omitted during two summer months The Chairman of the Commission shall cause reasonable notice to be given to each member of the Commission and to the Director of the time and place of each meeting Meetings shall be held at the call of the Chairman the Governor or any member of the Commission Two members of the Commission shall constitute a quorum at any meeting

Section 203 Duties of Commission It shall be the duty of members of the Commission as a body

(1) After public hearing as hereinafter set forth to establish adopt and amend rules either on its own motion or upon recommendation of the Director for making effective the provisions of this Act Such rules shall have the effect of law one week after the adoption thereof

(2) After public hearing as hereinafter set forth to approve modify or reject such classification plans for the classified service of the Commonwealth as the Director may present

(3) To approve modify or reject for report to the Executive Board of the Commonwealth such compensation schedules for the classified service of the Commonwealth as the Director may present

(4) Upon request or on its own motion are herein provided in cases of demotion furlough suspension and removal to conduct investigations hold public hearings render decisions on appeals and record its findings and conclusions

(5) To make investigations on its own motion and in its discretion on petition of a citizen concerning any matter touching the enforcement and effect of the provisions of this Act and to require observance of the provisions of this Act and the rules and regulations thereunder

(6) To make such investigations as may be requested by the Governor or the Legislature and to report thereon

Section 204 Legal Counsel The Attorney-General shall be legal counsel for the Commission Whenever the Attorney-General acts for the appointing authority in a particular proceeding the Commission may appoint special counsel The total compensation paid to all such special counsel for any fiscal year shall not exceed two thousand five hundred dollars

Section 205 Qualifications Appointment Compensation and Removal of Director

(a) The Director shall be in the classified service He shall be a person who by examination shows he is familiar with the principles and methods of personnel administration and one who is in sympathy with the application of merit principles and scientific methods to public employment He shall during the first year receive an annual salary of seven thousand dollars which shall not at anytime thereafter be increased by the Commission with the approval of the Governor to more than nine thousand dollars and shall hold no other public position of profit

(b) Within ninety days after it is appointed and thereafter within ninety days after a vacancy occurs the Commission shall hold a competitive examination in accordance with the provisions of this Act and on the basis of that examination shall establish an employment list of persons found eligible for appointment as Director The Commission shall appoint one of the three highest ranking eligibles as the Director The Commission shall have the same powers and duties with respect to the conduct of the examination establishment of the employment list and making an appointment therefrom that are vested in or imposed upon the Director under the provisions of this Act with respect to other positions in the classified service

(c) The Director shall not be removed except for incompetence inefficiency neglect of duty malfeasance or misfeasance in office The Commission shall furnish to the Director written notice of his intended removal setting forth the reasons for such action and shall file a copy of such written notice with the Governor The Director shall have ten days from the receipt of such written notice to give the Commission such written answer as he may desire and shall file a copy of such written answer if any with the Governor Such notice and answer shall be made a part of the public records of the Commission and of the Governor Within thirty days after receipt of such notice of removal and answer thereto the Governor shall make an investigation for the purpose of fairly determining whether the Director shall continue in his position or should be removed therefrom Within twenty days after the completion of such investigation or sooner if practicable the Governor shall make his findings and conclusions which shall be forthwith certified to and enforced by the Commission The Governor's findings and conclusions shall constitute a part of the public records of the Commission and of the Governor

Section 206 Powers and Duties of Director The Director shall be the chief executive officer of the Commission and except as otherwise provided in this Act shall direct and supervise all the administrative work He shall have power and it shall be his duty

(1) To appoint from employment lists established under this Act such examiners investigators clerks and other assistants as may be necessary to carry out this Act and to supervise and direct this work

(2) To attend the meetings of the Commission act as its secretary and record its official actions

(3) To prepare and recommend to the Commission rules and amendments thereto

(4) To establish and maintain a record of all employes in the service of the Commonwealth showing for each such person the date appointed or employed the title of the position held the rate of compensation and every change in his status including increases and decreases in pay changes in title transfers sick and annual leaves with or without pay and such other data as he may consider desirable and pertinent

(5) To administer and make effective the provisions of this Act and of the Rules made thereunder including those relating to the preparation after advice and counsel with appointing authorities and administration of classification and compensation plans the preparation and conduct of examinations the preparation of eligible lists the certification of persons qualified for employment the transfer promotion suspension demotion removal furlough leave of absence and resignation of employes the rating of employes' services the checking and certification of pay-rolls before payment the conduct of programs of employe training and working conditions affecting the health and safety of employes

(6) To investigate the effect of the administration of this Act and of the Rules made thereunder and to report his findings and recommendations to the Commission

(7) To appoint with the approval of the Commission one employe to be his deputy The person selected as deputy may be one of the three remaining highest ranking persons on the eligible list for the position of Director or one of the three highest ranking persons on an eligible list established by an examination for the position of Deputy Director which examination and ratings shall be in a like manner and under the same conditions as provided in this Act for other classes of positions The salary of the deputy shall be established by the Commission with the approval of the Governor In case of the absence of the Director or his inability from any cause to discharge the powers and duties of his office such powers and duties shall devolve upon his deputy

(8) To make a biennial report in writing not later than September first of each even numbered year to the Commission concerning the administrative work of the Commission including pertinent information and recommendations

(9) To do any act or acts required by this Act or the Rules made thereunder or which may be necessary to carry into effect their provisions and purpose

Section 207 Cooperation by Officers and Employes of the Commonwealth Upon the written request of the Director all officers and employes in the service of the Commonwealth shall during the usual business hours furnish the Commission such facilities assistance and information as it may require in carrying on its functions

Section 208 Public Hearings Before adopting or amending its Rules or approving modifying or rejecting classification plans the Commission shall hold a public hearing at which any citizen shall have the right to appear and be heard Public notice of such public hearing shall be given at least seven days in advance of the hearing by posting on a bulletin board maintained in or near the Commission's principal office in a plac accessible to the public during business hours a statement of the time and place of the hearing and of the matter to be considered also by furnishing at least twenty copies of such notice to the Newspaper Correspondents' Office in the State Capitol and one copy of such notice to the Governor each appointing authority and each member of the General Assembly The Commission may give further public notice of such hearings as it deems advisable

Section 209 Oaths Testimony and Production of Papers Each member of the Commission the Director and any other employe or agent authorized by the Commission shall have the power to administer oaths in matters pertaining to the work of the Commission. The Commission shall have the power to secure by subpoena the attendance and testimony of witnesses and the production of books and papers Any judge of a court of record either in term time or in vacation shall upon proper application of the Commission compel the attendance of witnesses the production of books and papers and the giving of testimony before the Commission by attachment for contempt or otherwise in the same manner as the production of evidence may be compelled before such court

Section 210 Records Open to the Public The minutes of the Commission shall be preserved as permanent records The correspondence eligible lists and other papers and records of the Commission shall be preserved for seven years On written request supported by justification acceptable to the Commission and subject to reasonable regulation all records of the Commission shall be open to public inspection during ordinary business hours except as herein specifically otherwise provided The Director shall take all due precautions to prevent the securing in advance by any unauthorized person of questions or other material to be used in any test unless such questions or materials are available to all competitors He shall prevent the identification by any examiner or other persons where identity is concealed of papers or work of any competitor in an examination before the papers or work of all competitors in that examination have been rated Statements of former employers of competitors in examinations shall be considered confidential and not open to inspection

Section 211 Receiving Funds and Allocating or Apportioning Costs The Commission shall have power to receive funds from the United States of America or any agency thereof or from any other source whatsoever for the administration of this Act and to allocate among the departments and agencies thereunder the cost of administering this Act or any part thereof

Section 212 Service to Other State Departments or Agents and Political Subdivisions Cooperation With Other Civil Service Agencies

(a) The services and facilities of the Commission and its staff shall be available to other State departments or agencies and political subdivisions of this Commonwealth upon such terms and conditions as may be prescribed by the Rules of the Commission which Rules shall provide for the payment to and reimbursement of the Commonwealth for the reasonable cost of such services and facilities Any money payable to the Commonwealth by way of reimbursement shall be paid into the General Fund through the Department of Revenue shall be credited to the appropriation made to the Commission out of the General Fund by this act or to any subsequent appropriation made to the Commission out of the General Fund for the proper conduct of its work under this act and shall be available for the same purposes for which any such appropriation is available

(b) The Commission shall have power from time to time to enter into agreements with other public personnel agencies in this or any other State and with agencies of the federal government for the purpose of using and exchanging information and services The Commission shall have power to become a member of or subscribe to any association or service having as its purpose the interchange of information relating to the technique of personnel administration

Article III

Classification of Positions in the Classified Service

Section 301 Establishment of Classes The Director shall within ninety days after taking office and after consultation with the Executive Board of the Commonwealth state appointing authorities and principal supervising officials classify all of the positions in the classified service according to the duties and responsibilities of each position The plan of classification shall designate appropriate titles for each class of position and shall recommend to the Commission the qualifications to be required of persons assigned or appointed to positions in each class The completed classification plan shall be so arranged that all positions which are substantially similar with respect to authority responsibility and character of work are included within the same class that the same tests of competency may be applied to persons to be appointed to all positions in a class and that the same schedule of compensation can be made to apply with fairness under like working conditions to all positions in a class The statement which shall be known and described as "The Classification Plan" shall show for each class

(a) The title given to the class

(b) The duties and responsibilities exercised by those holding positions allocated to the class illustrated where necessary by descriptions of typical tasks

(c) The minimum qualifications required for the satisfactory performance of such duties and tasks and the exercising of such responsibilities

(d) As far as practicable the lines of promotion to and from the class

The Director shall present such classification plan to the Commission The Commission after adopting such classification plan either as presented or in modified form shall publish the classification plan

Section 302 Allocation of Position to Classes As soon as possible after the adoption of the classification plan the Director shall after affording employes a reasonable opportunity to be heard and after consultation with appointing authorities and their principal assistants allocate each position in the classified service to its proper class Each employe shall assume the classification title of his position

Section 303 Additions and Amendments to Classes The Director shall from time to time after consultation with state appointing authorities and with the approval of the Commission establish additional classes and allocate thereto new positions created or positions not included in any previously established class and may divide combine alter or abolish existing classes and reallocate positions If any proposed amendment of the classification plan will affect an existing position the employe holding such position shall have a reasonable opportunity to be heard before final action is taken

Section 304 Reporting and Classification of New Positions Appointing authorities shall promptly report to the Director the establishment of new positions in order that they may be classified and allocated No person shall be appointed to any such position until it has been properly classified as herein provided Any change in the duties of an existing position which in the judgment of the Director is material shall be interpreted as serving in effect to abolish the position and to create a new position Appointing authorities shall report material changes in the duties of positions to the Director

Section 305 Use of Classification Titles Classification titles shall be used in all records and communications of the Commission the appointing authorities the Auditor General the State Treasurer and the Budget Secretary and shall also be used in all estimates submitted to the General Assembly or to the Budget Secretary requesting the appropriation of money to pay for services and in all reports and papers relating to payments for services

Article IV

Compensation of Employes in the Classified Service

Section 401 Compensation Schedules For each class established under this Act the Director shall make a study of the rates paid for similar services elsewhere and of other information pertaining to proper rates of compensation and after consultation with state appointing authorities and their principal assistants and approval by the Commission shall report to the Executive Board of the Commonwealth for its approval modification or rejection a schedule of compensation for each class Such schedules shall show for each class a minimum salary rate a maximum salary rate and such intermediate rate or rates as the Director considers necessary and proper Subject to the approval of the Commission the Director may from time to time recommend to the Executive Board of the Commonwealth for its approval modification or rejection changes in the schedule of compensation for any class together with the reasons therefor Pending the adoption of such compensation schedules and the appropriation of funds to make payments for personal services in accordance therewith the compensation of employes in the classified service shall be in accordance with the existing law

Section 402 Rates of Pay Following the adoption of the schedule of compensation for any class the rate of compensation for any employe upon appointment to a position in the class shall be at the minimum rate prescribed for the class except that where the appointee is already in the classified service in a position in the same or another class his compensation upon appointment to the new position shall be the same as that received before such new appointment

Section 403 Changes in Compensation The rate of compensation of any employe who has not reached the maximum rate for his class may be increased upon the attainment and maintenance of the appropriate service rating as provided elsewhere in this Act In the absence of service ratings advances in compensation within the salary range for any class may be made on the recommendation of the appointing authority supported by such evidence of increased usefulness in the service as may be required by the Rules of the Commission Each such increase shall be to the next higher rate for the class except as provided in this Section and shall become effective on the first day of the month following its approval by the Governor No employe shall have his compensation increased in the class oftener than once in twelve months except that upon the request of the appointing authority approved by the Director and by the Commission and on the basis of facts demonstrating that the action is in the interest of good administration the Governor may at any time authorize an increase to any rate established for the class to which the position is allocated The Commission in its reports shall publish the facts regarding each case or class of cases in which it approves such request made by appointing authorities to increase the rate of compensation of any employe more frequently than once in twelve months or to a rate above the next higher rate for the class In no case however shall the compensation of any employe be increased unless funds are available from which the increase may lawfully be paid nor shall the rate for any employe be increased beyond the maximum for the class

Article V

Selection of Employes for Entrance to or Promotion in the Classified Service

Section 501 Examinations Requisite for Appointment and Promotion (a) Except as otherwise provided in this Act appointments of persons entering the classified service or promoted therein shall be from eligible lists established as the result of examinations given by the Director to determine the relative merit of candidates Such examinations shall be written and competitive and open to all persons who may be lawfully appointed to positions within the classes for which the examinations are held Persons applying for positions or promotions in the offices designated as central administratives offices (which shall include all those having jurisdiction throughout the State) shall be citizens of the United States and shall have been legal residents of the Commonwealth for a period of not less than one year before making application and persons applying for positions or promotions in offices designated as district offices (which shall include all those whose jurisdiction is limited to a particular district) shall be citizens of the United States and shall have been legal residents of the Commonwealth for a period of not less than one year and in the district in which such office having jurisdiction thereof is located for a period of not less than six months before making application The Director shall prepare the proper state and district employment and promotion eligible lists when necessary Provided that after an examination has been conducted for any class of position if there is no person with such legal residence in any administrative district who has passed the examination the Director may certify and the appointing authority may make the appointment or promotion from the names of persons on an appropriate eligible list for the same class of position of administrative districts which are contiguous or nearby to the administrative district in which there is no person on the appropriate eligible list Limitations as to age sex health moral character experience and other qualifications may be specified in the Rules of the Commission and in the announcements of the examinations All applications for positions in the classified service shall be under oath As far as is in the judgment of the Commission consistent with the best interest of the Commonwealth vacancies shall be filled by promotion The Commission upon recommendation of the Director may limit competition in promotion examinations to employes in the classified service who have served not less than six months in a class or classes designated in the public notice of the examinations.

Section 502 Nature of Examinations The Director shall give examinations to establish employment and promotion lists The tests in such examination shall be written and may also include oral tests or a demonstration of skill or a combination of these which shall fairly appraise and determine the merit qualifications fitness and ability of competitors Such tests shall be practical in character and shall relate to the duties and responsibilities of the position for which the applicant is being examined and shall fairly test the relative capacity and fitness of persons examined to perform the duties of the class of positions to which they seek to be appointed or promoted but no applicant shall be required to be possessed of any scholastic education in order to be permitted to take any competitive examination or to be appointed or promoted to any position No greater credit for experience gained during a provisional emergency or temporary appointment under this act or acts repealed hereby shall be given to any person in any examination than is given in such examination for experience in the same type of work performed in a similar position not under the provisions of this act or acts repealed hereby No question in any examination shall relate to the race religion or political or labor union affiliation of the candidate

Section 503 Holding Examinations and Rating Competitors The Director shall have charge of the preparation and holding of examinations of the rating of the work of competitors and of the preparation of resulting employment and promotion lists He may call on other persons not on the regular staff of the Commission either within or without the service of the Commonwealth for assistance When such persons are in the service of the Commonwealth it shall be deemed a part of their official duty to act as examiners without extra compensation

Section 504 Public Notice of Examinations The Director shall give public notice of all examinations for positions

or promotions in the classified service of the Commonwealth at least two weeks in advance of the final date for filing applications for such examinations by posting an appropriate notice on the bulletin board maintained in or near the Commission's principal office by furnishing at least twenty copies of such notice to the Newspaper Correspondents' Office in the State Capitol and at least one copy of such notice to each office throughout the State of all the departments set forth in Article I Section 3 Subsection (c) of this act directing that such notice shall immediately be posted on a public bulletin board maintained in each such office The Director may give such further public notice as he deems advisable Such notice shall give the time place and general scope of every examination the weights to be given to each of the tests in the examination the duties pay experience education and other qualifications requisite for all positions in the class for which the examination is to be held and the manner and place in which application forms and detailed pertinent information may be obtained

Section 505 Ratings of Competitors The final earned rating of a person competing in any examination shall be determined by the weighted average of earned ratings in the tests according to weights for each test established by the Director The Director shall send notice by mail to all competitors informing them whether they have attained a place upon the list and informing those who have attained a place upon the list of their final earned ratings and of their relative standing upon the list

Section 506 Establishment of Employment and Promotion Lists The Director shall establish and maintain such employment and promotion lists for the various classes of positions in the classified service as are necessary or desirable to meet the needs of the service These lists shall contain the names of persons arranged in the order of final earned ratings who have been given at least such minimum rating or ratings as may be fixed in advance for the whole examination or for the whole examination and for any one or more of the tests

Section 507 Duration of Employment and Promotion Lists Employment and promotion lists shall continue in force for at least two years from the date of their establishment and thereafter until exhausted or replaced by more recently prepared lists The Director with the approval of the Commission may at any time correct clerical errors occurring in connection with the preparation of any employment or promotion list and revise the list accordingly but no person who has been appointed as the result of certification from such list shall be displaced by such action Any persons whose announced rating or position on the list is changed by correcting any clerical errors shall be notified The Commission shall have the power at any time after giving notice as required in this Act and after a public hearing to cancel the whole or any part of any employment or promotion list on account of illegality or fraud in connection therewith

Article VI

Appointment and Promotion of Employes in the Classified Service

Section 601 Certification Whenever a vacancy is likely to occur or is to be filled in a permanent position in the classified service the appointing authority shall submit to the Director a statement indicating the position to be filled The Director shall thereupon certify to the appointing authority the names of the three eligibles willing to accept appointment who are highest on the appropriate promotion list or employment list whichever is in existence or from the one which under the rules of the Commission has priority If the appropriate list contains less than three eligibles who are willing to accept appointment the names certified may be taken from the other appropriate list to make a certification of at least three eligibles If there are less than three eligibles on appropriate eligible lists who are willing to accept appointment the Director shall certify all the names on these lists If there is no appropriate eligible list the Director may certify from such other list or lists as he deems the next most nearly appropriate If upon inquiry by the Director any person on any promotion or employment list is found to be not available for promotion or appointment his name shall not for the time being be considered among the names from which a promotion or appointment is to be made

Section 602 Selection and Appointment of Eligibles Unless it is found to be in the interest of the service of the Commonwealth not to fill a vacant position the appointing authority within thirty days shall appoint the person whose name is or one of the persons whose names are certified by the Director If the vacant position is to be filled from among the names of employes on the appropriate promotion list which have been submitted to the appointing authority he shall select a person provided he is among the three highest ranking persons on such list or that his final mark or grade is not more than one point below the mark or grade of the person ranking highest on such list In making the second promotion in the same class of position the appointing authority in like manner shall select a person from among the three highest ranking persons remaining on such list or he shall select a person whose final mark or grade is not more than one point below the mark or grade of the highest ranking person remaining on such list The third and any additional promotions in the same class of position shall be made in like manner If the vacant position is to be filled from among the names of persons certified from the employment list by the Director to the appointing authority he shall select a person from among the three highest ranking persons for the class of position to be filled For the second vacancy in the same class of position the appointing authority shall make selection from among the three highest ranking persons remaining on such list who have not been within his reach for three separate vacancies The third and any additional vacancies shall be filled in like manner After a name has been rejected three times by an appointing authority in favor of others on the same eligible list such name shall not again be certified to that appointing authority except upon written request from the appointing authority Appointing authorities shall promptly report to the Director the selection and appointment of eligibles whose names have been certified If an eligible whose name has been certified shall refuse to accept an appointment offered to him such refusal shall be promptly investigated by the Director and if it be found that the refusal has been made for improper or insufficient reasons the Director shall after giving ten days' notice to such person remove his name from the list

Section 603 Probationary Period (a) No appointment to a position in the classified service shall be deemed complete until after the expiration of a probationary period The probationary period for each class of position shall be prescribed in the Rules of the Commission and shall in no case be less than three months or more than nine months At such times during the probationary period and in such manner as the Director may require the appointing authority shall report to the Director his observation of the work of the employe and his judgment as to the willingness and ability of the employe to perform his duties satisfactorily and as to his dependability At any time during his probationary period after the first two months thereof the appointing authority may remove an employe if in the opinion of the appointing authority the probation indicates that such employe is unable or unwilling to perform his duties satisfactorily or that his dependability does not merit his continuance in the service Upon such removal the appointing authority shall forthwith report his action to the Director and to the employe so removed No more than three employes shall be removed successively from the same position during their probationary periods without the approval of the Director The appointing authority may remove an employe within the first two months of his probationary period only with the approval of the Director The Director with the approval of the Commission shall remove an employe during his probationary period if it is found after the employe has been given notice and an opportunity to be heard that he was appointed as a result of fraud

(b) Ten days prior to the expiration of an employe's probationary period the appointing authority shall notify

the Director in writing whether the services of the employe have been satisfactory A copy of such notice shall be given to the employe If the employe's work has been satisfactory he shall at the completion of his probationary period become a classified service employe under the provisions hereof and continue in that position unless separated therefrom as herein provided

(c) If any employe is removed from his position during or at the end of his probationary period and the Director determines that he is suitable for appointment to another position his name may be restored to the list from which it was certified

Section 604 Provisional Appointments Whenever there is great and urgent public need for filling a vacancy in any position in the classified service and the Director is unable to certify an eligible for the vacancy he may authorize the filling of the vacancy by provisional appointment If he does authorize such appointment he shall certify not more than three qualified persons with or without examination and the appointing authority shall appoint one of the persons so certified A provisional appointment shall continue only until an appropriate eligible list can be established and certification made therefrom but in no event for more than ninety days in any twelve-month period except that during the first year after the effective date of this Act provisional appointments may continue until appropriate eligible lists can be established and a person may serve in the classified service under provisional appointment until appropriate eligible lists can be established and certification made therefrom Successive provisional appointments of the same or different persons shall not be made to the same position The acceptance of a provisional appointment shall not confer upon the appointee any rights of permanent tenure transfer promotion or reinstatement

Section 605 Temporary Appointments to Extra Positions When from pressure of work an extra position in the classified service must be established for a period of less than six months the appointing authority shall request the Director in writing to certify the name of a qualified person from the appropriate list of eligibles In such request the appointing authority shall state the cause of the extra work the probable length of employment and unless the position has been classified the duties which the appointee is to perform

Section 606 Emergency Appointments Any appointing authority or any subordinate authorized by him may to prevent serious impairment of the public business when an emergency arises and time will not permit securing the authorization from the Director for the appointment of a certified eligible appoint any qualified person during the emergency for a period not exceeding ten days The existence of a vacancy of which the appointing authority has had reasonable notice or of employment conditions of which the appointing authority had previous knowledge shall not be considered an emergency Persons thus appointed shall be known as emergency employes Appointing authorities shall forthwith report to the Director all emergency appointments and such appointments shall not be renewed

Section 607 Status of Employes Holding Positions When Act Takes Effect Any employe who holds a position which is in the classified service as herein defined and which was in the classified service under the law in force immediately preceding the effective date of this Act shall if he has been appointed after appropriate competitive or competitive promotional examination and has successfully completed his probationary period become a classified service employe under the provisions hereof and continue in that position unless separated therefrom as herein provided Any such employe who has not completed such probationary period at the time this Act takes effect shall retain his status as a probationary employe until the expiration of that probationary period If he successfully completes his probationary period he shall become a classified service employe under the provisions hereof and continue in that position unless separated therefrom as herein provided Any provisional employe holding a position in a bureau division board or department having a merit system under the law in force immediately preceding the effective date of this act shall become a provisional employe under the terms hereof

Article VII

The Regulation of Employes in the Classified Service

Section 701 Training Programs The Director shall devise and recommend plans for employe training programs to appointing authorities and other supervising officials and shall cooperate with them in the conduct of such programs to the end that the quality of service rendered by persons in the classified service may be continually improved

Section 702 Health Programs The Director may develop in cooperation with appointing authorities and others health safety and recreation programs which will improve the working conditions of employes in the classified service

Section 703 Holidays Hours of Work Attendance and Leaves The Director shall prepare and after approval by the Commission and the Executive Board of the Commonwealth shall administer regulations regarding holidays hours of work attendance and annual sick and special leaves of absence with or without pay for employes in the various classes of positions in the classified service

Section 704 Service Standards and Ratings In cooperation with appointing authorities the Director shall establish and may from time to time amend standards of performance and output for employes in each class of positions in the classified service or for groups of classes and a system of service ratings based upon such standards In such manner and with such weight as may be provided in the Rules service ratings shall be considered in determining salary increases and decreases within the limits established by law and by the compensation plan and as a factor in promotion examinations provided that all applicants for promotions in the same class of position are credited on an equal basis according to their individual service rating and as a factor in determining the order of furlough when forces must be reduced because of lack of funds or work and the order in which names are to be restored on employment lists and as a means of discovering employes who should be promoted demoted transferred or removed In such manner and at such time as the Rules may require each appointing authority shall report to the Director the service ratings of employes under his jurisdiction or such information as the Director may request as a basis for determining such service ratings Upon request any employe shall be informed of his service rating and may be informed of the service ratings of other employes in the same class

Section 705 Transfers and Assignments An appointing authority may at any time assign a classified employe under his jurisdiction from one position to another in the same class In every case the appointing authority shall give written notice of his action to the Director according to the Rules of the Commission Transfer of a classified employe from a position under the jurisdiction of one appointing authority to a position under the jurisdiction of another appointing authority may be made subject to such Rules and with the approval of the Director and of both appointing authorities concerned Any transfer of an employe from a position in one class to a position in a class for which a higher maximum rate of compensation is prescribed shall be deemed a promotion and may be accomplished only in the manner hereinbefore provided for the making of promotions No person shall ever be transferred from a position in the unclassified service to a position in a classified service unless he is appointed to such latter position after certification of his name from an eligible list in accordance with the provisions of this Act

Section 706 Demotions An appointing authority may demote to a vacant lower rated position in the same class any employe in the classified service who does not satisfactorily perform the duties of the position to which he was appointed or promoted and who is able to perform the duties of the lower position In case of such demotion

the employe shall have all rights of appeal as provided in this Act No employe shall be demoted because of his race religion or political partisan or labor union affiliation A demotion may also be made by an appointing authority with the approval of the Director upon the written petition of the employe stating the reasons therefor and supported by such evidence as the Director may require to show that the employe is able to perform the duties of the class of position to which he petitions that he be demoted The compensation of an employe demoted shall in no case exceed the maximum rate for the class to which is demoted

Article VIII

Separation Of Employes From The Classified Service

Section 801 Temporary And Permanent Separations An employe may be temporarily separated from the classified service through furlough leave of absence or suspension and may be permanently separated through rejection on probation retirement resignation or removal

Section 802 Furlough In case a reduction in force is necessary in the classified service the order of the furlough shall be in conformity with the established Rules of the Commission which shall give major weight to seniority and due weight to service ratings and other relevant factors The appointing authority shall promptly report to the Director the names of employes furloughed together with the date the furlough of each is effective and the character of his services Under the rules a permanent employe furloughed shall for a period of one year be given preference for reemployment in the same class of position in the department from which he was furloughed and shall be eligible for appointment to a position of a similar class in other agencies under this act provided that in case of a promotion of another employe such preference shall not be effective if it necessitates furloughing such other employe

Section 803 Suspension An appointing authority may for good cause suspend without pay for disciplinary purposes an employe holding a position in the classified service Such suspension shall not exceed in the aggregate thirty working days in one calendar year No person shall be suspended because of his race religion or political partisan or labor union affiliation What shall constitute good cause for suspension may be stated in the Rules An appointing authority shall forthwith report to the Director in writing every suspension together with the reason or reasons therefor and shall send a copy of such report to the suspended employe Such report shall be made a part of the Commission's public records

Section 804 Removal During Probationary Period The appointing authority may remove an emplove from the classified service at any time after two months from the date of his appointment and before the expiration of the probationary period The appointing authority shall furnish the Director with a statement in writing of the cause of the removal The person so removed shall be considered permanently separated from his position but the Director may if he considers such action appropriate place the name of the person thus removed on the employment list of the appropriate class for future certification to other appointing authorities

Section 805 Retirement The Director with the approval of the Commission may recommend to the Governor the retirement of any employe in the classified service who in his judgment has become unfitted for the efficient performance of the duties of his position owing to advanced age or to physical or mental disability Any such employe so retired shall have all rights of appeal as provided in this Act for employes removed

Section 806 Resignation The Rules of the Commission shall state what shall constitute resignation from the classified service Absence from duty for five consecutive working days without notice to the appointing authority may be regarded as an abandonment of a position and in effect a resignation No person who has voluntarily resigned from the service shall be restored to his position within six months from the effective date of his resignation No resignation of any person in the classified service shall be effective unless accepted by the appointing authority within fifteen days after the actual date of the making thereof No person about to be appointed to any position in the service of the Commonwealth shall in advance of or at the time of such appointment sign or execute a resignation dated or undated No resignation shall be made or shall be valid unless it bears the signature of the person resigning and the date of the resignation in his handwriting Any person who resigns from the classified service may ask the Commission in writing within fifteen days after such resignation for a public hearing stating his reasons If on investigation there appears to be good evidence that the employe has been forced to resign against his will and without just cause or that his separation from the service has been involuntary and without just cause the Commission shall grant him within thirty days a public hearing as hereinafter provided in the case of removal or demotion and shall treat the separation as though it were a removal

Section 807 Removal (a) No person in the classified service shall be removed except for just cause which shall not be his race religion or political partisan or labor union affiliation To all persons in the classified service except provisional temporary and emergency employes or probationary employes who have served longer than two months written notice of intended removal setting forth the reasons for such action and effective date thereof must be furnished They shall have ten days from the receipt of such written notice to give the appointing authority such written answer as the person about to be removed may desire In every case of such intended removal a copy of the statement of reasons therefor with the full written answer thereto if any shall be furnished to the Commission by the appointing authority within ten days from the receipt of the written answer and shall be made a part of the public records of the Commission Within thirty days after receipt of such notice of removal from an appointing authority the Commission upon the request of the appointing authority or of the removed employe or upon its own behalf shall initiate an investigation which shall include a public hearing Such investigation and hearing may be conducted by the Commission or by anyone designated by the Commission The investigation and hearing shall be for the purpose of fairly determining whether the employe involved merits continuance in his position or should be removed therefrom or otherwise disciplined for the good of the service At the hearing the Commission or those acting for the Commission shall not be required to follow technical rules of evidence or court procedure but shall diligently seek all of the evidence and information bearing on the merits of the case Where an investigation is conducted at the request of the removed employe the Commission within ten days after the completion of such investigation and hearing or sooner if practicable shall make its findings and conclusions which shall be forthwith certified to the appointing authority If the Commission finds that the action complained of was taken by the appointing authority for any political partisan religious or racial reason or because of labor-union affiliation the employe shall be reinstated to his position without loss of pay In all other cases the final decision shall not be reviewable by any court but if such final decision is in favor of the employe the appointing authority shall reinstate him with the payment of so much of the salary or wages lost by him as the Commission may in its discretion order The Commission may in its discretion order that the name of any person whose removal from the classified service has become final and binding be placed at the head of the appropriate eligible list or that he be transferred provided that such action is taken not later than thirty days after the appointing authority has verified his decision to the Commission

(b) Charges against any employe in the classified service asking for his removal for a violation of law or for any cause enumerated in the Rules may be filed by any citizen or taxpayer with the appropriate appointing authority and with the Director Charges filed shall at

the discretion of the Commission be recorded in its minutes be investigated and determined in the manner provided in this Section

(c) Notwithstanding the provisions of this Act the Governor may upon recommendation of the appointing authority suspend or remove the Director and any employe if he deems such action to the best interests of the public service

(d) Demoted or furloughed employes shall have such rights of notice and hearing similar to those provided under this section for removed employes as shall be prescribed in the rules of the commission

Article IX

Prohibitions Penalties And Enforcement

Section 901 Director's Certificate of Legality of Employment The Director shall periodically certify to the Auditor General lists of employes in the service of the Commonwealth who have been appointed and employed in accordance with the provisions of this act

Section 902 False Statements Made Under Oath Constitute Perjury Any false statement made under oath either orally or in writing in any application or other paper filed with the Commission or in any proceeding before the Commission or in any investigation conducted by or under the direction of the Commission or by the Director or in any proceedings arising under this Act shall be perjury and punishable as such Any person failing to disclose a material fact or in any manner conceals any information in order to obtain employment or promotion under this Act shall in addition to any other penalty herein provided be removed from all eligible lists and if appointed or promoted he shall be summarily removed

Section 903 Certain Acts Made Misdemeanors Any person who wilfully by himself or in collusion with one or more other persons defeats deceives or obstructs any person in respect to his right of examination appointment or employment according to this Act or according to any Rules made thereunder or who corruptly or falsely marks rates grades estimates or reports upon the tests or proper standing of any person tested or certified pursuant to the provisions of this Act or aids in so doing or who wilfully makes any false representations concerning the same or concerning the persons tested or who wilfully furnishes to any person any special or secret information for the purpose of improving or injuring the prospects or chances of any person so examined or certified or to be examined or certified or who impersonates any person or permits or aids in any manner any other person to impersonate him in connection with any examination or request to be examined certified or appointed or who furnishes any false information about himself or about any other person in connection with any request to be examined certified or appointed or who makes an appointment to office or selects any person for employment contrary to this Act or to any Rules made thereunder or who refuses to comply therewith or who wilfully or through culpable negligence violates any of the provisions of this Act or of any Rules made thereunder shall for each offense be deemed guilty of a misdemeanor and upon conviction thereof shall be sentenced to pay a fine of not less than one hundred dollars ($100.00) and not exceeding three thousand dollars ($3,000.00) or to serve imprisonment for a period not exceeding 3 years or both in the discretion of the court

Section 904 Prohibition of Political Activity No person in the classified service shall be a member of or delegate or alternate to any political convention nor shall he participate at any such convention except in the performance of his official duty or as a visitor nor shall he serve as a member of or attend the meetings of any committee of any political party or take an active part in political management or in political campaigns or use his office or position to influence political movements or to influence the political action of any officer or employe in the service of the Commonwealth nor shall he circulate or seek signatures to any nominations or other petition required by any primary or election law nor shall he seek or accept election nomination or appointment as an officer of a political club or organization or serve as a member of a committee of any such club or organization nor shall he in any manner participate in or interfere with the conduct of any election or the preparation therefor at the polling place or with the election officers while counting the votes or returning the election material to the place provided by law for that purpose save only for the purpose of making and depositing his own ballot as speedily as it reasonably can be done nor shall he be within the polling place or within fifty feet thereof except for the purpose of carrying out official duties and of ordinary travel or residence during the period of time beginning with one hour preceding the opening of the polls for holding such election and ending with the time when the election officers shall have finished counting the votes and have left the polling place for the purpose of depositing the election material in the place provided by law for that purpose excepting only police officers who may temporarily approach or enter the polling place in order to make any arrest permitted by law or for the purpose of preserving order and in each case remain only long enough to accomplish the duties aforesaid after which the said officers shall at once withdraw

Section 905 Prohibition of Assessments No person shall orally or by written or printed communication directly or indirectly demand solicit collect or receive or be in any manner concerned in demanding soliciting collecting or receiving any money or valuable thing or any assessment subscription or contribution whether voluntary or involuntary from any officer or employe in the classified service for any political purpose whatever No person in the classified service shall orally or by written or printed communication directly or indirectly demand solicit collect or receive or be in any manner concerned in demanding soliciting collecting or receiving any money or valuable thing for any political purpose whatever No person in the service of the Commonwealth shall remove suspend furlough demote or promote or in any manner change the official status or compensation of any other person in the classified service or promise or threaten to do so for withholding or neglecting to make any contribution of money or service or other valuable thing for any political purpose No person shall take part in preparing any political assessment subscription or contribution with the intent that the same shall be sent or presented to or collected from any person in the classified service and no person shall knowingly send or present directly or indirectly in person or by letter any political assessment subscription or contribution to or request its payment by any person in the classified service

Section 906 Removal and Disqualification of Officers and Employes Any person holding a position in the service of the Commonwealth who violates any of the provisions of this Act or of the Rules made thereunder shall be immediately separated from the service It shall be the duty of the appointing authority of the State agency in which the offending person is employed to remove him at once in accordance with the provisions of this Act Any person removed under this Section shall for a period of one year be ineligible for reappointment to any position in the service of the Commonwealth

Article X

Schedule

Section 1001 Transfer or Records All lists of eligibles previously established or certified which have not been replaced by later lists of eligibles on the effective date of this Act and all books papers records documents supplies materials and equipment relating to or used in connection with any merit system in the service of the Commonwealth in effect on the effective date of this Act are hereby transferred from the department board or agency heretofore charged with the administration of such merit system to the Commission on the effective date of this Act

Such lists of eligibles shall be used for appointments by the Commission in the same manner as hereinbefore

provided until examinations shall have been held by the Commission and new lists of eligibles prepared pursuant thereto All persons whose names remain on any existing list of eligibles shall be retained thereon for at least one year from the date when the list was established and thereafter until the list is replaced by a more recently prepared list If any applicants have been filed for an examination or any examinations have been held but no lists of eligibles established in connection with any merit system in the service of the Commonwealth in effect on the effective date of this Act such applications and examinations transferred to the Commission shall have the same force and effect as if the applications had been filed with or the examinations held by the Commission

Section 1002 Employment Board Abolished The Employment Board in the Department of Public Assistance is hereby abolished and the terms of all of its members in office are hereby terminated on the effective date of this Act

Section 1003 Appropriation The sum of two hundred fifty thousand dollars ($250,000) or so much thereof as may be found necessary is hereby specifically appropriated out of the General Fund to the State Civil Service Commission for the biennial period ending the thirty-first day of May one thousand nine hundred forty-three for the payment of salaries wages and other compensation of the Commission the Director and experts statisticians clerks stenographers and other assistants and employes for the payment of traveling expenses for advertising postage stationery equipment printing supplies and for any other expenses necessary for the proper conduct of the work of the Commission and of the Director In addition to the aforesaid amount as much money as may be necessary is hereby appropriated to the commission from the State Stores Fund to meet such portion of the above expenses of the Commission as may be attributed to the work of the commission with respect to the Pennsylvania Liquor Control Board and as much as may be necessary is hereby appropriated to the commission from the Administration Fund to meet such portion of the above expenses of the commission as may be attributable to the work of the commission with respect to the Department of Labor and Industry Such additional amounts shall from time to time be transferred from the aforesaid special funds to the General Fund shall be credited to the aforesaid appropriation made from the General Fund and are hereby appropriated to the commission for the aforesaid purposes

Section 1004 Effective Date of This Act This Act shall become effective immediately upon its final enactment except that any department commission board agency or person charged with administering the merit systems in the service of the Commonwealth in effect on the effective date of this act shall individually continue until thirty days after the Director of the Civil Service Commission is appointed as herein provided to administer for their respective appointing authorities such merit systems in accordance with the provisions of this Act and during this time wherein in this Act certain powers and duties pertaining to examinations eligible lists appointments promotions demotions furloughs suspensions removals and appeals are imposed on the Director and the Commission such powers and duties shall be imposed individually upon such department commission board agency or person herein referred to

Section 1005 Repealer The following laws or parts of laws are hereby repealed

Section two of the Act approved the twentieth day of December one thousand nine hundred thirty-three (P. L. 89 1933-34) entitled "An Act appropriating the moneys in the State Stores Fund" as added by the Act approved the eighteenth day of July one thousand nine hundred thirty-five (P. L. 1316)

Section two hundred eight of the Act approved the fifth day of December one thousand nine hundred thirty-six (P. L. 2897) entitled "An Act establishing a system of unemployment compensation to be administered by the Department of Labor and Industry and its existing and newly created agencies with personnel (with certain exceptions) selected on a civil service basis requiring employers to keep records and make reports and certain employers to pay contributions based on payrolls to provide moneys for the payment of compensation to certain unemployed persons providing procedure and administrative details for the determination payment and collection of such contributions and the payment of such compensation providing for cooperation with the Federal Government and its agencies creating certain special funds in the custody of the State Treasurer and prescribing penalties" and the amendments thereto

Section three hundred two of the Act approved the twenty-ninth day of November one thousand nine hundred and thirty-three (P. L. 15 1933-34) entitled as amended "An Act to regulate and restrain the sale manufacture possession transportation importation traffic in and use of alcohol and alcoholic and malt or brewed beverages conferring powers and imposing duties upon the Pennsylvania Liquor Control Board and its agents the Department of Public Instruction other officers of the State government courts and district attorneys authorizing the establishment and operation of State stores for the sale of such beverages not for consumption on the premises and the granting of licenses subject to local option to sell such beverages for consumption on and off the premises forbidding importation or bringing of such beverages into the State except as herein provided prohibiting certain sales or practices in connection with and transactions in such beverages by licensees and others providing for the forfeiture of certain property making disposition of the receipts from State stores and of fees and imposing penalties" and the amendments thereto

Section 2504-A and 2505-A of the Act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 177) entitled "An Act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments boards commissions and officers thereof including the boards of trustees of State Normal Schools or Teachers Colleges abolishing creating reorganizing or authorizing the reorganization of certain administrative departments boards and commissions defining the powers and duties of the Governor and other executive and administrative officers and of the several administrative departments boards commissions and officers fixing the salaries of the Governor Lieutenant-Governor and certain other executives and administrative officers providing for the appointment of certain administrative officers and of all deputies and other assistants and employes in certain departments boards and commissions and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments boards and commissions shall be determined" as added by the Act approved the twenty-fourth day of June one thousand nine hundred and thirty-seven (P. L. 2003)

Section four clause k and section seven clause b of the act approved the twenty-fourth day of June one thousand nine hundred and thirty-seven (P. L. 2051) entitled "An Act relating to public assistance providing for and regulating assistance to certain classes of persons designated and defined as dependent children aged persons blind persons and other persons requiring relief providing for the administration of this Act by the Department of Public Assistance and county boards of assistance hereby created for this purpose authorizing the Department of Public Assistance to cooperate with and to accept and disburse moneys received from the United States Government for assistance to such persons providing for the liquidation of the State Emergency Relief Board Boards of Trustees of the Mothers' Assistance Fund and Board of Trustees of the Pension Fund for the Blind and repealing laws relating to mothers' assistance pensions for the blind old age assistance and the State Emergency Relief Board" as amended by the act approved the twenty-sixth day of June one thousand nine hundred and thirty-nine (P. L. 1091)

Section seven clause a of the act approved the twenty-

fourth day of June one thousand nine hundred and thirty-seven (P. L. 2051) entitled "An Act relating to public assistance providing for and regulating assistance to certain classes of persons designated and defined as dependents children aged persons blind persons and other persons requiring relief providing for the administration of this Act by the Department of Public Assistance and county boards of assistance hereby created for this purpose authorizing the Department of Public Assistance to cooperate with and to accept and disburse moneys received from the United States Government for assistance to such persons providing for the liquidation of the State Emergency Relief Board Boards of Trustees of the Mothers' Assistance Fund and Boards of Trustees of Pension Fund for the Blind and repealing laws relating to mothers' assistance pensions for the blind old age assistance and the State Emergency Relief Board" as amended by the Act approved the twenty-sixth day of June one thousand nine hundred and thirty-nine (P. L. 1091) to the extent that it is inconsistent with this act

All other acts and parts of acts inconsistent with this Act are hereby repealed

On the question?

Will the Senate agree to the report?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—38

Barr,	Ealy,	Mallery,	Stevenson,
Bartlett,	Edmonds,	McCreesh,	Tallman,
Becker,	Farrell,	McGinnis,	Taylor,
Carr,	Geltz,	McQuiddy,	Thomas,
Chapman,	Haluska,	Miller,	Wade,
Cox,	Heyburn,	Mundy,	Walker,
Crider,	Homsher,	Ruth,	Watkins,
Crowe,	James,	Scarlett,	Wilson, H. I.,
Deitrick,	Kephart,	Snowden,	Woodward,
Dent	Letzler,		

NAYS—3

Coleman,	DiSilvestro,	Jaspan,

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk inform the House of Representatives accordingly.

REPORT OF COMMITTEE OF CONFERENCE ON SENATE BILL No. 654 ADOPTED

Mr. TALLMAN. Mr. President, I move that the Senate do now proceed to the consideration of the Conference Committee Report on Senate Bill No. 654.

Mr. GELTZ. Mr. President, I second the motion.

The motion was agreed to.

SUSPENSION OF RULE 21

Mr. GELTZ. Mr. President, I move that Rule 21, which requires Conference Committee Reports to be noted on the Calendar, be in this case dispensed with, and that the Senate proceed to the consideration of the Report of the Committee of Conference made by the House to the foregoing bill.

Mr. EALY. Mr. President, I second the motion.

The motion was agreed to.

The Report was read as follows:

REPORT OF THE COMMITTEE OF CONFERENCE ON SENATE BILL No. 654

To the Members of the Senate and House of Representatives:

We, the undersigned Committee of Conference on the part of the Senate and House of Representatives for the purpose of considering Senate Bill No. 654, entitled:

"An act to amend sections two hundred one and four hundred fifty-two of the act approved the ninth day of April one thousand nine hundred and twenty-nine (P. L. 177), entitled 'An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments boards commissions and officers thereof * * *' as amended in order to establish the State Civil Service Commission as an independent administrative commission in the Executive Department and making further provision with respect to the qualifications and exepenses of the commission."

Respectfully submit the following bill as our report:

O. J. TALLMAN
JOHN M. WALKER
FRANK W. RUTH

(Committee on the part of the Senate)

ALBERT S. READINGER
ANTHONY J. PETROSKY
JOHN E. VAN ALLSBURG

(Committee on the part of the House of Representatives)

An Act to amend sections two hundred one and four hundred fifty-two of the act approved the ninth day of April one thousand nine hundred and twenty-nine (P. L. 177), entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments boards commissions and officers thereof including the boards of trustees of State Normal Schools or Teacher Colleges abolishing creating reorganizing or authorizing the reorganization of certain administrative departments boards and commissions defining the powers and duties of the Governor and other executive and administrative officers and of the several administrative departments boards commissions and officers fixing the salaries of the Governor Lieutenant-Governor and certain other executive and administrative officers providing for the appointment of certain administrative officers and of all deputies and other assistants and employes in certain departments boards and commissions and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments boards and commissions shall be determined" as amended in order to establish the State Civil Service Commission as an independent administrative commission in the Executive Department and making further provision with respect to the qualifications and expenses of the commission

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section two hundred and one of the act approved the ninth day of April one thousand nine hundred and twenty-nine (P. L. 177) entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments boards commissions and officers thereof including the boards of trustees of State Normal Schools or Teachers Colleges abolishing creating reorganizing or authorizing the reorganization of certain administrative departments boards and commissions defining the powers and duties of the Governor and other executive and administrative officers and of the several administrative departments boards commissions and officers fixing the salaries of the Governor Lieutenant-Governor and certain other executive and administrative officers providing for the appointment of certain administrative officers and of all deputies and other assistants and employes in certain departments boards and commissions and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain

departments boards and commissions shall be determined" as last amended by the act approved the tenth day of May one thousand nine hundred and thirty-nine (P. L. 101) is hereby further amended to read as follows

Section 201 Executive Officers Administrative Departments and Independent Administrative Boards and Commissions The executive and administrative work of this Commonwealth shall be performed by the Executive Department consisting of the Governor Lieutenant-Governor Secretary of the Commonwealth Attorney General Auditor General State Treasurer Secretary of Internal Affairs and Superintendent of Public Instruction by the Executive Board and the Pennsylvania Motor Police by the following administrative departments Department of State Department of Justice Department of the Auditor General Treasury Department Department of Internal Affairs Department of Public Instruction Department of Military Affairs Insurance Department Department of Banking Department of Agriculture Department of Forests and Waters Department of Mines Department of Highways Department of Health Department of Labor and Industry Department of Welfare Department of Property and Supplies Department of Revenue Department of Public Assistance and Department of Commerce and by the following independent administrative boards and commission Pennsylvania Game Commission Board of Fish Commissioners State Civil Service Commission and the Pennsylvania Public Utility Commission

All of the provisions of this act which apply generally to administrative departments or generally except to the Department of the Auditor General and the Treasury Department shall apply to the Executive Board and to the Pennsylvania Motor Police

Section 2 Section four hundred fifty-two of said act which was added to said act by section eight of the act approved the sixth day of June one thousand nine hundred thirty-nine (P. L. 250) is hereby amended to read as follows

Section 452 State Civil Service Commission The State Civil Service Commission is hereby created and shall consist of three members not more than two of whom shall be of the same political affiliation Of the original members all of whom shall be appointed within thirty days after the effective date of this act one shall be appointed for a term of two years one for a term of four years and one for a term of six years from the date of his appointment and until his successor shall have been appointed and qualified Thereafter each appointment shall be for a term of six years or until a successor is appointed and qualified The members of the commission shall hold no other public position to which a salary is attached shall have qualifications for appointment and shall be removable from office as provided by law The Governor shall designate one of the members as chairman

Each member of the commission shall [be paid] receive actual traveling expenses and per diem compensation at the rate of twenty-five dollars per day for the time actually devoted to the business of the commission but no member shall be paid more than one thousand five hundred dollars per diem compensation in any one year except during the first year after the effective date of this act [when such payment shall not exceed two thousand dollars]

Section 3 This act shall become effective immediately upon its final enactment

On the question,

Will the Senate agree to the report?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—39

Barr,	Dent,	Letzler,	Stevenson,
Bartlett,	Ealy,	Mallery,	Tallman,
Becker,	Edmonds,	McCreesh,	Taylor,
Carr,	Farrell,	McGinnis,	Thomas,
Chapman,	Geltz,	McQuiddy,	Wade,
Coleman,	Haluska,	Miller,	Walker,
Cox,	Heyburn,	Mundy,	Watkins,
Crider,	Homsher,	Ruth,	Wilson, H. I.,
Crowe,	James,	Scarlett,	Woodward,
Deitrick.	Kephart,	Snowden,	

NAYS—2

DiSilvestro,	Jaspan,

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk inform the House of Representatives accordingly.

HOUSE MESSAGES

HOUSE CONFERENCE COMMITTEE ON HOUSE BILL No. 448 DISCHARGED

The Clerk of the House of Representatives being introduced, informed the Senate that the Committee of Conference on House Bill No. 448, entitled:

An Act to amend the first paragraph of section nine of the act approved the twenty-fourth day of June, one thousand nine hundred and thirty-seven (P. L. 2051), entitled "Public Assistance Law," by redefining eligibility for assistance.

was unable to agree and was discharged.

HOUSE INSISTS UPON ITS NON-CONCURRENCE IN AMENDMENTS TO HOUSE BILL No. 448

He also informed the Senate that the House insists on its non-concurrence in Senate amendments to House Bill No. 448, entitled:

An Act to amend the first paragraph of section nine of the act approved the twenty-fourth day of June, one thousand nine hundred and thirty-seven (P. L. 2051), entitled "Public Assistance Law," by redefining eligibility for assistance.

SENATE RECEDES FROM ITS INSISTENCE ON ITS AMENDMENTS NON-CONCURRED IN BY THE HOUSE

Mr. MILLER. Mr. President, I move that the Senate recede from its insistance on its amendments non-concurred in by the House of Representatives to House Bill No. 448, the foregoing bill.

Mr. THOMAS. Mr. President, I second the motion.

On the question,

Will the Senate agree to the motion?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—42

Barr,	DiSilvestro,	Letzler,	Stevenson,
Bartlett,	Ealy,	Mallery,	Stiefel,
Becker,	Edmonds,	McCreesh,	Tallman,
Carr,	Farrell,	McGinnis,	Taylor,
Chapman,	Geltz,	McQuiddy,	Thomas,
Coleman,	Haluska,	Miller,	Wade,
Cox,	Heyburn,	Mundy,	Walker,
Crider,	Homsher,	Ruth,	Watkins,
Crowe,	James,	Scarlett,	Wilson, H. I.,
Deitrick.	Jaspan,	Snowden,	Woodward,
Dent,	Kephart,		

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk inform the House of Representatives accordingly.

NOMINATIONS BY THE GOVERNOR

NOTARIES PUBLIC

The Secretary to the Governor being introduced, presented in writing from His Excellency, the Governor of the Commonwealth, nominations for appointment as Notaries Public.

CONSIDERATION OF NOTARIES PUBLIC

Mr. JAMES. Mr. President, I move that the Senate do now proceed to the consideration of nominations for appointment as Notaries Public, sent to the Senate July 15, 1941, by His Excellency, the Governor of the Commonwealth.

Mr. EALY. Mr. President, I second the motion.

The motion was agreed to.

The nominations were read as follows:

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, July 15, 1941.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Charles L. Schlipf, 4837 James Street, Philadelphia, Philadelphia County, for appointment as a Notary Public in and for the City of Philadelphia, Philadelphia County, for a term of four years, to compute from the date of confirmation.

ARTHUR H. JAMES.

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, July 15, 1941.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following persons for appointment as Notaries Public, for terms of four years to compute from the date of confirmation:

ALLEGHENY COUNTY

C. Liacopoulos, Grant Bldg., Pittsburgh.

LUZERNE COUNTY

Philip Klemow, Hazle Twp., 28th and Laurel Streets, Hazleton.

MONTGOMERY COUNTY

J. Herbert Francis, Upper Providence Twp., Oaks.

ARTHUR H. JAMES.

NOMINATIONS FOR NOTARIES PUBLIC

A motion was made by Mr. JAMES and Mr. EALY,

That the Senate do advise and consent to said nominations.

On the question,

Will the Senate agree to the motion?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—42

Barr,	DiSilvestro,	Kephart,	Stevenson,
Bartlett,	Ealy,	Letzler,	Stiefel,
Becker,	Edmonds,	Mallery,	Tallman,
Carr,	Farrell,	McCreesh,	Taylor,
Chapman,	Frey,	McGinnis,	Thomas,
Coleman,	Geltz,	McQuiddy,	Wade,
Cox,	Haluska,	Miller,	Walker,
Crider,	Heyburn,	Mundy,	Watkins,
Crowe,	Homsher,	Ruth,	Wilson, H. I.,
Deitrick,	James,	Snowden,	Woodward,
Dent,	Jaspan,		

NAYS—0

Two-thirds of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Governor be informed accordingly.

RESOLUTION EXTENDING INVITATION TO MEMBERS OF GENERAL ASSEMBLY TO ATTEND SESSIONS OF AMERICAN LEGION

Mr. MALLERY. Mr. President, I ask unanimous consent to offer a resolution at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. MALLERY offered the following resolution which was twice read, considered and agreed to:

EXTENDING INVITATION TO MEMBERS OF GENERAL ASSEMBLY TO ATTEND SESSIONS OF AMERICAN LEGION

In the Senate, July 15, 1941.

On August thirteenth, fourteenth, fifteenth and sixteenth the American Legion, Department of Pennsylvania and the Forty and Eight will hold their annual conventions in the City of Altoona.

August fifteenth will be a most appropriate day upon which to celebrate the first monthly anniversary of the adjournment sine die of this session of the Legislature and there is no better place than Altoona.

Altoona is the center of the rural district of Pennsylvania as well as close to its geographical center. It is the home of the world's largest car shops which are now working at peak capacity, bringing to the city a prosperity that will be richly reflected in the entertainment afforded to visiting Legionnaries and their friends.

The Senators and Members of the House from the County of Blair are desirous of having the Senators and Members of the House of Representatives present in Altoona during these conventions and extend to them a most cordial invitation to attend; therefore be it

Resolved (if the House concurs), That the Senators and Members of the House of Representatives of this session of the Legislature shall take advantage of the invitation of the Senators and Members from the County of Blair and attend the convention in Altoona on August thirteenth, fourteenth, fifteenth and sixteenth as a fitting and proper celebration of this adjournment of this session, if by that time they are thoroughly rested.

Ordered, That the Clerk present the same to the House of Representatives for concurrence.

HOUSE MESSAGE

The Clerk of the House of Representatives being introduced, informed the Senate that the Committee on Conference on House Bill No. 943, entitled:

An Act to reenact and amend section 441 of the act approved the second day of May, one thousand nine hundred twenty-nine (P. L. 1278) entitled "General County Law" by authorizing boards of county commissioners to appropriate county moneys for the support of charitable hospitals.

had submitted a report, which was defeated.

COMMUNICATION LAID ON TABLE

Mr. GELTZ. Mr. President, I move that the communica-

tion just received from the House, in connection with House Bill No. 943, be laid on the table.

Mr. MILLER. I second the motion.

On the question,

Will the Senate agree to the motion?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—42

Barr,	DiSilvestro,	Kephart,	Stevenson,
Bartlett,	Ealy,	Letzler,	Stiefel,
Becker,	Edmonds,	Mallery,	Tallman,
Carr,	Farrell,	McCreesh,	Taylor,
Chapman,	Frey,	McGinnis,	Thomas,
Coleman,	Geltz,	McQuiddy,	Wade,
Cox,	Haluska,	Miller,	Walker,
Crider,	Heyburn,	Mundy,	Watkins,
Crowe,	Homsher,	Ruth,	Wilson, H. I.,
Deitrick,	James,	Snowden,	Woodward,
Dent,	Jaspan,		

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

HOUSE MESSAGE

HOUSE INSISTS UPON ITS NON-CONCURRENCE IN AMENDMENTS TO HOUSE BILL No. 943

The Clerk of the House of Representatives being introduced, informed the Senate that the House insists on its non-concurrence in Senate amendments to House Bill No. 943, entitled:

An Act to reenact and amend section 441 of the act approved the second day of May, one thousand nine hundred twenty-nine (P. L. 1278) entitled "General County Law" by authorizing boards of county commissioners to appropriate county moneys for the support of charitable hospitals.

MESSAGE LAID ON THE TABLE

Mr. GELTZ. Mr. President, I move that the message be laid on the table.

Mr. MILLER. Mr. President, I second the motion.

The motion was agreed to.

HOUSE CONCURS IN SENATE BILL No. 1016

He also returned to the Senate, Senate Bill No. 1016, entitled:

An Act providing that the Commonwealth of Pennsylvania enter into the interstate compact to conserve oil and gas with other States of the United States of America, which are signatories thereto.

with the information that the House has pased the same without amendments.

BILL SIGNED

The PRESIDENT (Lieutenant-Governor Samuel S. Lewis) announced that the Chief Clerk having reported that the following bill has passed both houses of the General Assembly and the same being correct, the title was publicly read as follows:

House Bill No. 931, entitled:

An Act to further amend section six of the act, approved the first day of July, one thousand nine hundred and thirty-seven (P. L. 2603), entitled "An act relating to vocational education; creating vocational school districts for the purpose of conducting systems of vocational schools, departments or classes; providing for their government; prescribing their powers and duties; conferring powers and imposing duties on school districts and on the State Board for Vocational Education; and providing for referendum in certain cases," fixing the rate of the annual tax levy; requiring county commissioners or boards for the assessment and revision of taxes to furnish, at the expense of the county, certified duplicates of last adjusted valuations of real estate; making the same taxable for vocational school purposes; and making further provision with reference to the bond of tax collectors.

Whereupon,

The PRESIDENT (Lieutenant-Governor Samuel S. Lewis) in the presence of the Senate signed the same.

REPORT OF COMMITTEE OF CONFERENCE ON HOUSE BILL No. 1768

Mr. HEYBURN. Mr. President, I am directed by the Committee of Conference to make a report on House Bill No. 1768, entitled:

An Act to further amend the act, approved the fifth day of December, one thousand nine hundred thirty-six (P. L. of 1937, p. 2897) entitled "Unemployment Compensation Law," by providing therein as to the replacement of certain moneys received pursuant to the provisions of Section three hundred two of the Federal Social Security Act as amended.

REPORT OF CONFERENCE ON HOUSE BILL No. 1768 ADOPTED

Mr. HEYBURN. Mr. President, I move that the Senate do now proceed to the consideration of the Report of the Committee of Conference on House Bill No. 1768.

Mr. GELTZ. Mr. President, I second the motion.

The motion was agreed to.

SUSPENSION OF RULE 21

Mr. GELTZ. Mr. President, I move that Rule 21, which requires Conference Committee Reports to be noted on the Calendar, be in this case dispensed with, and that the Senate proceed to the consideration of the Report of the Committee of Conference made by the House to the foregoing bill.

Mr. EALY. Mr. President, I second the motion.

The motion was agreed to.

The Report was read as follows:

REPORT OF THE COMMITTEE OF CONFERENCE ON HOUSE BILL No. 1768

To the Members of the Senate and House of Representatives:

We, the undersigned, Committee of Conference on the part of the Senate and House of Representatives for the purpose of considering House Bill No. 1768, entitled:

"An Act to further amend the act approved the fifth day of December one thousand nine hundred thirty-six (P. L. of 1937 p. 2897) entitled 'An act establishing a system of unemployment compensation to be administered by the Department of Labor and Industry and its existing and newly created agencies with personnel (with certain exceptions) selected on a civil service basis * * *' by providing therein as to the replacement or expenditure of

certain moneys received or donated pursuant to the provisions of Section three hundred two of the Federal Social Security Act as amended or the Wagner-Peyser Act and making the moneys in the Administration Fund available to the Treasury Department to pay the costs incurred by said department in making disbursements from said fund and the Unemployment Compenation Fund."

Respectfully submit the following bill as our report:

WELDON B. HEYBURN
HENRY I. WILSON

(Committee on the Part of the Senate.)

REUBEN E. COHEN
L. KENNETH HARKINS
ROBERT E. WOODSIDE, JR.

(Committee on the Part of the House of Representatives.)

An Act to further amend the act approved the fifth day of December one thousand nine hundred thirty-six (P. L. of 1937 p 2897) entitled "An act establishing a system of unemployment compensation to be administered by the Department of Labor and Industry and its existing and newly created agencies with personnel (with certain exceptions) selected on a civil service basis requiring employers to keep records and make reports and certain employers to pay contributions based on payrolls to provide moneys for the payment of compensation to certain unemployed persons providing procedure and administrative details for the determination payment and collection of such contributions and the payment of such compensation providing for cooperation with the Federal Government and its agencies creating certain special funds in the custody of the State Treasurer and prescribing penalties" by providing therein as to the replacement or expenditure of certain moneys received or donated pursuant to the provisions of Section three hundred two of the Federal Social Security Act as amended or the Wagner-Peyser Act and making the moneys in the Administration Fund available to the Treasury Department to pay the costs incurred by said department in making disbursements from said fund and the Unemployment Compensation Fund

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 [Article six] Section 602 of the act approved the fifth day of December one thousand nine hundred thirty-six (P. L. 1937 p. 2897) entitled "An act establishing a system of unemployment compensation to be administered by the Department of Labor and Industry and its existing and newly created agencies with personnel (with certain exceptions) selected on a civil service basis requiring employers to keep records and make reports and certain employers to pay contributions based on payrolls to provide moneys for the payment of compensation to certain unemployed persons providing procedure and administrative details for the determination payment and collection of such contributions and the payment of such compensation providing for cooperation with the Federal Government and it agencies creating certain special funds in the custody of the State Treasurer and prescribing penalties" is hereby amended to read as follows

Section 602 Administration Fund There is hereby created a special fund to be known as the Administration Fund which shall consist of all moneys or other property received by the department from the United States of America or any agency thereof including the Social Security Board or from any other source whatsoever to be used for the administration of this act The department shall pay all costs required for the administration and operation of this act out of the Administration Fund

In addition any law to the contrary notwithstanding this fund shall be subject from time to time to charges by the Treasury Department for the costs incurred by said department in making disbursements arising from payments out of the Unemployment Compensation Fund and the fund created in this section and the moneys in the Administration Fund are hereby appropriated for the payment of such charges.

Section 2 Article six of the said act as amended by the act approved the twentieth day of June one thousand nine hundred thirtv-nine (P. L. 458) is hereby further amended by adding after section six hundred two two new sections to be known as section six hundred two and one-tenth and section six hundred two and two-tenths and to read as follows

Section 602.1 Reimbursement of Funds The Commonwealth of Pennsylvania hereby recognizes its obligation to replace and hereby pledges the faith of the Commonwealth that funds will be provided in the future and applied to the replacement of any moneys received after July one one thousand nine hundred forty-one from the Social Security Board under Title III of the Social Security Act any unencumbered balances in the Administration Fund as of that date any moneys thereafter granted to the Commonwealth pursuant to the provisions of the Wagner-Peyser Act and any moneys made available by the Commonwealth or its political subdivisions and matched by such moneys granted to the Commonwealth pursuant to the provisions of the Wagner-Peyser Act which the S cial Security Board finds have because of any action or contingency been lost or have been expended for purposes other than or in amounts in excess of those found necessary by the Social Security Board for the proper administration of this act Such moneys shall be promptly replaced by moneys appropriated for such purpose from the general funds of the Commonwealth to the Administration Fund for expenditure as provided in Section six hundred two of this act The secretary shall promptly report to the Governor and the Governor to the Legislature the amount required for such replacement This section shall not be construed to relieve the Commonwealth of its obligation with respect to funds received prior to July one one thousand nine hundred forty-one pursuant to the provisions of Title III of the Social Security Act

Section 602.2 All moneys received from the Social Security Board under Title Three of the Social Security Act or the provisions of the Wagner-Peyser Act and all moneys made available by the Commonwealth or its political subdivisions and matched by moneys granted to the Commonwealth pursuant to the provisions of the Wagner-Peyser Act shall be expended solely for the purposes and in the amounts found necessary by the Social Security Board for the proper and efficient administration of this Act

Section 2 The provisions of this act shall become effective immediately upon final enactment and shall be retroactive to and including the first day of July one thousand nine hundred and forty-one

On the question,

Will the Senate agree to the report?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—42

Barr,	DiSilvestro,	Kephart,	Stevenson,
Bartlett,	Ealy,	Letzler,	Stiefel,
Becker,	Edmonds,	Mallery,	Tallman,
Carr,	Farrell,	McCreesh,	Taylor,
Chapman,	Frey,	McGinnis,	Thomas,
Coleman,	Geltz,	McQuiddy,	Wade,
Cox,	Haluska,	Miller,	Walker,
Crider,	Heyburn,	Mundy,	Watkins,
Crowe,	Homsher,	Ruth,	Wilson, H. I.,
Deitrick,	James,	Snowden,	Woodward,
Dent,	Jaspan,		

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk inform the House of Representatives accordingly.

PERMISSION TO ADDRESS SENATE

Mr. WALKER. Mr. President, I ask permission to address the Senate.

The PRESIDENT. The gentleman from Allegheny will proceed.

Mr. WALKER. During the lull before the storm Mr. President, I would like to read into the record the following telegram, received from a very distinguished son of Pennsylvania, Hon. James J. Davis. It is as follows:

"Answering today's inquiry, to fail to agree on reapportionment is a step in the wrong direction; it will prevent the people of the local districts from electing their own representatives and will centralize power instead of localizing it. To localize power is to keep the government in the hands of the people. Representation as provided in the Constitution should be on the basis of population. We should not penalize the sections which have increased in population for those sections which have decreased. The Constitution has stood for 150 years and we can't go wrong sticking to it."

PERMISSION TO ADDRESS SENATE

Mr. WADE. Mr. President, I desire permission to address the Senate.

The PRESIDENT. The gentleman from Cumberland will proceed.

Mr. WADE. Mr. President, on June 10, 1941, at the request of the President Pro Tempore, the Chair appointed a conference committee on the part of the Senate on Senate Bill No. 507. Since that time we have had many meetings. As a matter of fact, I am going to ask my colleagues to allow me to refer to Representative Tate, of the Twenty-sixth District, Representative Shaffer of Philadelphia, Representative Bretherick, and Senators Mundy and Taylor as my roommates instead of my colleagues.

In addition to reporting to this Senate orally at various and sundry times, we reported in writing that we were having difficulty and up to that time had arrived at no agreement. Last evening we asked for an expression by vote of this body as to any method that might be adopted for congressional reapportionment, with which this bill deals. So far I am sorry to report we have been unable to arrive at any satisfactory conclusion, or at least a conclusion on which the conferees could agree.

REPORT OF COMMITTEE ON CONGRESSIONAL REAPPORTIONMENT

Mr. WADE. Therefore, Mr. President, I submit to you our report which states that we are not able to agree and which asks for the discharge of the committee.

The report was read as follows:

In the Senate, July 15, 1941.

We, the undersigned Committee of Conference on the part of the Senate for the purpose of considering Senate Bill No. 507, hereby submit our report to the effect that we have failed to agree and respectfully request the discharge of the Committeee.

GEORGE N. WADE,
M. HARVEY TAYLOR,
LEO C. MUNDY,
(Committee on the part of the Senate).

MOTION TO ADOPT REPORT

Mr. WADE. Mr. President, I move that the Report be adopted by the Senate.

Mr. TAYLOR. Mr. President, I second the motion.

Mr. MUNDY. I second the motion, Mr. President.

On the question,

Will the Senate agree to the motion?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—42

Barr,	DiSilvestro,	Letzler,	Stevenson,
Bartlett,	Ealy,	Mallery,	Stiefel,
Becker,	Farrell,	McCreesh,	Tallman,
Carr,	Frey,	McGinnis,	Taylor,
Chapman,	Geltz,	McQuiddy,	Thomas,
Coleman,	Haluska,	Miller,	Wade,
Cox,	Heyburn,	Mundy,	Walker,
Crider,	Homsher,	Ruth,	Watkins,
Crowe,	James,	Scarlett,	Wilson, H. I.,
Deitrick,	Jaspan,	Snowden,	Woodward,
Dent,	Kephart,		

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk inform the House of Representatives accordingly.

PARLIAMENTARY INQUIRY

Mr. GELTZ. Mr. President, I rise on a parliamentary inquiry.

The PRESIDENT. The gentleman from Allegheny will proceed.

Mr. GELTZ. Do I understand, Mr. President, that Senate Bill No. 507, is now back for consideration by the Senate?

The PRESIDENT. The Chair believes he can partly answer that inquiry having read for the information of the Senate a communication just received from the House.

HOUSE MESSAGE

CONFERENCE COMMITTEE ON PART OF HOUSE ON SENATE BILL No. 507 DISCHARGED

The Clerk of the House of Representatives being introduced informed the Senate that the Committee of Conference on the part of the House on Senate Bill No. 507, entitled:

An Act to apportion the State into congressional districts.

was discharged from further consideration of the bill.

SENATE INSIST UPON ITS NON-CONCURRENCE IN THE AMENDMENTS MADE BY THE HOUSE TO SENATE BILL No. 507

Mr. GELTZ. Mr. President, I move that the Senate insist upon its non-concurrence in the amendments made by the House to Senate Bill No. 507.

Mr. WALKER. Mr. President, I second the motion.

On the question,

Will the Senate agree to the motion?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—28

Bartlett,	Ealy,	Mallery,	Taylor,
Becker,	Farrell,	Miller,	Thomas,
Carr,	Geltz,	Ruth,	Wade,
Chapman,	Heyburn,	Scarlett,	Walker,
Crider,	Homsher,	Snowden,	Watkins,
Crowe,	James,	Stevenson,	Wilson, H. I.,
Deitrick,	Letzler,	Tallman,	Woodward,

NAYS—9

Barr,	DiSilvestro,	McCreesh,	McQuiddy,
Coleman,	Jaspan,	McGinnis,	Stiefel,
Cox,			

PRESENT—3

Dent,	Haluska,	Mundy,

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk inform the House of Representatives accordingly.

RECESS

Mr. GELTZ. Mr. President, I move that the Senate do now take a recess for 30 minutes.

Mr. MILLER. Mr. President, I second the motion.

The motion was agreed to.

AFTER RECESS

The PRESIDENT. The time of recess having elapsed the Senate will be in order.

HOUSE MESSAGE

HOUSE INSISTS UPON ITS AMENDMENTS NON-CONCURRED IN BY THE SENATE TO SENATE BILL No. 507

The Clerk of the House of Representatives being introduced presented communication from the House of Representatives informing the Senate that the House further insists upon its amendments non-concurred in by the Senate to Senate Bill No. 507, entitled:

An Act to apportion the State into congressional districts.

RECESS

Mr. GELTZ. Mr. President, I move that the Senate do now take a recess for ten minutes.

Mr. MILLER. Mr. President, I second the motion.

The motion was agreed to.

AFTER RECESS

The PRESIDENT. The time of recess having elapsed the Senate will be in order.

HOUSE ADOPTS REPORT OF CONFERENCE COMMITTEE ON SENATE BILL No. 653

He also informed the Senate that the House has adopted the report of the Conference Committee on Senate Bill No. 653, entitled:

An Act regulating and improving the civil service of certain departments and agencies of the Commonwealth vesting in the State Civil Service Commission and a Personnel Director certain powers and duties providing for classification of positions adoption of compensation schedules and certification of payrolls ,imposing duties upon certain officers and employes of the Commonwealth, authorizing service to political subdivisions of the Commonwealth in matters relating to civil service, defining certain crimes and misdemeanors, imposing penalties, making an appropriation and repealing certain acts and parts thereof.

HOUSE ADOPTS REPORT OF CONFERENCE COMMITTEE ON SENATE BILL No. 654

He also informed the Senate that the House has adopted the report of the Conference Committee on Senate Bill No. 654, entitled:

An Act to amend sections two hundred two and four hundred fifty-two of the act approved the ninth day of April, one thousand nine hundred and twenty-nine (P. L. 177), entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof, and the administrative departments, boards, commissions and officers thereof, including the boards of trustees of State Normal Schools or Teachers Colleges, abolishing, creating, reorganizing or authorizing the reorganization of certain administrative departments, boards, and commissions, defining the powers and duties of the Governor and other executive and administrative officers and of the several administrative departments, boards, commissions and officers, fixing the salaries of the Governor, Lieutenant-Governor and certain other executive and administrative officers, providing for the appointment of certain administrative officers and of all deputies and other assistants and employes in certain departments, boards, and commissions and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments, boards and commissions shall be determined," as amended in order to establish the State Civil Service Commission as a departmental administrative commission in the Executive Department.

BILLS SIGNED

The PRESIDENT. (Lieutenant-Governor Samuel S. Lewis) announced that the Chief Clerk having reported that the following bills had passed both houses of the General Assembly and the same being correct, the titles were publicly read as follows:

Senate Bill No. 253, entitled:

An Act relating to members of the bureau of fire in cities of the second class; providing, subject to the approval of the electors, for a three-platoon system for such members, with certain exceptions; providing for an election on such question; and regulating hours of service, hours of rest and annual vacations.

Senate Bill No. 653, entitled:

An Act regulating and improving the civil service of certain departments and agencies of the Commonwealth vesting in the State Civil Service Commission and a Personnel Director certain powers and duties providing for classification of positions adoption of compensation schedules and certification of payrolls, imposing duties upon certain officers and employes of the Commonwealth, authorizing service to political subdivisions of the Commonwealth in matters relating to civil service, defining certain crimes and misdemeanors, imposing penalties, making an appropriation and repealing certain acts and parts thereof.

Senate Bill No. 654, entitled:

An Act to amend sections two hundred two and four hundred fifty-two of the act approved the ninth day of April, one thousand nine hundred and twenty-nine (P.

L. 177), entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof, and the administrative departments, boards, commissions and officers thereof, including the boards of trustees of State Normal Schools or Teachers Colleges, abolishing, creating, reorganizing or authorizing the reorganization of certain administrative departments, boards, and commissions, defining the powers and duties of the Governor and other executive and administrative officers and of the several administrative departments, boards, commissions and officers, fixing the salaries of the Governor, Lieutenant-Governor and certain other executive and administrative officers, providing for the appointment of certain administrative officers and of all deputies and other assistants and employes in certain departments, boards, and commissions and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments, boards and commissions shall be determined," as amended in order to establish the State Civil Service Commission as a departmental administrative commission in the Executive Department.

Senate Bill No. 1016, entitled:

An Act providing that the Commonwealth of Pennsylvania enter into the interstate compact to conserve oil and gas with other States of the United States of America, which are signatories thereto.

Whereupon,

The PRESIDENT (Lieutenant-Governor Samuel S. Lewis) in the presence of the Senate signed the same.

CONFERENCE COMMITTEE APPOINTED ON SENATE BILL No. 507

The PRESIDENT. The President Pro Tempore reappoints Messrs. Wade, Taylor and Mundy, to be the committee on the part of the Senate to consider the differences existing between the two houses in relation to Senate Bill No. 507.

Ordered, That the Clerk inform the House of Representatives accordingly.

Mr. BARR. Mr. President, I want to say I was very happy to see reappointed, properly reappointed, the same committee on congressional reapportionment but there are several remarks I want to make before they enter upon their duties.

In February of this year I took a trip, you will remember—I was not in the best of health, to Florida—and on my trip I stopped at the Capitol at Washington, D. C., and at that time I talked with several members of Congress, both Democrats and Republicans, and we at that time talked in probably what you might say just a friendly manner about reapportionment of the state, with regard to Congress.

From time to time I was in touch with various Congressmen from home and various Congressmen throughout the state. It has always been my firm opinion, and it still is, that the so-called Achterman plan was a plan of the nineteen Democratic Congressmen and the fifteen Republican Congressmen, with the exception of two. Up until just three days ago I was closely in touch with several Congressmen in Washington, D. C., and I talked with several of them on the phone and I found out they are at a loss to understand the change of heart of my colleagues on the right side of the House. I just want to make this a matter of record. The Achterman plan was not a plan conceived just by the Democratic members of the House but it was a plan conceived by the members of Congress, both on the Republican and Democratic side.

Before I conclude my remarks I would like to interrogate the Majority Floor Leader, Mr. Geltz.

The PRESIDENT. Will the gentleman from Allegheny permit himself to be interrogated?

Mr. GELTZ. I will, Mr. President.

Mr. BARR. Does the gentleman from Allegheny think the fact that in the so-called Achterman plan, in which Bucks and Montgomery Counties are put into one, with Mr. Pew the political leader in one county and Mr. Grundy the political leader in the other and that they would have to oppose one another for their respective Congressmen, does the gentleman from Allegheny think that may be holding up the reapportionment plan?

Mr. GELTZ. Mr. President, I know very little about the political situation in the eastern part of the state; I have enough difficulty trying to keep my fingers on the political situation in my own Senatorial District.

Mr. BARR. Mr. President, I do not think the gentleman from Allegheny has answered the question at all. I ask: do you think, Senator Geltz, the fact that Senator Grundy is the Republican political leader in Bucks County, and Mr. Pew is the Republican political leader in Montgomery, and Bucks County is a smaller county that they would have to accommodate, and that at the present time they have a Republican Congressman, that may be one of the reasons why the Republican side of this Senate will not agree that this is a fair proposition.

Mr. GELTZ. I answered that question the first time, Mr. President.

Mr. CARR. Mr. President, I have an announcement to make. I have been informed that the manager of the Harrisburger Hotel has made a statement that if we are still in session at Christmas time the dinner will be on the house. Undoubtedly when the Penn Harris, the Bolton and the other hotels hear that they will be at our disposal at Christmas time.

RECESS

Mr. GELTZ. Mr. President, I move that the Senate do now take a recess for ten minutes.

Mr. MILLER. Mr. President, I second the motion.

The motion was agreed to.

AFTER RECESS

The PRESIDENT. The time of recess having elapsed the Senate will be in order.

PERMISSION TO ADDRESS SENATE

Mr. WADE. Mr. President, I ask permission to address the Senate.

The PRESIDENT. The gentleman from Cumberland will proceed.

Mr. WADE. Mr. President, I ask unanimous consent to make a committee report but before making this report, Mr. President, which is a report of the second conference committee appointed on Senate Bill No. 507, I would

ke to take the time and tax the patience of the members f this Senate for just a moment, and I assure you it will ot be long.

This is the second conference committee which has een appointed in reference to Senate Bill No. 507. The rst conference committee held repeated meetings for a eriod of thirty-seven days. There was a second conference ommittee appointed and the second one lasted about irty-seven minutes.

Now, Mr. President, we have met and I assure every ember of this body that we have made an honest and renuous effort to reach some conclusion. Any remarks at I might make about the members of this conference ommittee are not directed at our colleague, Dr. Mundy, ho has tried hard with us, with Senator Taylor and Mr. runner and Mr. Bretherick, who was on the other com- ittee, to reach some conclusion and to arrive at a sound lution of this very contentuous problem.

I want to tell this body that we have offered proposi- on after proposition and counter proposition after counter roposition, without going into that in detail, as it has been iscussed here on the floor repeatedly, and you are well ware of the reports that we have submitted to this body o that you could decide for yourselves from the infor- ation given what would be a fair and honest solution to e problem.

Mr. President, this body by a vote of thirty-three to wo approved the plan we had so frequently considered, f taking one congressional district from the City of Phila- elphia.

We felt all the time in our conference committee that here were some conferees in there who were not speak- ng for themselves, but were merely messenger boys arrying word back to somebody else, and the charges at a certain gentleman from Philadelphia was making ecisions looked very suspicious to me. I might say at the actions of these conferees looked very much as hough they were pages of some political boss.

I am very happy to say to this body that from the very rst day the conference committee was appointed, the epublican caucus delegated the duty to Senator Taylor nd myself to find a solution, advising us that they would gree with our solution.

Is that right, Senator Taylor?

Mr. TAYLOR. Right.

Mr. WADE. Now, Mr. President, without further ado want to make to this body, and to you, Mr. President, report and ask for the discharge of the second conference ommittee.

It resembles the former one, the report made earlier in his legislative day, with the exception that at the top are yped the words "Second Report," and I submit it to ou, Mr. President, and to the members of this Senate and ove you that it be adopted.

The report was read as follows:

SECOND REPORT

COMMITTEE OF CONFERENCE ON SENATE BILL No. 507

In the Senate, July 15, 1941.

We, the undersigned Committee of Conference on the art of the Senate for the purpose of considering Senate ill No. 507, hereby submit our report to the effect that we have failed to agree and respectfully request the discharge of the Committee.

GEORGE N. WADE,
M. HARVEY TAYLOR,
LEO C. MUNDY,
(Committee on the part of the Senate.)

MOTION TO ADOPT REPORT

Mr. WADE. Mr. President, I move that the report be adopted.

Mr. TAYLOR. I second the motion.

Mr. MUNDY. I second the motion.

On the question,

Will the Senate agree to the motion?

Mr. STIEFEL. I am not going to bore this Chamber with a long speech. I simply want to take exception to the remarks made by the gentleman from Cumberland in his attempt to pin responsibility upon a certain leader, who has been repeatedly attacked for the last few days. It is exteremely unfair, it is bringing coal to New Castle.

Mr. President, there were several propositions made, and why, of all the propositions that were made, there should be the selection of Philadelphia as the sufferer I can not see. There is probably responsibility placed on many other shoulders and it is unfair to pin it on one.

Mr. HALUSKA. Mr. President, I am going to vote "aye" on the motion to discharge this committee. I would like to have this opportunity to say a few words. I may go a little afield, but I will be as brief as possible and give you my version of what is going to happen.

Up until this time, Mr. President, I have never missed a session of this Legislature since the session of 1935. We are coming to a point now, Mr. President, where many a member, including myself, will be compelled to vote, not because his conscience tells him to vote but because his body tells him to vote. I can not stand here much longer. I have been here since nine o'clock this morning. Some members might have known what time they were going to convene and had a chance to go back home and rest up but I have not; I have hung around these halls all day. This is my twelfth day and I can truthfully state I am not in a position to stay much longer. This is an endurance test. I, like many others before this night is over, will be compelled to vote with anybody to get out of it. That vote will be unfair to myself and unfair to my constituents, but if it is an endurance test, I can not stand by much longer. I think we should take this vote and then adjourn sine die or at least be human about it, gentlemen, leave us go back home, rest up mentally and physically and come back here and vote with a clear conscience, because I am very fearful that many a vote will be cast with any majority just to enable that member to go back home, and when he goes back home and comes back to his normal senses he will regret forever the vote he cast, and I am fearful I will be one of those men.

We have spent weeks and weeks here trying to enact legislation for labor, forty-four hours a week, and we put in twenty-four hours a day. I say very humbly—I do not expect to change one mind, but I make my appeal to you gentleman to be sane about this situation. After this vote is taken, if you leaders feel down within your hearts we can not adjourn tonight, why not be fair about it and leave us go back home after this twelfth day and let us come back next Monday, Tuesday and Wednesday to meet

once again, with a clear conscience, when we will be mentally fit to cast our votes.

And the question recurring,

Will the Senate agree to the motion?

It was agreed to.

Ordered, That the Clerk inform the House of Representatives accordingly.

MOTION THAT SENATE RECEDE FROM ITS FURTHER INSISTANCE FROM SENATE NON-CONCURRENCE IN HOUSE AMENDMENTS TO SENATE BILL No. 507

Mr. GELTZ. Mr. President, I move that the Senate do now recede from its non-concurrence in House amendments to Senate Bill No. 507, entitled:

An Act to apportion the State into congressional districts.

Mr. MILLER. Mr. President, I second the motion.

On the question,

Will the Senate agree to the motion?

Mr. GELTZ. May I first explain, Mr. President, it is necessary in order to have the proper legislative procedure, that certain motions be made, as the President has stated, before Senate Bill No. 507 can be back where it can be voted upon.

The PRESIDENT. This is a sort of untangling process.

And the question recurring,

Will the Senate agree to the motion?

PARLIAMENTARY INQUIRY

Mr. HALUSKA. Mr. President, I rise on a parliamentary inquiry.

The PRESIDENT. The gentleman from Cambria will proceed.

Mr. HALUSKA. Is it not a fact, Mr. President, if we vote to recede automatically we adopt the bill as it is, by so receding from our non-concurrence I am under the impression we adopt the bill as it passed the House.

The PRESIDENT. If this motion prevails the question then before the Senate will be will the Senate agree to the bill as amended by the House.

Mr. HALUSKA. Of course the Chair is a better parliamentarian than I am, but it seems to me and I am under the impression once we vote to recede from our position, we have adopted the bill as passed by the House.

The PRESIDENT. The Chair wants to make this plain. It is rather a complicated situation. Senate Bill No. 507 is a Senate bill which was sent to the House and the House amended the bill; it came back to the Senate and the Senate non-concurred in the House amendments; the bill went back to the House and the House insisted on its amendments; the bill came back to the Senate and the Senate insisted on its non-concurrence.

In order that the bill may be before the Senate on final passage, as amended by the House, this motion must be made.

Mr. HALUSKA. Mr. President, so that each member may express his views I now ask for a roll call, so that each member will have an opportunity to vote his own opinion and be on record as to whether he agrees to recede or not.

The PRESIDENT. That is the privilege of every member. The roll will be called.

Mr. DENT. Mr. President, I do not care how we vote but I just want to call attention to one thing; I do not want the vote contested later. If the decision of the Chair is final in matters of this kind—I am not well enough versed in parliamentary law concerning a bill after it leaves this Chamber—but I have tried to be pretty well versed in parliamentary law as we practice it in this Chamber.

If the decision of the Chair is final, and I want to be informed on that point—is the position of the Chair in this matter final and does the reverse of the Chair's decision affect the vote on this particular motion.

The PRESIDENT. Will the gentleman from Westmoreland repeat his interrogation?

Mr. DENT. Mr. President, this is a motion that the Senate recede from its position of non-concurrence in House amendments. The Chair has ruled that a vote upon this motion does not affect the final passage of the bill, because we still must accept the House amendments. If that decision is final I will sit down.

The PRESIDENT. It is.

Mr. DENT. And, Mr. President, no one can contest that decision?

The PRESIDENT. Any legislative body may appeal from a decision of the Chair.

Mr. DENT. I did not mean that, Mr. President, do not get me wrong. I mean, after a vote is taken, without an appeal by any member of this body, no other agency can contest the Chair's decision.

The PRESIDENT. That is correct.

Mr. DENT. That is all I wanted to know, Mr. President.

PARLIAMENTARY INQUIRY

Mr. COLEMAN. I rise on a parliamentary inquiry, Mr. President.

The PRESIDENT. The gentleman from Lackawanna will proceed.

Mr. COLEMAN. May I ask the Chair what the ruling is on the question of whether or not, if we vote for this bill, we are not voting for a proposition which is tantamount to agreement with the Achterman Bill and no further action is necessary on the part of the Senate? There seems to be some doubt.

The PRESIDENT. There is further action on the part of the Senate. The position of the Chair is that if this motion is adopted, the question then before the Senate will be on the bill on final passage as amended by the House.

Mr. COLEMAN. Mr. President, I submit that this morning, or rather yesterday, which was the legislative day of July 15, we had a similar situation with reference to House Bill No. 931, which was a bill that set a ceiling on the vocational school district tax. Rather than throw the bill into a conference committee the Senate receded from its non-concurrence in House amendments and the House was so notified and the bill was then dispatched to the Governor.

I maintain we are practically in the same position and

cordingly, to be consistent I believe that the Chair ight to rule that in the event this motion is adopted it tantamount to agreement with the amendments inrted by the House. I can see no other position, Mr. resident, but that the bill then goes back to the House ith instructions that the Senate has receded from its osition, and I take the position that in that event its ext move would be to be placed on the desk of the overnor.

Mr. GELTZ. Mr. President, so that there will be no isunderstanding, if that is possible, I understand the osition of the Chair to be, in order to place this bill in position to be voted on by this body, as amended by ie House, it is necessary that the steps which were ken heretofore be reversed.

The PRESIDENT. That is correct.

Mr. GELTZ. And following that in its logical sequence, Ir. President, I take it that the first motion which I ade, if carried, must be followed by a second motion, the effect that the Senate recede from the Senate's on-concurrence in the House amendments.

The PRESIDENT. That is the position the Chair takes. owever, the Chair is willing to consider an appeal.

Mr. GELTZ. And, Mr. President, do I understand furer that the next step would be to vote as to whether ie bill would be passed as amended by the House.

The PRESIDENT. That is correct.

Mr. GELTZ. In other words, Mr. President, so that we nderstand it clearly, the vote which will decide whether r not Senate Bill No. 507 is to be passed as amended by ie House will be the third step in this procedure.

The PRESIDENT. That is correct.

Mr. COLEMAN. Mr. President, I desire to have the eading Clerk read the motion submitted by the Floor eader.

(The motion was read by the Reporter).

(The Senate was at ease.)

The PRESIDENT. The Chair has been in conference vith members of both parties and we are now of the pinion we have arrived at a proper procedure, which vill be clear to everybody and which will be constiutional.

MOTION WITHDRAWN

Mr. GELTZ. Mr. President, I withdraw the motion I nade, with the permission of the seconders, Mr. Taylor nd Dr. Mundy.

The PRESIDENT. The motion is withdrawn.

MOTION THAT SENATE RECEDE FROM ITS NON-CONCURRENCE IN HOUSE AMENDMENTS TO SENATE BILL No. 507

Mr. GELTZ. Mr. President, I move that the Senate ecede from its non-concurrence in the House amendnents and concur in the House amendments to Senate Bill No. 507.

Mr. MILLER. Mr. President, I second the motion.

On the question,

Will the Senate agree to the motion?

Mr. GELTZ. Mr. President, at this time I want to say that I am going to vote "no" on this motion because I am not in favor of the House amendments.

Mr. RUTH. Mr. President and members of the Senate, there is no one in the Senate or in the state that wants congressional apportionment more than I do, a fair congressional apportionment. In what I am going to say, I want you to understand certain things, first, that this is not a personal matter with me. I am not a candidate for Congress, never was and hope I will never be, but I am speaking for the Congressional district coextensive with the Senatorial district I represent.

Mr. President, the population of Berks County is 241,000. We had a gain in population within the last decade of almost ten thousand. We are perhaps a peculiar county in that there may not be another county in the state made up exactly the same way, and we feel that we should have our own Congressman, as we have had in the last ten years, to cover all of the business and industrial interests of our county properly.

We have no quarrel with Lehigh County; we are friends and we speak the same language; we sing the same songs and we eat the same kind of food. We like Lehigh County, but we feel that in this instance we want to be a separate district as we have been in the last ten years.

We have heard a great deal of this congressional apportionment being on a population basis. We know that the Constitution says so, but we also know that no apportionment that we have had, either Congressional or Senatorial or House of Representatives, has been on a population basis purely. It is purely a political question and I think, under these amendments and the bill as it originally passed the Senate, I want to analyze the bill from the view point that I honestly believe the average citizen who has not been in the heat of this fray will look upon the two bills.

First of all, Mr. President, we will take the Democratic Bill, the Achterman amendments which we are voting on tonight. In these two bills there are seven counties affected. Berks and Lehigh are merely innocent victims. They are like the bystander at a fight who gets hit on the nose. Then you have the other five counties, Bucks, Montgomery, Philadelphia, Allegheny and Luzerne. When you analyze the political picture you will find in Bucks County you have Mr. Grundy, in Montgomery County you have Mr. Pew, in Philadelphia County you have Mr. Kelly; in Allegheny County you have Mr. Lawrence; and in Luzerne County you have Mr. Mundy. I am sure every one will agree that those five men are the outstanding political leaders of their parties in their particular sections of the state; I do not think that will be questioned.

Now, Mr. President, when we take the Achterman amendments, that is a proposition from the Democratic side to mix up Mr. Grundy and Mr. Pew. Each of them now have and are able from their political power to control—I do not say they control their vote but they have the power to elect the Congressman that wants to serve in that district. The Democratic plan is to mix those two Republican leaders up, to take one of them out of the picture.

Now, when we take the Republican Bill, we find we have three Democratic leaders in the tangle, Mr. Kelly from Philadelphia, Mr. Lawrence from Allegheny, and

Senator Mundy from Luzerne. I believe that it was good political strategy on the part of the Republicans to put Allegheny and Luzerne County into the bill, because then they had something to trade in a compromise, and my experience in thirteen sessions of the Legislature has taught me that there is a great deal of trading being done here in every session. We have done it here night and day and we are going to do the same thing in future sessions, and it was a good strategical opportunity on the side of the Republicans to mix the three outstanding Democratic leaders in the state up in this.

I feel, Mr. President, that the only solution to this problem is to dispassionately think it over and perhaps let some of the people back home who do the voting and the tax paying think it over, and let them talk to us and then select a district in Pennsylvania on a fifty-fifty proposition, that is, will the Democrats having just as good a chance to elect a Congressman as the Republicans have. We do not have that in this set-up. In Philadelphia naturally the Democrats have the best chance, in Allegheny they have, in Luzerne they have, and in Montgomery, Bucks and Lehigh districts the Republicans have the best chance. If we select a district where each party has an equal chance and eliminate that district and start from there, then we are playing the game politically but we are playing it fair.

In the name of the citizens of Berks County I shall vote against adoption of these amendments. It is not a personal matter, it is not a partisan matter with me. I do not think it can be questioned that in all of the years I have been here that I have not gone down the line for my party, not only in voting, but I have risked my very life for my party. It cost me forty-five days in the hospital for the work I did for my party and I am proud to be a Democrat, but in this instance I am a Berks Countian, first, and I am speaking for the people that I represent here, the people who sent me here, who voted for me, and whom I expect will in the future perhaps vote again for me, and I am bound by my oath of office to make this plea to you now, not to kick our county around.

We are entitled from every standpoint, of 241,000 population, and the argument that was used on the floor, I think perhaps was not very serious, but if it were it would apply just as well to our county that since the defense program has started we have possibly more than 250,000 residents in our county, we are a growing county and we have a right to have our own Congressman. I am pleading for them and I shall vote "no" on the adoption of these amendments. Each of you will vote as you feel you should vote. I am not trying to change your votes. I know that is not done, especially in the wee hours of the morning after a seven month's session. Most of our minds are made up.

My mind is made up by the voters that I represent here.

Mr. WATKINS. Mr. President and Members of the Senate, I would like to say a few words before the vote is taken and to preface my remarks I would like to read from the Harisburg Telegraph a sort of text for my remarks, and I refer every member of the Senate to an article entitled "Freedom is Made of Simple Stuff." Freedom is made of simple stuff, and one of the items of simple stuff is "it is your hot resentment of intrigue, the tilt of your chin, and the tightening of your lips sometimes."

That is what happened to me with regard to congressional reapportionment. I intend to vote against this motion; similarly to the men who have already spoken, I want congressional reapportionment, but I want a fair, equitable and just bill. I have often said that I am proud to be a Republican because the Republican Party stands by its principles. I have heard Senator Shapiro during the session say that he was once a Republican and that he left the Republican Party because at the time all the plans, all the decisions were made in smoke filled rooms and so he left the Republican Party and became what Senator Mundy calls a Hessian fighting in the Democratic Party. Evidently since he became a Hessian in the Democratic Party the system of smoke filled rooms has changed.

When I came down here as a Representative of my district and met the men of this Senate, I was first impressed with the high type of citizen that occupies the seats in this Senate. I am proud that I have been honored by my people back home by being privileged to sit with the gentlemen on both sides of this Chamber; as this session developed I was proud too to find out that a lot of the speeches that have been made in political campaigns about the Republican Party being controlled by bosses from here or there are certainly not true. I was proud of the fact that every question that came up in this Senate was handled individually by free representatives of the counties of Pennsylvania. The Democrats at times poked fun at us for the number of caucuses we held in this session. Those caucuses represented this party, on this side of the Senate, meeting to solve its problems. There were no smoke filled rooms and no cottages at the sea shore where the decisions of this party were made.

I had heard so many speeches about a man by the name of Pew and a man by the name of Grundy running the Republican Party and, being a new Senator, I thought perhaps hands woud be put on my shoulder and voices might be whispering in my ear. I am proud tonight as a Republican to know that did not happen; the only time it has been my privilege to meet those gentlemen was at a dinner given by our Lieutenant-Governor, the Presiding Officer, when leaders of both parties were present. As we went into the closing days of this session and congressional reapportionment became an important matter, I began to see intrigue starting to creep into the Senate and the House of Representatives in regard to that very important measure.

I want congressional reapportionment. My Congressman in my county and the adjoining county of Northumberland, Dr. Ivor Fenton, is one of my closest personal friends and one of my firmest political supporters. He is anxious, of course, too, to have a reapportionment bill and I was just as anxious for the good of all the people of this Commonwealth, but then we found that the House of Representatives had appointed bell boys to carry messages from the conferees to the man whom Dr. Mundy refered to as "the bag man from Philadelphia," and the orders were coming up from Philadelphia or from the sea shore, orders that only one bill was acceptable to the Democratic Party and that bill was the Achterman Bill, and the man who was giving the orders was a politician from the City of Philadelphia, and that under no

circumstances would the fairest bill, the taking of one Congressman from a district where the population has decreased to the greatest extent, be acceptable.

That was not the decision of free men of the Pennsylvania Legislature; that was the decision of one man in Philadelphia, playing the members of this Legislature like marionettes on strings from his long distant retreat down on the Atlantic shore.

Then, Mr. President, I thought of that article that I read in the paper and I made up my mind that if one man was going to throttle good legislation, if one man was going to say his will would sway the Legislature of the Commonwealth of Pennsylvania, I would never vote for a bill of that kind as long as I had breath in my body.

What is this bill? I am not going into the figures involved; they have already been discussed. It is called the Achterman amendment. Leo Achterman, the man whose articles I have read all during the session entitled the Rural Legislator, the champion of the rural counties of the Commonwealth of Pennsylvania, and he is the one who wrote the amendment into this bill to sell the rural counties of Pennsylvania at the behest of Jack Kelly, the city boss from Philadelphia.

This Senate I am proud of, because by a vote of thirty-one to two the men of this Senate, on both sides, showed that no man could control the members of this Senate, but over in the House tonight we saw the whip cracked and we saw Achterman, the champion of the rural counties, take his orders from Jack Kelly, the boss of the city, and there were lined up city and rural legislators refusing to go along with the only fair bill that we had before us.

There is another thing that irritated me with regard to this bill and that is, in the closing days of the session, there was talk that this bill was tied up with the big truck bill, with unemployment compensation, with civil service. Just imagine. Those messages that were going back and forth from the bell boys to the bag man, suggestions were being made that Jack Kelly would let us have a reapportionment bill if certain deals were made with regard to those other pieces of legislation.

That was the situation. Then I began to think of the ideals that I had and the principles that I fought for, and I began to say to myself, as long as that is the kind of a bill that this Senate is being asked to pass, I will vote against it. Jack Kelly or no other boss, either Republican or Democrat, can put his hands on my shoulder and say "this is the way you are going to vote." I am proud to be a member of the Pennsylvania Senate. I was proud when I heard a guide go through here at one time saying to visitors that this was the Senate, we were like unto the House of Lords in the English system and we, the House of Lords, were the greatest deliberative body in the State of Pennsylvania, yes, perhaps in the United States of America. We are to be told we are to pass a bill at the behest of a city leader? Not as long as I can vote "no" on this bill.

So I am proud to say, Mr. President, in the closing hours of this session, I am proud to say as a Republican there has been no boss around this Chamber; I am proud to say too that when I saw Dr. Mundy get up on his feet and courageously take the stand when he realized what was going on behind the scenes, we have shown the people of Pennsylvania that the Pennsylvania Senate stands on its own feet.

They say to us it is going to cost a lot of money if it is necessary to hold a special session of the Legislature. If my vote makes it important or necessary that a special session be called, I will say to the people of my district, I will say to the people of the Commonwealth, the necessity for that special session, the necessity of the expense to the taxpayers of Pennsylvania, belongs in the laps of Jack Kelly and the Democratic Party in the House of Representatives, and I will say further that if we do not have a special session and if the expense of election of Congressmen at large becomes necesary, and if we have the inconvnience of this large ballot we have been told about, then the responsibility for that election of Congressmen at large lies in the laps of Jack Kelly and the Democratic Party.

In conclusion, Mr. President, I want to say that I am going to cling fast to the ideals, the principles, that I believe are important in life. I believe something is either right or is wrong, and when this bill comes in to us in this Senate in the shape it is in, in the career it passed through, I believe it is wrong and I am going to fight for my principles, I am going to believe just like the poet says, that ideals and principles and dreams will last much longer than the cries perhaps of the thirty-three Congressmen who are wailing about failure to pass a reapportionment bill; they will last much longer than anything that we as human beings do today. Our dreams, our ideals and our principles will live forever and I am going to stand by them and close with the lines of the poet that gave me this thought:

"That only a dream is real
That after wood and steel are gone
And flesh and blood are dust
That dream lives on."

Mr. TALLMAN. Mr. President, there have been very few occasions when I have taken the floor of this Senate and asked my colleagues to listen to me, but I feel in this instance and at this late hour, when we are all tired, that I do want to say just a few things about this bill. Of course, there are very likely some members here who will take the attitude that what I am about to say is said selfishly because the bill affects my district. In a measure that is true. On the other hand, I think I can say truthfully that I have not said anything much about this bill or about this problem during its entire course, nor have I tried to influence anyone on this floor because of that selfish interest.

First of all, I should like to say that I want to offer my sincere thanks to the members of this Senate who served on the Committee of Conference, for I think they tried sincerely and honestly to approach this problem with intelligence. I think one of the most refreshing things that have happened during the entire period that I have been privileged to be in this Senate happened on this floor last night, when the gentlemen on the other side recorded themselves as they did, and I think that the members of this Senate are to be congratulated by the entire Commonwealth for having done that.

We are faced with a very serious thing. I can not find fault, even though it affects my district, with men who tonight vote for this bill, because I know that they believe Pennsylvania ought to have some kind of reapportionment, but, on the other hand, we are faced with a problem which is not being met and which has not been

met fairly and decently. I am not going to talk about bag men, I am not going to talk about deals. I think we are past the point in this entire problem of talking about those sort of things, and I do not expect that anything that I say here tonight is going to influence one vote, but I do think there are several things that need to be called to the attention of this Senate, maybe not so much to the attention of this Senate as to the leadership that developed this unusual and ugly situation for the people of the Commonwealth of Pennsylvania.

I am mindful of the fact that during the course of this entire session, for many months, we have jokingly been saying that things which have to do with national defense need to be passed and it has become sort of a by-word, if it is for national defense I am for it. Here we are in a world which is faced with everything that is vital to life, men are dying for democracy, men are dying for principle, and in this Commonwealth today we have the spectacle of certain people, a party, putting itself on record that a certain thing must be taken or nothing, and I think it is a shame, I think it is a disgrace, that that situation should have developed.

I want to say now that I could find no fault with any apportionment, even though it affected my own district, if the approach to the thing had been honest, if the approach to the thing had been decent, if the approach to the thing had been an effort to solve the problem.

I know it is all politics but the thing that is bad about it, the thing that is wrong about it, is that the people in politics—and they are the people who run this government, they are the people who make democracy—that the people in politics could not sit down and say, "I will give," but from the very beginning of this thing one side of the political picture in Pennsylvania has said, "You will take what we give you or you will take nothing." It never receded from that position, and although within the past forty-eight hours notice of every kind has been served on that party that if they did not recede from that position that the likelihood would be that this Legislature would adjourn Sine Die without reapportionment, without giving the people of the Commonwealth of Pennsylvania that thing to which they are entitled and that thing which the law says they shall have; in the face of that tonight, at this hour, that party stands adamant and will not recede from that position.

I have no quarrel with politics; I have no quarrel with the kind of politics that plays hard; I have no quarrel with the kind of politics that plays for everything that is in the game, but I do quarrel with what people in political parties do, in the face of the situation with which this entire world is confronted, I have fault to find with the people in politics who say "I will not give." That is the harmful part of this situation, to hear that said by the leadership on the other side, that this thing had to be taken or there would not be anything.

There is no use tonight talking about population figures; there is no sense in telling this Senate that a man who will run in a congressional district, in the Berks—Lehigh district, if that man lives in the lower end of Lehigh County he will have to campaign almost all the way here to Harrisburg; there is no sense, rhyme nor reason in discussing that thing but I want to say this, that the people who are responsble for this situation certainly will never be able decently to face the people of this Commonwealth at a time like this, when democracy is on trial, when fair play, when decency are the things the people are interested in.

I want to remind, if I may, the people who are responsible for this thing that it may be that they in turn will pay the price for not having thought and considered, because the rural people of this Commonwealth, the farmers, the people who live in the rural districts, sometime soon may rise up and show their resentment of the kind of thing that shows that the control of these situations must lie in our big cities in Pennsylvania, and sometime the people of this Commonwealth soon will probably resent the attitude taken by the people in politics who today ought to be thinking of government and making it as good as it can be gotten.

My notion of these things is when you come to these situations there ought to be some giving and taking, but this situation was approached wrongly in its inception; it never had a chance to become decent, despite the fact that there was effort after effort made to bring it about, and I certainly am going to be obliged to vote against this bill.

Mr. DENT. Mr. President, in the almost, dawn of a new day, I believe every man in this Senate is tired. I do not think speeches will make much difference now. I want to keep the memory of this session close to my heart. Although perhaps the newspapers say that we have not had much success, considering the events as they are transpiring all over the world, with nations fighting each other and innocent people being killed, it is no wonder to me as a young man that perhaps we have not had quite the easy method of fulfilling our duties here as we have had in the past. The whole world is in a turmoil, normal brains are not functioning as they should and we too, perhaps, are a little tired during this last week, this last night, this last dawn of this session but I want to carry back with me happy memories of enjoyable half-hours and fifteen minutes and even two or three minutes, when members on both sides of this Senate foregathered in the back room, which is ours, and talked freely to one another. I can remember I went in not so long ago when in a very jovial spirit the good gentleman from Germantown, whom I have not always agreed with, Dr. Woodward, and Spencer Edmonds, from Montgomery, with their arms around each other's shoulders were singing "He's a jolly good fellow," when Senator Shapiro walked into the room. I remember that because I know that deep down there is no resentment in the hearts of any of the members of this session.

Now, Mr. President, in coming to this last final action, and perhaps for some of the members of the Senate it may be their final legislative action when we come to it let us try to do it in a cold dispassionate manner.

I am not sure that what I am doing is right; however, I am sure that if I do not do it, it is wrong. I voted last night and I would vote tonight to remove a member of Congress from the County of Philadelphia, because I said on the floor and I repeat again that I would rather vote to remove a Congressman from any district in Pennsylvania, rather than have the people of Pennsylvania saddled with the uncertainty of an election at large of the congressmen in this state. It is too important a question to be dealt with on purely a gambling basis. No man in this room is more sincere in seeing to it that

Pennsylvania is properly represented in Congress. I do not care whether we lose a Democratic member or whether we lose a Republican member, but I am concerned about losing all thirty-three members, and when I say that I say it because I do not know and you do not know who may be elected to Congress in a congressional election held at large.

Mr. President, I want to stay a few minutes on the floor in order to explain a few things. One is this: I have heard Jack Kelly talked about on this Senate floor. Now, if Jack Kelly is as big a boss as they say he is, I am sure he would recognize the fact that I am a Senator—there are a lot of people in this state, not a lot but a few people, who know I am a Senator, and I am sure Jack Kelly would, and if he knew and recognized the fact that I was a Senator, why would he not talk to me about this bill? He has not said a word to me, Dave Lawrence has not said a word to me and no person in my county outside of my congressman has said a word to me.

So, I am not too disturbed about charges and countercharges, but I will say this, that I hate for one reason and one reason more paramount than others to vote "yes" on this motion. I am going to vote "yes" for many reasons, but I hate to vote for it for one good reason. I hate to hurt a man whom I have known since 1935 when I was a young boy over in the House, a man who was my floor leader and a man whom I followed religiously, because I knew he did whatever he did conscientiously and honestly and I would almost suffer anything rather than cast a vote in this Senate that would reflect upon Reverend Ruth, whom I consider a very personal as well as a political friend. I do not like to do this but I also do not like to have my party, of which I am a member, castigated and bandied about because it took the position, as I take it, that it is about right.

Leo Achterman, the majority leader of the House, did not introduce his bill or these amendments solely because he thought they were right. He did so because the men most affected, as I understand it, the congressmen of Pennsylvania, came in a delegation and agreed upon a certain plan, which after all is somewhat of a common sense proposition. There are the men directly affected and as I understand it, all but two members of Congress agreed that this would be a good plan. I do not say here that I agree with that but inasmuch as Leo Achterman introduced his bill and these amendments, let us be fair to him and say that he did so, not at his own behest or his own desire, but he did so at the request and the desire of those most affected.

I want to say also to the members on the Republican side that I am not so sure that you are altogether right, I am not so sure that my party is altogether right, but I am sure of this, that whatever bill for reapportionment comes before this Senate which has a chance to be passed ought to be passed; I say that although I may have to swallow a bitter pill later, and I say that too like the gentleman from Schuylkill, without regard to what the future might bring.

I do not care whether my vote here defeats me in the future for whatever office I may be seeking, if in doing so I think I am doing right, and I believe that I am just as sincere in voting "aye" as the gentleman from Schuylkill is in voting "no." He has his own convictions and I have mine. I am willing to set myself and my own desires aside, if in so doing I may be serving the best interests of the millions of people of the State of Pennsylvania, and I do not want to leave this session with any members of this Senate holding any grudge against another member of this Senate. We have tried in our own way to do an honest job. I also, in passing, want to say that members of this Senate who have been the keepers of our morals, if you please, for seven months, who have told us just what we ought to do and what we ought not to do, are absent tonight from the floor of this Senate, who ought to be in their seats, just like the rest of us. I do not enjoy being here at this hour, I would like to be home with my family, like every other member, but no business of mine, no activity of mine at home is strong enough to take me away from the duty that I must perform as an honest representative of my people, as a Senator in the State of Pennsylvania, and those members who have absented themselves from tonight's session must realize that they are not true, they are not true to the oath of office they took, they are not fair to the people who sent them here, they ought to be here like you and I, to stand up and be counted, one way or another.

Let us who are here tonight now do the best we can with a difficult proposition. It is a difficult problem because there is not a Senator in his seat here tonight, or the members who are absent, who would not be affected by any reapportionment bill, if it is passed. Tonight it happens to be the county of my good friend, Reverend Ruth, the County of my good friend, Jake Tallman, it also happens to be the County of Spencer Edmonds that is affected and I want to say to you, to all of you—I also understand it is the county of Senator James—whether it is their county or my county or any other member's county, you can not take one congressman away from Pennsylvania without affecting some of us.

I do not like this reapportionment bill, because it adds a great burden to the man who is going to represent this district, whether he be Republican or whether he be Democratic; in other words there will be over four hundred thousand souls that he will have to represent.

I do not like the plan but I submit that I voted for what I thought was the better plan, which was turned down by the House, honestly, it was turned down because the House thought in their best judgment, and I do not question the honesty of their judgment, it was turned down by them because they thought it was a wrong plan and now it is our turn; the Senate of Pennsylvania has in its hands the fate of reapportionment. We must decide tonight whether the people of Pennsylvania are going to be subjected to the election of congressmen at large which no man on this Senate floor can predict the outcome of, or whether or not we are going to put aside our own personal desires and our own personal feelings in the matter and vote to give the people of Pennsylvania an opportunity to elect at least thirty-three congressmen of their own choosing. I say that advisedly because although if elected at large they will probably, in a true sense, be the selection of the people of Pennsylvania, they will never under any set of circumstances be the selection of the individuals who live in the prescribed congressional districts and so, Mr. President, I vote "aye" with a heavy heart, but also with a clear conscience in doing what I think to be right for Pennsylvania. I am neither, as the gentleman from Philadelphia, Mr. Shapiro, said, thinking

of Philadelphia first, nor am I as the other gentlemen have said, thinking of their own counties first. I respect their thoughts for their counties and for the districts they represent but I tonight stand before you thinking of Pennsylvania first.

Mr. DiSILVESTRO. Mr. President and gentlemen of the Senate, you will find in my record in the Pennsylvana Senate that I have never risen on the floor to make a personal attack on any Senator, either on my side or the other side of the room, but tonight the reapportionment bill right at this moment is quite important. The paramount issue at this moment is the reputation of my leader, John B. Kelly, and let me tell you right now in a very short statement and let me assure my colleague from Schuylkill, that I have the highest respect for him and do not intend to enter into any debate with him, but I just wish to state and I do not care whether he likes or he does not like it, that if Jack Kelly would tell me to jump into the river I would tell him he was crazy, but anything else that he told me to do I would do, because I respect him as a man and as a public official in the City of Philadelphia and the State of Pennsylvania. Jack Kelly for me represents a man who grew up the hard way, who worked as a bricklayer and then became a great executive and afterwards came into the arena of politics with a richness of integrity and honesty that to me can not be compared. When I came into this game I did so because I was inspired by leadership of Jack Kelly, and if he goes out of the picture I assure you maybe I will go out with him, because in politics you must be inspired by the leadership before you can take a position, and you fellows know on the other side of this Chamber that I vote as I please, but it just happens that this legislation is for the good of the masses, and whether or not I vote for liberal legislation, it is a part of the program.

I have not seen Jack Kelly in months; I have had no reason to see him; he never told me how to vote, but it seems our minds are working together because he is for the little man and I am for the little man. Let me assure you that as I leave this room this morning I have the greatest affection and friendship for the men on this side and that side of the Senate, but for me Jack Kelly means integrity and honesty that can not be touched by anyone.

Mr. COLEMAN. Mr. President and members of the Senate, I should like to sing my swan song, because this is probably the last speech I will ever deliver on the floor of the Senate Chamber.

I would like to combine that with my thoughts on the subject before the members of the Senate. When I was elected to the House of Representatives in 1935, and served in the 1935-1937 session, I developed the ambition to sit in the upper branch of the General Assembly, and I am delighted to come back and report to the members of the Senate that no period of my life's history form a more delightful chapter than my service as a member of this great body. Lackawanna County might have sent down to the Senate of Pennsylvania somebody mentally more fitted and politically better equipped, but they could not have sent down anyone who appreciated more the distinction and the honor of serving in this body, as a member of the Senate, with the finest group of men that I have ever been associated with in any part of the State of Pennsylvania.

Some years ago, Mr. President, when I was a little bit of a tot, somebody took me to listen to Elbert Hubbard, the great philosopher, deliver a lecture in the Y.M.C.A. in the City of Scranton. Hubbard in beginning his speech used a bit of philosophy that I have always tried to use in my association with the members of the Senate, as well as my association with people on the outside. Hubbard walked out onto the massive platform, before a great audience in this meeting on this particular occasion and started out with this thought:

"Would you have friends, be one—would you have friends, be one." And that has always been the impelling force behind my association with the members of the Senate of Pennsylvania. With me, having friends is one of the highest delights in life, and being a good friend one of the noblest undertakings, and I would rather have it truly said of me tonight as I wind up my Senatorial career that I have brought just a little bit of sunshine and joy into several homes where calamity and some despair abound, than to be called the ablest member of the Senate, to have all the money in the world, knowing down deep in my heart I failed to keep faith with my fellowman.

Mr. President, my associations with these men have been most pleasant; my association with these political leaders of the Democratic Party has been all that could be desired, but something developed yesterday on the floor of the Senate that put me in a rather unusual position, and if I do not do anything else in my talk here tonight, this morning, rather, I want to definitely clear the atmosphere of any belief that I might have had something to do with what developed on the floor, and the allegations made by the gentleman from Luzerne, the very militant leader of democracy in that great county, my good friend, Senator Mundy.

Mr. President, when I spoke yesterday about congressional reapportionment, I used the expression "The power behind the throne," but I was very careful to point out that I did not mean any particular party; I want it very definitely understood that I meant both parties, I did not mention any names and I want it clearly understood now that Jack Kelly of Philadelphia is not the gentleman I had in mind. What Mr. Kelly's and Dr. Mundy's quarrel is about, is of course the business of the two gentlemen involved. I have always been a great admirer of Senator Mundy, if for no other reason than his tremendous courage, the fact that he speaks his mind, and the fact that he never asks anybody to join him in a fight; he is very, very well able to take care of his own fights, and therefore what was said here yesterday by Senator Mundy immediately following my reference to the phrase "The power behind the throne" sort of put me in the picture of having agreed with what Senator Mundy said.

Mr. President, 1935 was the first year I ran across Jack Kelly. I was given the assignment of inviting somebody to talk at a testimonial dinner in the City of Scranton, and through the friendship of some Philadelphia members of the House, we secured Jack Kelly, and when I walked into a hotel room in the City of Scranton, that was my first look at this great athlete of the City of Philadelphia. I had wondered how anybody in those days of turmoil and unrest could have captured the hearts and the minds and the imaginations of so many who are Democrats in the City of Brotherly Love, and my first meeting with Jack Kelly gave me that answer. Like thousand of other gentlemen who have met this fellow.

I was immediately caught within the radius of the power of his indescribable personal magnetism, and with a quick trust that impressed me, and then and there developed a friendship between myself and Jack Kelly, and in our work during that association there ripened a deep personal and deep political friendship, and I want to stand up here this morning and say a word in defense of the leader, the Galahad of Democracy, as he has been so aptly termed by the gentleman from Philadelphia, Senator Stiefel.

I do not think anybody on the opposite side has ever questioned my sincerity about my interest in congressional apportionment. It has been brought to my attention that an attempt was going to be made to curb my zeal in this particular proposition by putting me on the spot so to speak. This Legislature has not adjourned sine die, and I am faced with that particular proposition, and the question of congressional reapportionment I think is definitely the most important presented in this session of the Legislature, and I can not stand idly by, as one who was cradled in the Democratic party, and see the opposition come here and place all the responsibility on Jack Kelly of the City of Philadelphia. It may or may not be a coincidence that the bill, the Achterman bill, puts into one district a county in which resides one Joseph Pew, and another county in which resides Joseph R. Grundy, but I have talked to some Republican leaders, and they have advised me that the worst thing that could possibly be done in attempting to reapportion any congressional district was to tamper with Bucks County, that Gibraltar of Republicanism in the Commonwealth of Pennsylvania. I do not think we ought to sit idly by and let them make these charges and let those charges hurled against the gentleman from Philadelphia go by unchallenged. In all of my five or six years acquaintance with Jack Kelly, he has never asked me to vote one way or another on any particular bill. I had one conversation with Mr. Kelly in connection with congressional apportionment and that was some three weeks ago, in which I indicated and said very definitely that so far as I was concerned, I was going to do everything in my power to see that we have a congressional reapportionment bill passed, fairly and honestly reapportioning the congressional districts in the State of Pennsylvania.

Yesterday, Mr. President, in the course of the interrogation of the gentleman from Cumberland, Mr. Wade, and the gentleman from Dauphin, Mr. Taylor, when I asked them whether or not they had conferred with any political leaders, their answer was in the negative. It is a little hard for those of us who are practical to believe that this problem was not taken up with the party leaders, and I am frank to say that there is not anything wrong with that, I am frank to say that consultation with leaders of a party is a necessary corollary in the legislative game, and it is hard for me to believe that these gentlemen on the other side did not take into consideration the political aspects and the effect of this bill on the Republican party. I said it then and I repeat now that we would have been far better off if we had met the issue squarely, if we had told the party leaders that we had a responsibility in the State of Pennsylvania, that the power to breathe legislative life into that bill resides within the House and Senate, and that while we sat and conferred with them and accepted their suggestions the impelling force behind our vote ought to be the desire to intelligently and honestly and courageously represent the people in our particular districts. I am glad to stand up here, Mr. President, and in by feeble way take up the cudgels in the defense of Mr. Kelly. I have no idea what instructions, if any, Jack Kelly gave to any of the Philadelphia members of the House and Senate, but I do honestly and conscientiously feel that the Republican leaders in the State of Pennsylvania, and I would be very much surprised if they had not, considered the problem with a view to enhancing the chances of a Republican being elected. I think we ought to be honest in the consideration of this problem. I have confidence in some of the Republicans on the other side of the House who have been very honest in telling me that they felt that their leaders as well as ours had combined, and so I want to definitely make the charge that in the event that this bill dies, I want it clearly understood that my single conviction is that it is a bi-partisan execution and the leaders of both parties undoubtedly have a hand in it.

Mr. President, I share the anxiety, I share the concern of my good friend, Senator Dent, about the rather embarrassing position Reverend Ruth finds himself in, in the consideration of this problem. I served as a member of the House and can attest to his contribution to the Democratic leadership and to the good legislation passed in the 1935 session. Reverend Ruth has always felt that a member of the General Assembly has within him the power to wield the Legislature into an instrument attuned, not to a legislative funeral march but rather to enhance legislative achievement attuned to their needs in response to their will, and to that high ideal he dedicated himself as our majority floor leader in the House of Representatives in 1935.

I honestly think, Mr. President, that we have within our power here now the possibility of settling this particular question. A vote, as I understand it, Mr. President, on this particular motion in the affirmative, if it carries, ends the controversy that has raged in the Senate for six months, and particularly the last four weeks, and puts the bill on the desk of the Governor, and assures ten million people in the Commonwealth that their election machinery will not be broken down, and assures hundreds of thousands of honest voters that they will not be disfranchised by any political or any legislative tricks. The power to breathe legislative life into this bill resides within the members of the Senate, and I for one am going to cast my vote in the affirmative.

Mr. GELTZ. Mr. President, it seems to me rather useless for each of us as we rise to say that we are extremely interested in congressional reapportionment, for the reason that I think it goes without saying that every man in this body who is present tonight is extremely interested in congressional reapportionment.

This government which we have in this great land of ours, Mr. President, is one which is a representative democracy. It is not a true democracy, it is a representative democracy, and it has succeeded and will continue to succeed just so long as it remains a representative democrary. For that reason, Mr. President, coupled with the fact that the world was never in a more chaotic condition than exists today, it is extremely important that we have proper representative government. In order to have proper representative government, Mr. President, there are several things necessary. It is necessary that the

ordinary citizens of this land have a voice in choosing their representatives, but that is not all that is necessary. If that were all, Mr. President, we could pass any congressional reapportionment bill so long as the people were permitted to vote. There is a principle in connection with representative government which in my judgment is just as important, if not more important, than a party, and that principle, Mr. President, is to have decent honest and upright representation and that principle, Mr. President, means that those representatives shall represent their people and their constituents and not bow to the lash of any political dictator.

Mr. President, I want to say that this question has gone far beyond any other question which has come before the body of this Senate. This question, Mr. President, takes in a greater territory it takes in a greater principle, it takes in the principle of whether or not the men in this body here tonight are going to represent their people, or are going to kneel to the will of one individual. I want to say, Mr. President, I know the importance of the vote which is to be cast here tonight, and I think everyone of my colleague knows it full well. We have heard in the newspapers of this Commonwealth for months now, the importance of having congressional reapportionment. The newspapers of my city, in Pittsburgh, Mr. President, have carried editorials that they will not forget the individuals down here who do not vote for congressional reapportionment. In other words, Mr. President, we back in Allegheny County have been informed that we had better vote for congressional reapportionment or else. Mr. President, there is not any position that is sufficiently worthwhile that it is worth one's losing his principles; principles stand for things and principles should be the guiding factor in this body tonight.

It was just about twenty-four hours ago that this body went on record, having before it and having had in mind the very matter which is before us tonight, went on record as against this matter and in favor of having a congressional apportionment which took one representative from the City of Philadelphia, with only two dissenting votes.

Mr. President, I know that there has been a great deal of pressure from many sources upon all of my colleagues, if not upon all, upon many of my colleagues. I know in all probability there has been pressure from county chairmen, there has been pressure from the newspapers, there has been pressure, of course, from our present congressmen, and we can not blame any of them to any extent, but pressure does not mean much, pressure is not the important thing; principle is the important thing and I ask all of my colleagues in this body, whether on the left of the Senate or on the right of the Senate, to view carefully all of the circumstances surrounding what is before us at this time, and to view carefully those things which have gone on in this session for the past six months and the manner in which those things were carried out, and I ask that before you vote on this question, that you think carefully, and that you think well, and that you remember that there are things more important than just getting any congressional reapportionment bill, and that one of the things which is much more important is that you retain your principles so that you can always look the other fellow in the eye and walk along with your head in the air, because you have done your duty in an honest, decent and upright manner.

Mr. LETZLER. Mr. President, and members of the Senate, I want very briefly to state my position on this important issue. As I see it, it is evident that a vote on this issue will result in one of three propositions. In the first place, it will result in forcing us to elect thirty-three congressmen at large; it in the second place can result in the calling of a special session for the purpose of giving consideration to congressional reapportionment; in the third place it can result in now giving to the people of Pennsylvania a bill that will permit congressional reapportionment at this time.

With respect to the first proposition I want to say this, that coming from a rural county and representing two rural counties, I can not vote for anything that in any way might make it possible to elect congressmen at large We want to select and elect men from our own county, men whom we know, men whose qualities we are acquainted with, and men we feel are willing to represent us in the Congress of the United States. In addition to that, Mr. President, we are well aware of the fact that if we permit this to take place the election machinery in many places will be much upset.

That is the first reason that I offer for voting "aye" on this bill tonight.

The second reason is that we may then be faced with the call for a special session. I feel that the people of Pennsylvania at this time have a right to expect us to settle this question. We are now well through the seventh month of our stay here. This is one of the problems that has been facing us for many weeks and I can not make myself think that the people of Pennsylvania want us to leave here without settling this matter, and for that reason I am going to vote for this bill. As to who shall bear the blame for the kind of bill we have before us, for the measure that now is before us and the kind of representation, as to who shall bear this blame, I contend that I am willing to rest the case with the people of Pennsylvania. They are well able and will judge if this final settlement of the matter is a fair one, and I believe that they will judge it fairly. I am, however, in any event compelled to say that in doing that we have performed a duty that I feel we have been called upon to perform. I am going to vote "aye" on the amendment.

Mr. HALUSKA. Mr. President, I feel I would be remiss in my duty if I failed to say a few words with regard to this important bill. Sometimes I feel probably I should not vote at all, because neither party gave any consideration to my district, which is one of the greatest and largest in Pennsylvania. I come from an urban county. I was elected a Democrat and my friends back in my county, both Democratic and Republican, made one request of me, that I would fight for some reapportionment bill that would take from Cambria County, or rather, the Twenty-seventh District, one of the four counties which we now have.

I am in sympathy with my colleague from Berks County, Reverend Ruth, because now you are placing him in the same position you placed my county ten years ago, when you came to central Pennsylvania, Cambria County, and you added to that district Indiana, Jefferson and Armstrong Counties. I had hoped at this session that you would give us some relief and I am disappointed very much that neither party paid any attention to my district,

and so I have got to go back home and explain to my people my position, whether I voted "aye," "no" or "present."

I am here now for the twentieth hour of this day, waiting to get this opportunity to put myself on record as to how I feel. Last night I had an opportunity to vote with the Republican Party, when they introduced a resolution voicing their opinion as to how they felt. I voted with the majority because I felt that they were right. They passed that opinion over to the House and they did not agree with our thoughts over here.

I am very much interested, naturally, as has been said by my good friend from Clearfield, Mr. Letzler, that something should be done. I am going to vote and I want to put this statement on the record in the event this bill should fall, that I do not think the Democratic Party will have any right at any time to go out through this Commonwealth and blame it on the Republican Party. The Republican Party in this Senate has acted fairly. Why do I say that? Because I have the utmost faith in the conferees, Mr. Wade, Mr. Taylor and Dr. Mundy. I have been guided by their opinions, by their decisions and they have striven hard to bring about some solution.

I am happy the gentleman from Allegheny, Mr. Geltz, made a motion to recede from the position taken prior to this time, and I am going to vote for this bill only with the thought that it will save the breaking down of our election boards next year, and I am voting for it because, whether Mr. Geltz votes for it or not, that makes no difference, but he has been fair in making that motion to give each and every member the right and the privilege to cast his own vote. I say that if this bill fails the Governor of Pennsylvania can not be criticized for calling a special session; it will be his duty to call us in session and keep us here until we agree, because tonight we are voting, as I said before, not as we want to in this matter, but because no longer can we stay here.

I am voting now because my body tells me to vote, not my mind, and I am probably not responsible for my vote, but I can not stay here any longer. I have been in these halls over twenty hours today and I think that is enough for any man wishing to bring about a solution. I am voting "aye" and I say to you, the gentlemen on the right side of this House, if this bill falls, you can go home and hold up your heads and say you have done the best you could with the tools you had.

Mr. WADE. Mr. President, before this discussion on this bill closes I think that a short statement, and I assure you it will be short, is in order, concerning the decision of the joint committee on Congressional Reapportionment.

We have heard this evening from the genial gentleman from Lackawanna, Senator Coleman, and in his interrogation last night he asked Senators Taylor, Mundy and myself whether or not we consulted wiht party leaders and I answered in the negative to certain ones he mentioned, who have been openly accused here on the floor this evening, but I answered in the affirmative that I had consulted a well known political leader a Senator in this body, Senator Taylor, and I might add to that this, even in this morning hour, that I have also consulted various and sundry political leaders who sit in this body as Senators from the different districts of the State of Pennsylvania.

As a matter of fact, Mr. President, I think that I have consulted, and I believe this is an honest statement, with every member of the Senate regarding congressional reapportionment and I feel very strongly as we close this debate and get ready for a vote on this bill that someone has been far amiss in their duties to the people of Pennsylvania or very adamant in their decisions that they will not permit the members of both the House and the Senate to have before them a bill ready for passage that is honest and a just and fair solution to the problem.

However, Mr. President, I offer this volume of gathered information, and I would like to have it read into the record, but I am not going to be so unfair as to ask that it be done, because it would cause an endless amount of printing. First is a statement showing the present ratio in the entire United States and the new Pennsylvania ratio and along the left hand column are the different Congressional districts of the State of Pennsylvania, the present incumbents and the population of their districts, and the districts are arranged in the order of their population, starting with the smallest and proceeding through the thirty-four to the largest, giving also the territory comprising each district.

Second, I offer you a similar statement which has been prepared by my office, giving in addition the political subdivision of the present incumbent, the county or the town in which he resides, the amount his district is under the ratio or the amount his district is over the ratio.

Third, I offer here some seven different plans with the figures, combining certain districts throughout the State of Pennsylvania.

Fourth, I offer several plans such as this one, where you can see the districts have been cut in every possible manner.

Fifth, a general map of the State of Pennsylvania. I am indebted to the Post Gazette of Pittsburgh for some 125 maps.

Sixth, a statement from the Department of Commerce, the Bureau of Census at Washington, giving the population of every city over ten thousand, and of every city and town under ten thousand and, in addition, the population of each Congressional District, each voting district.

Seventh. A statement showing redistricting of the County of Allegheny, giving numerous and sundry figures in connection with the election district.

Eighth. A redistricting of the City of Philadelphia in four different ways.

Ninth. Pennsylvania voting statistics for the years 1932, 1934, 1936, 1938 and 1940 from each and every one of the thirty-four Congressional districts.

Tenth, a tabulation of the Philadelphia wards, up to and including the fifty-first, together with the registered vote.

Also various and sundry other papers, as you will notice. I am not asking that they be written into the record, but I am proving to you that we took these things, we duly examined all that information, and the conclusion that was made was that one district should be taken out of the City of Philadelphia, which proposition was placed before this body and carried by an overwhelming majority as a fair one, and a just one, a proper solution to the problem.

This bill, which originated in the Senate, was amended in the House.

As the gentleman from Cambria, Mr. Haluska, has said, he will vote for it but he does not believe that it is a proper solution. He pointed out that he thinks it would cause a cumbersome condition as far as the election machinery is concerned, and I maintain, my fellow members of the Senate, that it is not the physical properties of the election machinery that is at stake here tonight, it is the principle, as explained by the gentleman from Schuylkill, with which we must assert ourselves one way or another.

I ask you therefore, my colleagues of the Senate, to hold to that principle, to hold to a fair distribution of these districts throughout the State of Pennsylvania, do not be stampeded into voting for this bill as amended, as butchered, by the House but hold fast to your principles as we close this legislative session.

I say further, Mr. President, that the Republican Party is quite similar to the father and the Democratic Party occupies the position of the mother, as they went upstairs to the bed room of the little child, and there they sat admiring and looking at the sleeping child, as it was peacefully sleeping and slumbering, and the mother was entertaining fond hopes for the future of that little child, and she turned to her husband and said:

"Well now, which college will he attend?

Will he occupy a place in public life of his state or nation?

What will become of him; what will he be?

A prominent physician or a lawyer or what not?"

And she looked up to her husband and said, "John, what do you think?" and John answered—and I say John occupies the position of the Democratic Party—John, looking down into the child's face said, "I wonder how in the world Sears, Roebuck sells cribs like this for $3.75."

And the question recurring,

Will the Senate agree to the motion?

The PRESIDENT. The question is shall the Senate recede from its non-concurrence in House amendments; those voting "aye" vote for concurrence in the House amendments, those voting "no" vote against concurrence in the House amendments.

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—20

Barr,	DiSilvestro,	Jaspan,	Mundy,
Chapman,	Ealy,	Letzler,	Snowden,
Coleman,	Haluska,	McCreesh,	Stevenson,
Cox,	Heyburn,	McGinnis,	Stiefel,
Dent.	Homsher,	McQuiddy,	Walker,

NAYS—19

Bartlett,	Deitrick	Ruth,	Wade,
Becker,	Farrell,	Scarlett,	Watkins,
Carr,	Geltz,	Tallman,	Wilson, H. I.,
Crider,	Mallery,	Taylor,	Woodward,
Crowe,	Miller,	Thomas,	

Less than a constitutional majority of all the Senators having voted "aye" the question was determined in the negative.

Ordered, That the Clerk inform the House of Representatives accordingly.

RESOLUTION AUTHORIZING APPOINTMENT OF COMMITTEE TO STUDY AND REPORT RECOMMENDATIONS FOR CONGRESSIONAL REAPPORTIONMENT OF PENNSYLVANIA DISTRICTS

Mr. DENT. Mr. President, I ask unanimous consent to offer a resolution at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. DENT offered the following resolution which was twice read, considered and agreed to:

In the Senate, July 15, 1941.

Whereas, The General Assembly having failed to date to pass a Congressional Reapportionment Bill, and,

Whereas, it is imperative that some study be made in order that the same stalemate shall not reoccur, be it therefore,

Resolved (if the House concur), That a Committee of ten Members be named, five by the President Pro Tempore and five by the Speaker of the House, to study this problem and report to the next regular or special session of the legislature with recommendations for a reapportionment of the Congressional districts of the State of Pennsylvania.

And the question recurring,

Will the Senate agree to the Resolution?

Mr. DENT. Mr. President and members of the Senate, I do not believe there is any need for further action by either side of the House. I think we have tried our very best to come to some reasonable, at least some final conclusion in the matter. Therefore I believe that any further delay in adjournment sine die would be a further waste of time, energy and common sense, but in order that we may prepare for an equitable solution of the problem at some later date, I have offered to the Chair a Resolution and ask that the members of the Senate give it their serious consideration in order that we may consider the resolution at this time.

And the question recurring,

Will the Senate agree to the Resolution?

It was agreed to.

Ordered, That the House of Representatives be notified accordingly.

Mr. BARR. Mr. President, I am just wondering whether that resolution will benefit us when and if we come back for a special session, and if we do not come back for a special session, naturally the election machinery of this state will be thrown into chaos, no question about that.

Like I think everyone in this body, I have important duties at home but I am content to pass them by and stay here, and I am asking if there are not two men in this Senate that voted "aye" on the House concurrent resolution that we adjourn sine die at 11:45 this Tuesday evening, if they will change their vote to reconsider the vote by which that resolution passed.

Mr. COX. I second that, Mr. President.

RESOLUTION CALLED FROM TABLE

Mr. COX. Mr. President, anticipating this action in the Senate this evening, I yesterday presented a resolution which by consent of all the members of the Senate was laid on the table. That resolution memorialized the President of the United States and Congress to pass what is known as the Weiss Resolution in Congress, which

would have the effect of leaving up to the Census Director of the United States the question of reapportionment in Pennsylvania.

RESOLUTION "MEMORIALIZING PRESIDENT AND CONGRESS TO ENACT INTO STATUTE HJ RESOLUTION 207" CALLED UP FROM TABLE

Mr. COX. Mr. President, I now call from the table Resolution, Serial No. 139, which was introduced by Messrs. Dent, Coleman, Barr and myself, and laid on the table.

Mr. COLEMAN. Mr. President, I second the motion.

The Resolution was read as follows:

In the Senate, July 15, 1941.

Whereas, The General Assembly of the Commonwealth of Pennsylvania has been unable to agree to a proper plan for reapportioning the various Congressional Districts of the Commonwealth in disregard of a constitutional mandate so to do; and

Whereas, The failure to reapportion the Congressional Districts in the Commonwealth of Pennsylvania will lead to great expense and a breakdown in the election machinery of the Commonwealth; and

Whereas, Congressman Samuel Weiss has introduced in the Congress of the United States of America HJ Resolution 207, which, if enacted into a law, will permit the Director of the United States Census to reapportion the Congressional Districts of the Commonwealth of Pennsylvania if the General Assembly of Pennsylvania fails to reapportion the Congressional Districts; now, therefore, be it

Resolved, (if the House of Representatives concur), It is the intention and desire of the General Assembly of the Commonwealth of Pennsylvania that the President of the United States and the Congress of the United States be memorialized, and they are so memorialized to enact into a statute HJ Resolution 207.

Mr. COX. Mr. President, I ask unanimous consent that Rule 39, which requires resolutions be referred to an appropriate committee, be suspended and the Senate do now proceed to the consideration of the resolution just read.

Mr. COLEMAN. I second the motion.

The PRESIDENT. Is there objection? The Chair hears none.

On the question,

Will the Senate agree to the resolution?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—13

Barr,	DiSilvestro,	McCreesh,	Mundy,
Coleman,	Haluska,	McGinnis,	Ruth,
Cox,	Jaspan,	McQuiddy,	Stiefel,
Dent.			

NAYS—26

Bartlett,	Ealy,	Miller,	Thomas,
Becker,	Farrell,	Scarlett,	Wade,
Carr,	Geltz,	Snowden,	Walker,
Chapman,	Heyburn,	Stevenson,	Watkins,
Crider,	Homsher,	Tallman,	Wilson, H. I.,
Crowe,	Letzler,	Taylor,	Woodward,
Deitrick,	Mallery,		

Less than a majority of all the Senators having voted "aye" the question was determined in the negative.

Mr. COX. Mr. President, it was with great reluctance that I introduced this resolution, solely because of the fact I thought the necessity of the Commonwealth of Pennsylvania for the redistricting of congressional districts was so great that no matter what we would do that secured that desired end would be worth doing. I feel, and I know all the members of the Senate feel, it is not the duty of Congress of the United States or the Census Director to redistrict the Congressional districts of Pennsylvania, it is our duty, I certainly hope that your vote in defeating this resolution is an indication that prior to the next Congressional election the Assembly of Pennsylvania is going to do its duty and we are going to arrive at some reasonable, proper and fair redistricting of the Congressional districts of Pennsylvania.

HOUSE MESSAGE

RESOLUTION EXTENDING INVITATION TO MEMBERS OF GENERAL ASSEMBLY TO ATTEND SESSIONS OF AMERICAN LEGION

The Clerk of the House of Representatives being introduced informed the Senate that the House has concurred in Resolution from the Senate as follows:

In the Senate, July 15, 1941.

On August thirteenth, fourteenth, fifteenth and sixteenth the American Legion, Department of Pennsylvania and the Forty and Eight will hold their annual convention in the City of Altoona.

August fifteenth will be a most appropriate day upon which to celebrate the first monthly anniversary of the adjournment sine die of this session of the Legislature and there is no better place than Altoona.

Altoona is the center of the rural district of Pennsylvania as well as close to its geographical center. It is the home of the world's largest car shops which are now working at peak capacity, bringing to the City a prosperity that will be richly reflected in the entertainment afforded to visiting Legionnaires and their friends.

The Senators and Members of the House from the County of Blair are desirous of having the Senators and Members of the House of Representatives present in Altoona during these conventions and extend to them a most cordial invitation to attend; therefore be it

Resolved (if the House concurs), That the Senators and Members of the House of Representatives of this session of the Legislature shall take advantage of the invitation of the Senators and Members from the County of Blair and attend the convention in Altoona on August thirteenth, fourteenth, fifteenth and sixteenth as a fitting and proper celebration of this adjournment of this session, if by that time they are thoroughly rested.

REPORT OF JOINT LEGISLATIVE COMMITTEE TO INVESTIGATE ADMINISTRATION OF CIVIL SERVICE IN THE DIVISION OF UNEMPLOYMENT COMPENSATION

Mr. TALLMAN. Mr. President, I would like to present a report of the Joint Legislative Committee on the Administration of Civil Service in the Division of Unemployment Compensation and Employment Service, and in connection with that I should like to express my very sincere thanks to the members of that committee, who spent much time and very serious and sincere effort in trying to ferret out the truth of a situation which has been both complexing and one which has created much discussion in the Commonwealth, and a situation that has caused great difficulty in the relationship of certain officials of the Commonwealth with the Federal Govern-

ment. I should like to make just a brief statement at this time in connection with that work.

As chairman of the Joint Legislative Committee created to investigate the administration of Civil Service in the Division of Unemployment Compensation and Employment Service, I desire to present a brief resume of the work performed by the committee.

It was decided at the outset, to investigate every phase of the Civil Service program, this necessitated the examination of every step in the procedure from the receipt of the applications by the Board of Review until appointments were made by the Secretary of Labor and Industry.

Because of the large number of applications filed, approximately 73,000, it was impossible to investigate each one; however, the policy was adopted of spot-checking applications in every class of position. In certain classes of positions where the number of appointees was small, a check was made of the records of all those appointed as well as those on the eligible lists. In these cases the applications were scrutinized, comparisons were made with the evaluation charts, verifications of the educational and work records of the applicants were confirmed and personnel action sheets were checked to verify the appointments.

Taking into consideration the magnitude of the job required of the first Board of Review in setting up and giving the Civil Service examinations, the Committee found no grave fault with this phase of the program, it was the procedure adopted in the intervening steps between the giving of the tests and the final appointments by the Secretary of Labor and Industry that disclosed a definite need of improvement.

These findings show the need of legislative action to correct possible abuses either upon the part of an applicant for position or by those entrusted with the administration of the law.

In its report the Committee made definite recommendations both of a legislative and administrative nature.

The Committee believes the enactment of its legislative recommendations together with the adoption of its administrative recommendations will go far to improve the civil service system in the Division of Unemployment Compensation and Employment Service.

The Committee also expressed the opinion, however, that the real improvement of the system depends to a great extent upon the adoption and pursuit of sound policies and methods of those administering it.

There is one further thing I would like to point out. I believe a great many of the difficulties pointed out in that report will be corrected by the enactment and passage of Senate Bills Nos. 653 and 654. It is to be hoped when the commission under Senate Bill 654 is established and civil service begins to function, that all of those evils may be entirely eliminated.

Copies of the report will be available on the desks of the Senators within a few moments.

The PRESIDENT. Receipt of the report will be noted in the Journal.

RESOLUTION COMMENDING CHARLES H. EALY, PRESIDENT PRO TEMPORE

Mr. MALLERY. Mr. President, I ask unanimous consent to offer a resolution at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. MALLERY, offered the following resolution which was twice read, considered and agreed to:

In the Senate, July 12, 1941.

Resolved, That the thanks of the Senate be tendered to the Honorable Charles H. Ealy, President pro tempore of the Senate, for the fair and efficient manner in which he has performed the duties of his office during the session of this body about to close.

BILLS SIGNED

The PRESIDENT (Lieutenant-Governor Samuel S. Lewis) announced that the Chief Clerk having reported that the following bills had passed both houses of the General Assembly and the same being correct, the titles were publicly read as follows:

House Bill No. 448, entitled:

An Act to amend the first paragraph of section nine of the act approved the twenty-fourth day of June, one thousand nine hundred and thirty-seven (P. L. 2051), entitled "Public Assistance Law," by redefining eligibility for assistance.

House Bill No. 1768, entitled:

An Act to further amend the act, approved the fifth day of December, one thousand nine hundred thirty-six (P. L. of 1937, p. 2897) entitled "Unemployment Compensation Law," by providing therein as to the replacement of certain moneys received pursuant to the provisions of Section three hundred two of the Federal Social Security Act as amended.

House Bill No. 1952, entitled:

An Act fixing the salary of the Parliamentarian of the House of Representatives.

Whereupon,

The PRESIDENT (Lieutenant-Governor Samuel S. Lewis) in the presence of the Senate signed the same.

RESOLUTION COMMENDING LIEUTENANT-GOVERNOR SAMUEL S. LEWIS

Mr. WADE. Mr. President, I ask unanimous consent to offer a resolution at this time.

The PRESIDENT PRO TEMPORE (Charles H. Ealy). Is there objection? The Chair hears none.

Mr. WADE, offered the following resolution which was twice read, considered and agreed to:

In the Senate, July 12, 1941.

Resolved, That the thanks of the Senate be hereby tendered to Lieutenant-Governor Samuel S. Lewis, President of the Senate, for the able and impartial manner in which he has performed the duties of his office during the session of the body now about to close.

The PRESIDENT. I know the Senators, like the Chair, are tired and want to go home. However, I do want to say further as I stated when I assumed the duties of this office, I have tried to make rulings and arrive at decisions impartially and without fear or favor. I have done that. I have taken the position that the Lieutenant-Governor, unlike the Speaker of the House, is not the choice of any party, either Republican or Democrat, and I have en-

deavored to be fair and impartial. If I have succeeded I am satisfied; if I have erred, and I know at time I have, I apologize. Thank you.

DIRECTING PRINTING OF JOURNALS OF SENATE AND HOUSE

Mr. HOMSHER offered the following resolution which was twice read, considered and agreed to:

In the Senate, July 15, 1941.

Resolved (if the House of Representatives concur), That the Chief Clerks of the Senate and House of Representatives be directed to have the copy of the Journals of the two Houses of this session prepared and placed in the hands of the Director of the Bureau of Publications within thirty days after the close of the session, and the Director of the Bureau of Publications is hereby directed to have said Journals printed, bound and delivered to the Chief Clerks of the Senate and House of Representatives within ninety days after the receipt of the copy therefor.

REPORT OF THE CHIEF CLERK ON COMPARING BILLS

Mr. CROWE. Mr. President, on behalf of the Chief Clerk, I desire to report having compared and found correct bills numbered and entitled as follows as having passed both branches of the Legislature and signed by the presiding officers thereof:

Senate Bill No. 1, entitled:

An Act providing that when inmates of an orphans' home or other children's institution or private home are maintained at the cost of any county other than a county of the second class or at the cost of a county institution district other than in a county of the second class and attend public school and are not legal residents of such school district the county shall pay their tuition charges and collect the same from the school district liable therefor.

Senate Bill No. 9, entitled:

An Act concerning the permanent recordation of certain births, birth certificates, the issuance of copies of such certificates, and prescribing the procedure therefor; enlarging the powers and duties of the Department of Health and the Bureau of Vital Statistics providing for appeals from the action of the Bureau of Vital Statistics to the Orphans' Court and imposing duties and powers on such Orphans' Court.

Senate Bill No. 24, entitled:

An Act defining and prohibiting unfair sales providing remedies for violations thereof, and establishing penalties therefor.

Senate Bill No. 30, entitled

An Act providing for the establishment, construction, operation and maintenance of a mountain ridge road or parkway in the Pocono Mountains, through bordering or accessible to the counties of Monroe, Northampton, Carbon, Luzerne, Lackawanna, Wayne and Pike, to be known as the "Rim Parkway"; providing for the creation of the Pennsylvania Parkway Commission, and conferring powers and imposing duties on said commission; authorizing the issuance of parkway revenue bonds of the Commonwealth, payable solely from tolls, to pay the cost of such parkway, providing that no debt of the Commonwealth shall be incurred in the exercise of any of the powers granted by this act; providing for the collection of tolls for the payment of such bonds and for the cost of maintenance, operation and repair of the parkway; making such bonds exempt from taxation; constituting such bonds legal investments in certain instances; prescribing conditions upon which such parkway shall become free; providing for condemnation; granting certain powers and authority to municipal subdivisions and other agencies of the Commonwealth to cooperate with the commission; conferring powers and imposing duties on the Department of Highways; authorizing the issuance of parkway revenue refunding bonds and making an appropriation.

Senate Bill No. 32, entitled:

An Act to facilitate vehicular traffic between the eastern and western sections of the Commonwealth by providing for the construction operation and maintenance of a turnpike from a point at or near Irwin in Westmoreland County the western terminus of the turnpike heretofore constructed by said commission to a point on the western boundary line of the Commonwealth of Pennsylvania touching on the State of Ohio or the State of West Virginia and conferring powers and imposing duties on the Pennsylvania Turnpike Commission authorizing the issuance of turnpike revenue bonds of the Commonwealth payable solely from tolls to pay the cost of such turnpike providing that no debt of the Commonwealth shall be incurred in the exercise of any of the powers granted by this act providing for the collection of tolls for the payment of such bonds and for the cost of maintenance operation and repair of the turnpike making such turnpike bonds exempt from taxation constituting such bonds legal investments in certain instances requiring suits against the commission to be brought in Dauphin County prescribing conditions upon which such turnpike shall become free providing for grade separations grade changes and relocation and restoration of public roads and State highways affected by the turnpike providing for condemnation granting certain powers and authority to municipal subdivisions and agencies of the Commonwealth to cooperate with the commission and authorizing the issuance of turnpike revenue refunding bonds

Senate Bill No. 46, entitled:

An Act authorizing the county treasurer in counties of the first second third fourth fifth sixth seventh and eighth classes to appoint a solicitor and providing for his salary payable out of the treasury from which the county treasurer is paid.

Senate Bill No. 51, entitled:

An Act authorizing and empowering school districts of the first and second class to furnish food including milk to undernourished and poor school children in their districts and providing that the acceptance and distribution of surplus commodities furnished by the Federal Government to such school districts shall not affect or limit the provisions hereof.

Senate Bill No. 56, entitled:

An Act providing for the observance of a Bill of Rights Week in the public schools of this Commonwealth.

Senate Bill No. 66, entitled:

An Act to further amend the last paragraph of section four hundred thirty-nine of the act approved the second day of May one thousand nine hundred and twenty-nine (P. L. 1278) entitled "An act relating to counties of the second third fourth fifth sixth seventh and eighth classes and revising amending and consolidating the laws relating thereto" imposing additional duties on and providing for additional compensation of veterans' grave registrars

Senate Bill No. 77, entitled:

An Act to further amend section one of the act, approved the seventeenth day of June, one thousand nine hundred and thirteen (P. L. 507), entitled "An act to provide revenue for State and county purposes, and, in cities coextensive with counties, for city and county purposes; imposing taxes upon certain classes of personal property; providing for the assessment and collection of the same; providing for the duties and compensation of prothonotaries and recorders in connection therewith; and modifying existing legislation which provided for raising revenue for State purposes," by exempting assets held by liquidating trustees.

Senate Bill No. 79, entitled:

An Act to amend subsection (a) of section twelve of the act, approved the seventh day of June, one thousand nine hundred seventeen (P. L. 447), entitled, as amended "An act relating to the administration and distribution of the estates of decedents and of minors, and trust estates; including the appointment, bonds, rights, powers, duties, liabilities, accounts, discharge and removal of executors, administrators, guardians and trustees, herein designated as fiduciaries; the administration and distribution of the estates of presumed decedents; widow's and children's exemptions; debts of decedents, rents of real estate as assets for payment thereof, the lien thereof, sales and mortgages of real estate for the payment thereof, judgments and executions therefor, and the discharge of real estate from the lien thereof; contracts of decedents for the sale or purchase of real estate; legacies, including legacies charged on land, the discharge of residuary estates and of real estate from the lien of legacies and other charges; the appraisement of real estate devised at a valuation; the ascertainment of the cultilage of dwelling houses or other buildings devised; the abatement and survival of actions, and the substitution of executors and administrators therein; the survival of causes of action and suits thereupon by or against fiduciaries; investments by fiduciaries; the organization of corporations to carry on the business of decedents; the audit and review of accounts of fiduciaries; refunding bonds; transcripts to the court of common pleas of balances due by fiduciaries; the rights, powers, and liabilities of nonresident and foreign fiduciaries; the appointment, bonds, rights, powers, duties and liabilities of trustees durante absentia; the recording and registration of decrees, reports and other proceedings, and the fees therefor; appeals in certain cases; and, also, generally dealing with the jurisdiction, powers, and procedure of the orphans' court in all matters relating to fiduciaries concerned with the estates of decedents," by authorizing the orphans' court to allow and set aside the widow's or children's exemption without notice or appraisement where the property claimed is of apparent or readily ascertainable value.

Senate Bill No. 81, entitled:

An Act to amend section one thousand one hundred and forty-seven of the act, approved the first day of May, one thousand nine hundred and thirty-three (P. L. 103), entitled "An act concernng townships of the second class; and amending, revising, consolidating, and changing the law relating thereto," by extending the power to accept roads, streets, lanes and alleys dedicated as public highways.

Senate Bill No. 122, entitled:

An Act to amend subsection (b) of, and to add subsection (e) to, section twenty-eight of the act, approved the seventh day of June, one thousand nine hundred and seventeen (P. L. 447), entitled, as amended, "An act relating to the administration and distribution of the estates of decedents and of minors, and of trust estates; including the appointment, bonds, rights, powers, duties, liabilities, accounts, discharge and removal of executors, administrators, guardians, and trustees, herein designated as fiduciaries; the administration and distribution of the estates of presumed decedents; widow's and children's exemptions; debts of decedents, rents of real estate as assets for payment thereof, the lien thereof, sales and mortgages of real estate for the payment thereof, judgments and executions therefor, and the discharge of real estate from the lien thereof; contracts of decedents for the sale or purchase of real estate; legacies, including legacies charged on land; the discharge of residuary estates and of real estate from the lien of legacies and other charges; the appraisement of real estate devised at a valuation; the ascertainment of the curtilage of dwelling houses or other buildings devised; the abatement and survival of actions and the substitution of executors and administrators therein; the survival of causes of action and suits thereupon by or against fiduciaries; investments by fiduciaries; the organization of corporations to carry on the business of decedents; the audit and review of accounts of fiduciaries; refunding bonds; transcripts to the court of common pleas of balances due by fiduciaries; the rights powers, and liabilities of nonresident and foreign fiduciaries; the appointment, bonds, rights, powers, duties, and liabilities of trustees durante absentia; the recording and registration of decrees, reports and other proceedings, and the fees therefor; appeals in certain cases; and, also, generally dealing with the jurisdiction, powers, and procedure of the orphans' court in all matters relating to fiduciaries concerned with the estates of decedents." authorizing executors of a will with the approval of orphans' court, to sell at private sale the real and personal estate of the decedent although the will directs such sale to be public, and to purchase real and personal estate of the decedent when sold at private sale.

Senate Bill No. 125, entitled:

An Act abating certain tax penalties and interest on unpaid county, (except counties of the second class) city (except cities of the first and second class), borough, town, township, school district (except school districts of the first class) poor district (except in counties of the second class) and county institution district (except in counties of the second class) taxes; prohibiting the sale of real property for the nonpayment of any such taxes for a certain period; and prescribing certain tax liens, and providing for the extension thereof.

Senate Bill No. 145, entitled:

An Act to amend further section fourteen of an act approved the seventh day of August, one thousand nine hundred thirty-six (P. L. 106), entitled, "An act relating to flood control; prescribing the powers and duties of the Water and Power Resources Board of the Department of Forests and Waters in relation to the creation of flood control districts, adoption of plans for flood control work and improvements, carrying into effect of such plans, assistance, aid and cooperation with public and private agencies and the Federal Government in Federal flood control works and improvements, and entering into compacts and agreements with other states for flood control works and improvements; conferring the power of eminent domain; providing for the setting off of benefits; imposing certain charges upon the Commonwealth; providing for appeals; and conferring certain powers on municipalities, counties, and townships, and the Department of Highways," as reenacted and amended, by conferring additional powers on the Department of Highways.

Senate Bill No. 158, entitled:

An Act making an appropriation to the Department of Military Affairs for the maintenance and education of children of certain soldiers, sailors, marines, female field clerks, yeomen (female) and nurses.

Senate Bill No. 159, entitled:

An Act making an appropriation to the Department of

Military Affairs for the purpose of erecting, constructing and equipping an auditorium at Indiantown Gap Military Reservation.

Senate Bill No. 171, entitled:

An Act to further amend subsection (a) of section five hundred and three of the act approved the ninth day of April one thousand nine hundred and twenty-nine (P. L. 343), entitled "An act relating to the finances of the State government providing for the settlement assessment collection and lien of taxes bonus and all other accounts due the Commonwealth the collection and recovery of fees and other money or property due or belonging to the Commonwealth or any agency thereof including escheated property and the proceeds of its sale the custody and disbursement or other disposition of funds and securities belonging to or in the possession of the Commonwealth and the settlement of claims against the Commonwealth the resettlement of accounts and appeals to the courts refunds of moneys erroneously paid to the Commonwealth auditing the accounts of the Commonwealth and all agencies thereof of all public officers collecting moneys payable to the Commonwealth or any agency thereof and all receipts of appropriations from the Commonwealth and imposing penalties affecting every department board commission and officer of the State government every political subdivision of the State and certain officers of such subdivisions every person association and corporation required to pay assess or collect taxes or to make returns or reports under the laws imposing taxes for State purposes or to pay license fees or other moneys to the Commonwealth or any agency thereof every State depository and every debtor or creditor of the Commonwealth" further regulating refunds.

Senate Bill No. 174, entitled:

A Supplement to the act approved the twenty-second day of June one thousand nine hundred and thirty-one (P. L. 720), entitled, "An act providing for the taking over by the Commonwealth under certain terms, conditions, and limitations of certain streets in cities of the second class, and second class A, and third class, as state highways, and for the improvement, construction, reconstruction, resurfacing, and maintenance by the Commonwealth of certain defined widths of said streets, imposing duties on such cities, and on public utility companies using such streets, providing that no assessment shall be made upon the Commonwealth in the elimination of any grade crossing thereon, authorizing cities, persons, associations, or corporations to enter into agreements with the Commonwealth to bear a portion of the cost of construction or maintenance, providing for the assessment of certain portions of the cost of street improvements on abutting property owners, regulating the replacement of certain facilities of public utility companies, prohibiting the opening of said streets after improvement without a permit, and providing penalty therefor, regulating the maintenance of detours, authorizing the increase of city indebtedness in certain cases, and appropriating money in the Motor License Fund for the purposes of this act" by establishing additional routes in the City of Erie.

Senate Bill No. 176, entitled:

An Act for the judicial notice of the ordinances of cities, boroughs, incorporated towns and townships of the first class, and for proof thereof; and to make uniform the law with reference thereto.

Senate Bill No. 177, entitled:

An Act regulating and limiting the rights of slayers in real and personal property and in the benefits from insurance policies, arising out of or as a result of the death of the person slain; protecting and saving the rights of purchasers and insurers dealing with slayers without notice of the slaying and repealing certain legislation.

Senate Bill No. 178, entitled:

An Act to amend paragraph four of subsection (a) of section forty-one of the act, approved the seventh day of June, one thousand nine hundred seventeen (P. L. 447) entitled as amended "An act relating to the administration and distribution of the estates of decedents and of minors, and of trust estates; including the appointments, bonds, rights, powers, duties, liabilities, accounts, discharge and removal of executors, administrators, guardians, and trustees, herein designated as fiduciaries; the administration and distribution of the estates of presumed decedents; widow's and children's exemptions; debts of decedents, rents of real estate as assets for payment thereof the lien thereof, sales and mortgages of real estate for the payment thereof judgments and executions therefor, and the discharge of real estate from the lien thereof; contracts of decedents for the sale or purchase of real estate; legacies, including legacies charged on land; the discharge of residuary estates and of real estate from the lien of legacies and other charges; the appraisement of real estate devised at a valuation; the ascertainment of the curtilage of dwelling houses or other buildings devised; the abatement and survival of actions, and the substitution of executors and administators therein; the survival of causes of action and suits thereupon by or against fiduciaries; investments by fiduciaries; the organization of corporations to carry on the business of decedents; the audit and review of accounts of fiduciaries; refunding bonds; transcripts to the court of common pleas of balances due by fiduciaries; the rights, powers, and liabilities of nonresident and foreign fiduciaries; the appointment, bonds, rights, powers, duties, and liabilities of trustees durante absentia; the recording and registration of decrease, reports and other proceedings, and the fees therefor; appeals in certain cases; and, also, generally dealing with the jurisdiction, powers, and procedure of the orphans' court in all matters relating to fiduciaries concerned with the estates of decedents," by validating deeds heretofore accepted by fiduciaries holding mortgages in certain cases.

Senate Bill No. 185, entitled:

An Act to further amend the act, approved the fourth day of April, one thousand nine hundred twenty-five (P. L. 127), entitled "An act relating to adoption," further regulating adoption proceedings as to the consent of, and notice to be given to parents of the person proposed to be adopted, as to who can be adopting parents and procedure at the adoption hearings.

Senate Bill No. 198, entitled:

An Act to validate and quiet the title to real estate in this Commonwealth held by a foreign corporation unauthorized to hold the same, and heretofore conveyed to a citizen of the United States or a corporation authorized to hold such real estate.

Senate Bill No. 201, entitled:

An Act to amend a certain appropriation item contained in section two of Act No. 69-A, approved the twenty-seventh day of June, one thousand nine hundred thirty-nine (Appropriation Acts, 1939, P. L. 60), entitled "An act to provide for the ordinary expenses of the Executive Legislative, and Judicial Departments of the Commonwealth, interest on the public debt, and the support of the public schools for two years beginning June first, one thousand nine hundred and thirty-nine; and for the payment of bills incurred and remaining unpaid at the close of the fiscal year ending May thirty-first, one thousand nine hundred and thirty-nine," by deferring for a short period of time certain payments required to meet the Sinking Fund requirements of Veterans' Compensation Bonds.

Senate Bill No. 205, entitled:

An Act making an appropriation to the Trustees of the Pennsylvania State College for the use of the School of Mineral Industries for research and investigation of problems affecting mineral industries.

Senate Bill No. 209, entitled:

An Act providing for the forfeiture and condemnation of vehicles used to store, possess or transport narcotics or drugs, the possession or transportation of which is in violation of law.

Senate Bill No. 212, entitled:

An Act with reference to trust receipts and pledges of personal property unaccompanied by possession in the pledgee and to make uniform the law with reference thereto.

Senate Bill No. 213, entitled:

An Act authorizing the Department of Property and Supplies acting for the Commonwealth of Pennsylvania to acquire by gift from the owner thereof Pottsgrove Mansion with tract of land situate in the ninth ward of the Borough of Pottstown Montgomery County Pennsylvania providing for the control management supervision improvement and maintenance thereof by the Pennsylvania Historical Commission authorizing the Pennsylvania Historical Commission to make and enforce rules and regulations for the preservation maintenance and visitation thereof and creating an advisory board to assist in such functions

Senate Bill No. 217, entitled:

An Act requiring the Department of Welfare to notify the clerk of court and the county controller of all discharges or releases from institutions under its supervision.

Senate Bill No. 223, entitled:

An Act to amend section four of the act approved the twenty-eighth day of May one thousand nine hundred thirty-seven (P. L. 1019), entitled "An act relating to statutory laws prescribing an enacting clause for statutes fixing the effective date and time of statutes hereafter enacted providing for notice of application for local and special legislation for the correction of errors in statutes and for the printing and publication of statutes prescribing rules for the interpretation of statutes defining certain words and phrases when used in statutes and prescribing rules for the construction and operation of amendments reenactments and repeals of statutes" changing the effective date of laws affecting budgets of political subdivisions.

Senate Bill No. 224, entitled:

An Act to amend section three hundred and ten of the act, approved the twenty-fourth day of June, one thousand nine hundred and thirty-seven (P. L. 2017), entitled "An act creating in each county (except of the first class) as a separate corporation and in each city of the first and second class as a part of the city government, an institution district for the care and maintenance of certain indigent persons and children; prescribing the powers and duties of county commissioners, county treasurers, city departments of public welfare, the State Department of Welfare and the State Department of Public Assistance in respect thereto; abolishing certain poor districts and terminating the terms of directors, overseers, guardians and managers of the poor and poor district auditors, and providing for the temporary employment of certain of them; providing for the transfer, vesting, sale and disposition of the property of poor districts and the payment of their obligations; imposing certain existing obligations on institution districts and on the Commonwealth regulating the affairs of poor districts until abolished; revising, amending, changing and consolidating the law relating to the care of the poor; and repealing existing laws," providing for the administration of the finances of institution districts in counties having a county controller; and conferring powers and imposing duties on county controllers, commissioners and treasurers.

Senate Bill No. 229, entitled:

An Act creating a commission to make a study and investigation of the laws governing, and the practical operation of, the parole and penal systems of this Commonwealth, and other parole and penal systems; defining its powers and duties; and making an appropriation.

Senate Bill No. 232, entitled:

An Act to validate and quiet the title to lands and buildings heretofore sold by boards of school directors at public auction without full compliance with provisions of law authorizing such sales.

Senate Bill No. 236, entitled:

An Act to amend section six hundred fifty-four of article six of the act, approved the seventeenth day of May, one thousand nine hundred and twenty-one (P. L. 682), entitled "An act relating to insurance; amending, revising, and consolidating the law; providing for the incorporation of insurance companies and the regulation, supervision and protection of home and foreign insurance companies Lloyds associations, reciprocal and inter-insurance exchanges, and fire insurance rating bureaus, and the regulation and supervision of insurance carried by such companies, associations, and exchanges, including insurance carried by the State Workmen's Insurance Fund; providing penalties; and repealing existing laws," providing for appeals from any classification, rule, rate, or schedule of the Insurance Commissioner affecting insurance of employes and employers under the Workmen's Compensation Act of one thousand nine hundred and fifteen and the supplements and amendments thereto and exempting the State Workmen's Insurance Fund from the control of the Rating Bureau and the Insurance Commissioner.

Senate Bill No. 241, entitled:

An Act to further amend section two thousand six hundred and four of an act approved the eighteenth day of May, one thousand nine hundred and eleven, (P. L. 309) entitled "An act to establish a public school system in the Commonwealth of Pennsylvania, together with the provisions by which it shall be administered, and prescribing penalties for the violation thereof; providing revenue to establish and maintain the same, and the method of collecting such revenue; and repealing all laws, general special, or local, or any parts thereof, that are or may be inconsistent therewith," by providing for the audit of accounts of fourth class school districts by the borough or township controller or auditors.

Senate Bill No. 244, entitled:

An Act to amend section one of the act approved the fifteenth day of June, one thousand eight hundred and ninety-seven (P. L. 159), entitled "An act authorizing controllers of the several cities of this Commonwealth to appoint probate clerks," by providing for the appointment of additional probate clerks.

Senate Bill No. 253, entitled:

An Act relating to members of the bureaus of fire in cities of the second class; providing, subject to the approval of the electors, for a three-platoon system for such members, with certain exceptions; providing for an election on such question; and regulating hours of service hours of rest and annual vacations.

Senate Bill No. 254, entitled:

An Act authorizing municipalities to file liens against real estate beyond the municipal limits for certain municipal rates validating liens heretofore filed and providing for the procedure thereon.

Senate Bill No. 257, entitled:

An Act making an appropriation to the Nursing School of the University of Pittsburgh, Pittsburgh, Pennsylvania

Senate Bill No. 258, entitled:

An Act making an appropriation to the Medical School of the University of Pittsburgh, Pittsburgh, Pennsylvania

Senate Bill No. 262, entitled:

A Supplement to the act approved the twelfth day of June, one thousand nine hundred and thirty-nine (P. L. 335), entitled "An act creating a temporary commission to examine, report upon, and recommend measures to improve the economic, cultural, health and living conditions of the urban colored population of the State, and making an appropriation of the expenses of such commission," by extending the term of such commission until the next regular session of the General Assembly; and making an appropriation.

Senate Bill No. 263, entitled:

An Act to establish a system uniform throughout the Commonwealth for the compensation of witnesses regulating the amount payment and taxation as costs thereof and repealing inconsistent legislation.

Senate Bill No. 269, entitled:

An Act providing for the redemption of real property purchased by political subdivisions at tax sales, upon the payment of the amount charged against the same and costs, by installment payments; and prescribing the procedure therefor.

Senate Bill No. 270, entitled:

An Act to amend section seven hundred and two of the act, approved the first day of May, one thousand nine hundred and thirty-three (P. L. 103), entitled "An act concerning townships of the second class; and amending, revising, consolidating and changing the law relating thereto," by authorizing such townships to regulate the use of certain parks and recreational grounds; providing penalties for violation of rules prescribed therefor; and authorizing police officers to arrest violators thereof on view

Senate Bill No. 285, entitled:

An Act abating certain tax penalties and interest on unpaid delinquent city taxes in cities of the first and second class on unpaid delinquent school taxes in school districts of the first class and on unpaid delinquent poll poor district institution district and county taxes in counties of the second class prohibiting the sale of real property for the nonpayment of any such taxes for a certain period preserving certain tax liens and providing for the extension thereof.

Senate Bill No. 286, entitled:

An Act to amend the fourth paragraph of article seven of the act approved the seventh day of March, one thousand nine hundred and one, (P. L. 20), entitled "An act for the government of cities of the second class," prescribing the manner in which money shall be drawn from the city treasury.

Senate Bill No. 295, entitled:

An Act to amend sections seven and eight of the act approved the twelfth day of June, one thousand eight hundred and seventy-eight (P. L. 201), entitled "An act to provide for the publication of the decisions of the supreme court and the appointment of a state reporter," requiring the publication of advance sheets of such reports, requiring printing and publication in this Commonwealth by a responsible person having a plant and facilities and place of business therein; and further regulating the basis upon which bids shall be submitted and the provisions of the contract for publication of such reports and advance sheets.

Senate Bill No. 298, entitled:

An Act making an appropriation out of the Motor License Fund to the Department of Highways for allocation to and expenditure in cities, boroughs, towns and townships of the first class of the Commonwealth for maintenance, construction, reconstruction, resurfacing, or improvement of municipal roads, highways and bridges, during the calendar years one thousand nine hundred forty-two and one thousand nine hundred forty-three; permitting the use of the funds for maintenance and repair of municipal roads, highways and bridges under certain conditions; and providing for the method of payment to such political subdivisions.

Senate Bill No. 303, entitled:

An Act authorizing the Department of Highways to cooperate with agencies of the Federal Government in designing and installing modern illuminating systems on State highways

Senate Bill No. 315, entitled:

An Act to further amend section one of the act approved the fourth day of April, one thousand nine hundred and twenty-five (P. L. 127), entitled "An act relating to adoption," by imposing exclusive jurisdiction in adoption proceedings in the municipal court in first class counties.

Senate Bill No. 326, entitled:

An Act to authorize school districts and vocational school districts to solicit sealed bids for the purchase of material, supplies and equipment from Federal funds appropriated or to be appropriated to vocational education for national defense to be used for training or retraining workers and prospective workers for industries essential to national defense; waiving all statutory requirements as to advertising for said bids.

Senate Bill No. 329, entitled:

An Act to amend clause (a) of section twenty of the act approved the second day of May one thousand nine hundred twenty-five (P. L. 448) entitled "An act relating to fish and amending revising consolidating and changing the law relating to fish in the inland waters and the boundary lakes and boundary rivers of the Commonwealth" fixing the time of day that the open season shall begin for charr, commonly called brook trout and any species of trout except lake or salmon trout and prohibiting any fishing whatsoever in certain stocked streams for a prescribed period prior to the hour when such open season begins."

Senate Bill No. 338, entitled:

An Act to further amend sections four and five of the act, approved the sixth day of April, one thousand nine hundred thirty-five (P. L. 90), entitled "An act to promote uniformity in the assessment and taxation of properties and persons within the territorial limits of cities of the second class A, by providing that city and school taxes within such territorial limits shall be assessed, levied, and

collected upon the basis of the assessments for taxation for county purposes; and requiring the furnishing of tax duplicates by the county taxing authorities to such cities and to school districts coterminous therewith; abolishing the department of assessors in cities of the second class; consolidating tax statements covering city, school, county, and poor taxes therein, and making uniform the time for levy and collection of said taxes respectively, and regulating the discounts therefrom and penalties thereon," by further regulating discounts for prompt payment of taxes and penalties and interest imposed on said taxes and by changing the date of certain tax payments.

Senate Bill No. 344, entitled:

An Act to amend further section five of the act approved the thirteenth day of June one thousand eight hundred and thirty-six (P. L. 551) entitled "An act relating to roads highways and bridges" as amended by permitting the maximum width of a public road to be two hundred feet when the right of way is acquired by the Federal Government and providing for the cost of relocating public service facilities.

Senate Bill No. 345, entitled:

An Act to amend subsection (a) of section sixteen and subsection (a) of section twenty-one of the act approved the seventh day of June one thousand nine hundred and seventeen (P. L. 415) entitled "An act relating to the qualification jurisdiction powers and duties of registers of wills and regulating proceedings before said registers and the costs thereof the effects of their acts and appeals therefrom" decreasing the period within which appeals may be taken from decrees of registers of wills probating or refusing to probate wills and from all judicial acts and proceedings of the several registers including all decisions granting an issue devisavit vel non.

Senate Bill No. 346, entitled:

An Act to amend section two hundred one and to further amend sections two hundred two and four hundred four of the act, approved the twenty-second day of May, one thousand nine hundred and thirty-three (P. L. 853), entitled "An act relating to taxation; designating the subjects, property and persons subject to and exempt from taxation for all local purposes; providing for and regulating the assessment and valuation of persons, property and subjects of taxation for county purposes, and for the use of those municipal and quasi-municipal corporations which levy their taxes on county assessments and valuations; amending, revising and consolidating the law relating thereto; and repealing existing laws," making the levying of a tax on trades, occupations, professions and persons who follow no occupation or calling optional in counties.

Senate Bill No. 352, entitled:

An Act providing for the creation, maintenance and operation of a county employes retirement system in counties of the fifth class; imposing certain charges on counties, and prescribing penalties

Senate Bill No. 367, entitled:

An Act authorizing the Department of Public Instruction, with the approval of the Board of Trustees of the Millersville State Teachers' College, to contract with the Borough of Millersville for the erection of a sewage disposal plant and the connection therewith and use thereof by the Millersville State Teachers' College, and the payment of part of the cost of maintenance thereafter; and making an appropriation.

Senate Bill No. 374, entitled:

An Act to provide for the settlement of disputes among states with respect to domiciliary death taxes, and imposing certain duties upon the Department of Revenue, the Attorney General and executors and administrators.

Senate Bill No. 377, entitled:

An Act validating certain proceedings and elections of counties, cities, boroughs, school districts, or other municipalities or incorporated districts, had and held pursuant to the provisions of an act, approved the twentieth day of April, one thousand eight hundred seventy-four (P. L. 65), entitled "An act to regulate the manner of increasing the indebtedness of municipalities, to provide for the redemption of the same, and to impose penalties for the illegal increase thereof," and the amendments and supplements thereto; and validating bonds issued or authorized to be issued in pursuance of such proceedings and elections.

Senate Bill No. 379, entitled:

An Act to further amend section one of the act, approved the seventeenth day of June, one thousand nine hundred and thirteen (P. L. 507), entitled "An act to provide revenue for State and county purposes, and, in cities coextensive with counties, for city and county purposes; imposing taxes upon certain classes of personal property; providing for the assessment and collection of the same; providing for the duties and compensation of prothonotaries and recorders in connection therewith; and modifying existing legislation which provided for raising revenue for State purposes," by excluding proceeds of life insurance policies from the provisions thereof.

Senate Bill No. 381, entitled:

An Act to amend the act, approved the second day of May, one thousand nine hundred and twenty-nine (P. L. 1278), entitled "An act relating to counties of the second, third, fourth, fifth, sixth, seventh classes; and revising amending and consolidating the laws relating thereto" by authorizing the acquisition operation and leasing of aviation landing fields and airdromes by counties of the second third fourth fifth sixth and seventh classes conferring certain powers of eminent domain upon such counties for the acquisition of lands for aviation landing fields and airdromes authorizing such counties to appropriate for such purposes unredeemed lands purchased at tax sales providing for the jurisdiction of condemnation proceedings where lands are situated in more than one county authorizing such counties to act jointly with certain political subdivisions in the operation and maintenance of aviation landing fields and airdromes and providing for the expenditure of funds for such purposes in cooperation with certain State Federal or other public agencies

Senate Bill No. 399, entitled:

An Act making an appropriation to the Treasury Department for the use of the Board of Finance and Revenue in granting refunds of "store and theatre" tax

Senate Bill No. 401, entitled:

An Act repealing and abandoning as a State highway, State highway route 15181 in Chester County; and providing for the reversion thereof to the township.

Senate Bill No. 418, entitled:

An Act requiring the Governor of the Commonwealth to issue a proclamation setting apart September thirteenth of each year as Commodore John Barry Day

Senate Bill No. 419, entitled:

An Act providing for the reconnaissance survey of a State highway between the city of Harrisburg, in the county of Dauphin, and the borough of New Hope, in the county of Bucks.

Senate Bill No. 447, entitled:

An Act making an appropriation to the Department of Labor and Industry to meet the obligation of the Commonwealth to pay a part of the compensation payable for certain occupational diseases; and repealing and lapsing certain appropriations.

Senate Bill No. 448, entitled:

An Act to amend sections three hundred and eight and four hundred and one of the act approved the twenty-first day of June one thousand nine hundred and thirty-nine (P. L. 566) entitled "An act defining the liability of an employer to pay damages for occupational disease contracted by an employe arising out of and in the course of employment establishing an elective schedule of compensation providing procedure for the determination of liability and compensation thereunder imposing duties on the Department of Labor and Industry the Workmen's Compensation Board Workmen's Compensation Referees and deans of medical schools creating a medical board to determine controverted medical issues establishing an Occupational Disease Fund in custody of the State Workmen's Insurance Board imposing upon the Commonwealth a part of the compensation payable for certain occupational diseases making an appropriation and prescribing penalties by changing the method of handling the funds made available from time to time to meet the obligation of the Commonwealth to pay a part of the compensation payable for certain occupational diseases clarifying the procedure for establishing such liability of the Commonwealth and providing for the transfer and lapsing of certain moneys into the General Fund.

Senate Bill No. 457, entitled:

An Act to amend the act approved the twenty-fourth day of June, one thousand nine hundred and thirty-seven (P. L. 2051), entitled "An act relating to public assistance; providing for and regulating assistance to certain classes of persons designated and defined as dependent children, aged persons blind persons and other persons requiring relief; providing for the administration of this act by the Department of Public Assistance and county boards of assistance hereby created for this purpose; authorizing the Department of Public Assistance to cooperate with, and to accept and disburse moneys received from the United States Government for assistance to such persons; providing for the liquidation of the State Emergency Relief Board, Boards of Trustees of the Mother's Assistance Fund, and Boards of Trustees of Pension Fund for the Blind; and repealing laws relating to mothers' assistance, pensions for the blind, old age assistance, and the State Emergency Relief Board," as amended, by enabling the Department of Public Assistance to take measures to rehabilitate persons receiving assistance.

Senate Bill No. 459, entitled:

An Act to outlaw claims against the State Emergency Relief Board for which invoices have not been presented within six months of the date of this Act.

Senate Bill No. 463, entitled:

An Act to amend sections one and three of the act approved the tenth day of April one thousand nine hundred and twenty-nine (P. L. 478) entitled "Conferring authority on the Department of Highways or any county or township to enter upon private property adjacent to any public road or highway and place thereon snow fence between November first and April first of the succeeding year providing the method of ascertaining damages and payment of same by the authorities responsible for the maintenance of the said public road or highway to the owner of adjacent property and repealing certain acts" by including the Pennsylvania Turnpike Commission

Senate Bill No. 464, entitled:

An Act to amend the act, approved the twenty-fourth day of June, one thousand nine hundred and thirty-seven (P. L. 2051), entitled: "An act relating to public assistance, providing for and regulating assistance to certain classes of persons designated and defined as dependent children, aged persons, blind persons; and other persons requiring relief; providing for the administration of this act by the Department of Public Assistance and county boards of assistance hereby created for this purpose; authorizing the Department of Public Assistance to cooperate with, and to accept and disburse moneys received from, the United States Government for assistance to such persons; providing for the liquidation of the State Emergency Relief Board, Boards of Trustees of the Mothers' Assistance Fund, and Boards of Trustees of Pension Fund for the Blind; and repealing laws relating to Mothers' assistance, pensions for the blind, old age assistance, and the State Emergency Relief Board." as amended, by changing the residence requirement for general assistance.

Senate Bill No. 465, entitled:

An Act authorizing the Secretary of Highways to lengthen or shorten State highway routes under certain conditions and providing for the payment of damages.

Senate Bill No. 480, entitled:

An Act requiring the Department of Health to furnish free of charge all State and State-aided hospitals certain vaccines or serum used in the Pasteur treatment, and requiring such hospitals to furnish and inoculate all persons bitten by dogs in this Commonwealth with such vaccine or serum free of charge.

Senate Bill No. 484, entitled:

An Act defining the rate of interest and fixing the rate and the time from which interest shall begin to run on any award for damages for the taking of property in the construction or improvement of highways.

Senate Bill No. 486, entitled:

An Act relating to sheriffs' sales of personal property providing that when personal property is sold at sheriff's sale to the plaintiff in the writ of execution the sheriff shall accept in payment a receipt from such purchaser for the amount to which he is entitled under the writ subject to certain deductions for costs and priority claims

Senate Bill No. 489, entitled:

An Act authorizing the Department of Property and Supplies to acquire by gift from the Pennsylvania State College, on behalf of the Commonwealth of Pennsylvania that certain tract of land in Northumberland Borough, County of Northumberland, upon which is located the home of Joseph Priestley, and now the property of the Pennsylvania State College; providing for the control management and maintenance thereof by the said department and the Pennsylvania Historical Commission; authorizing the Pennsylvania Historical Commission to accept in trust from the American Chemical Society and other interested societies or individuals, such moneys as they may see fit to present to the Commonwealth to assist in the maintenance and development of this property as a permanent memorial; authorizing the Pennsylvania Historical Commission to accept as gifts or loan, such books, manuscripts, pamphlets, relics and furniture as interested societies or individuals may provide for the permanent utilization of the property as a museum of science; and making an appropriation.

Senate Bill No. 508, entitled:

An Act to amend section two thousand three hundred twenty of the act approved the ninth day of April one thousand nine hundred and twenty-nine (P. L. 177), entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments boards commissions and officers thereof including the boards of trustees of State Normal Schools or Teachers Colleges abolishing creating reorganizing or authorizing the reorganization of certain administrative departments boards and commissions defining the powers and duties of the Governor and other executive and administrative officers and of the several administrative departments boards commissions and officers fixing the salaries of the Governor Lieutenant-Governor and certain other executive and administrative officers providing for the appointment of certain administrative officers and of all deputies and other assistants and employes in certain departments boards and commissions and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments boards and commissions shall be determined" by authorizing the State Council for the Blind to furnish certain aids and services to needy blind persons or persons with impaired vision for the purpose of restoring or improving their vision and authorizing the State Council for the Blind to accept and expend Federal moneys in furtherance of such purpose.

Senate Bill No. 509, entitled:

An Act making an appropriation to the State Council for the Blind for use in supplying medical treatment, surgical operations, eyeglasses or other necessary aids or services to needy blind persons or persons with impaired vision.

Senate Bill No. 526, entitled:

A Supplement to the act, approved the first day of June, one thousand nine hundred and thirty-three (P. L. 1172), entitled "An act establishing certain streets in boroughs and incorporated towns as State highways; and providing for their construction and maintenance at the expense of the Commonwealth," establishing an additional route in the boroughs of South Langhorne, Langhorne Manor and Langhorne, Bucks County.

Senate Bill No. 528, entitled:

An Act making a deficiency appropriation to aid certain school districts.

Senate Bill No. 545, entitled:

An Act relating to the summoning and service of jurors (except grand jurors) in the civil and criminal courts of the several counties of the Commonwealth except cities of the first and second class.

Senate Bill No. 551, entitled:

An Act to amend route 25008 of section two of the act approved the first day of June one thousand nine hundred and thirty-three (P. L. 1172) entitled "An act establishing certain streets in boroughs and incorporated towns as State highways and providing for their construction and maintenance at the expense of the Commonwealth."

Senate Bill No. 552, entitled:

An Act to abolish and repeal route 25008 in Girard Township, Erie County, established by the act, approved the twenty-second day of June, one thousand nine hundred and thirty-one (Act No. 203), entitled "An act establishing certain township roads as State highways; authorizing their construction, maintenance and improvement under certain conditions and restrictions; limiting the obligation of the Commonwealth in the construction of certain structures located on such highways; conferring certain powers upon the Department of Highways and local authorities, persons, associations and corporations for sharing the cost of the maintenance and construction of such highways; and making an appropriation to carry out the provisions of said act."

Senate Bill No. 555, entitled:

An Act to amend the act approved the twenty-fourth day of June one thousand nine hundred and thirty-seven (P. L. 2051), entitled "An act relating to public assistance providing for and regulating assistance to certain classes of persons designated and defined as dependent children aged persons blind persons and other persons requiring relief providing for the administration of this act by the Department of Public Assistance and county boards of assistance hereby created for this purpose authorizing the Department of Public Assistance to cooperate with and to accept and disburse moneys received from the United States Government for assistance to such persons providing for the liquidation of the State Emergency Relief Board Boards of Trustees of the Mother's Assistance Fund and Boards of Trustees of Pension Fund for the Blind and repealing laws relating to mother's assistance pensions for the blind old age assistance and the State Emergency Relief Board" as amended by regulating the use or disclosure of public assistance lists and records and adding to penal provisions

Senate Bill No. 561, entitled:

An Act to amend the act approved the thirtieth day of March, one thousand nine hundred thirty-seven (P. L. 115), entitled "An act to provide for the permanent personal registration of electors in cities of the first class as a condition of their right to vote at elections and primaries, and their enrollment as members of political parties as a further condition of their right to vote at primaries, prescribing certain procedure for the conduct of elections and primaries and the challenge and proof of qualifications of electors and prescribing the powers and duties of citizens, parties, bodies of electors, registration commissions, commissioners, registrars, inspectors of registration and other appointees of registration commission, election officers, municipal officers, departments and bureaus, police officers, courts, judges, prothonotaries, sheriffs, county commissioners, peace officers, county treasurers, county controllers registrars of vital statistics, real estate brokers, rental agents, certain public service companies, persons, firms and corporations operating vehicles for moving furniture and household goods and boards of school directors and imposing penalties," as amended by amplifying and changing the powers and duties of the commission, its employes and commissioners, further regulating and changing the provisions of said act, relating to the appointment and removal of registrars and the powers, privileges, rights and duties of registrars, watchers, election officers, and electors, revising and changing the provisions of said act, relating to the times places and manner of registering electors and their enrollment as members of political parties, change of party enrollment, cancellation of registrations, preparation and distribution of street lists, appeals to the commission and to courts and the procedure thereon; the inspection of the records of the commission; providing for appeals by the commission to appellate courts, changing certain provisions of said act, relating to removal notices providing for the manner of reckoning time, imposing additional duties on certain officers and officials, clarifying and coordinating certain provisions of said act and imposing additional penalties.

Senate Bill No. 566, entitled:

An Act to amend clause (b) of section twenty-seven of the act, approved the seventh day of June, one thousand nine hundred and seventeen (P. L. 447), entitled "An act

relating to the administration and distribution of the estates of decedents and of minors, and of trust estates; including the appointment, bonds, rights, powers, duties, liabilities, accounts, discharge and removal of executors, administrators, guardians, and trustees, herein designated as fiduciaries; the administration and distribution of the estates of presumed decedents; widow's and children's exemptions; debts of decedents, rents of real estate as assets for payment thereof, the lien thereof, sales and mortgages of real estate for the payment thereof, judgments and executions therefor, and the discharge of real estate from the lien thereof; contracts of decedents for the sale or purchase of real estate; legacies, including legacies charged on land; the discharge of residuary estates and of real estate from the lien of legacies and other charges; the appraisement of real estate devised at a valuation; the ascertainment of the curtilage of dwelling houses or other buildings devised; the abatement and survival of actions, and the substitution of executors and administrators therein, and suits against fiduciaries; investments by fiduciaries; the organization of corporations to carry on the business of decedents; the audit and review of accounts of fiduciaries; refunding bonds; transcripts to the court of common pleas of balances due by fiduciaries; the rights, powers, and liabilities of nonresident and foreign fiduciaries; the appointment, bonds, rights, powers, duties, and liabilities of trustees durante absentia; the recording and registration of decrees, reports and other proceedings, and the fees therefor; appeals in certain cases; and, also, generally dealing with the jurisdiction, powers, and procedure of the orphans' court in all matters relating to fiduciaries concerned with the estates of decedents," by further regulating the discharge of charges on real estate.

Senate Bill No. 571, entitled:

An Act making an appropriation to the Local Government Commission to continue its work.

Senate Bill No. 574, entitled:

An Act to amend section twenty of the act, approved the thirtieth day of April, one thousand nine hundred and twenty-nine (P. L. 885), entitled "An act to provide for the incorporation and regulation of cooperative agricultural associations having capital stock; and defining agriculture so as to include persons engaged in agriculture, dairying, livestock raising, poultry raising, floriculture, mushroom growing, bee keeping, horticulture, and other allied occupations; and providing penalties," by limiting exemptions of and further exempting certain classes of associations formed under such act from State, county and municipal taxation, and from the duty of filing certain tax reports with State county or municipal agencies.

Senate Bill No. 575, entitled:

An Act to further amend sections 1, 2, 7 and 13 of the act, approved the third day of June, one thousand nine hundred and eleven (P. L. 639), entitled as amended, "An act relating to the right to practice medicine and surgery in the Commonwealth of Pennsylvania; and providing a Bureau of Medical Education and Licensure as a bureau of the Department of Public Instruction, and means and methods whereby the right to practice medicine and surgery and any of its branches may be obtained, and exemptions therefrom; and providing for an appropriation to carry out the provisions of said act, and providing for revocation and suspension of licenses by said bureau; and providing penalties for violations thereof, and repealing all acts or parts of acts inconsistent therewith" by defining certain terms; imposing certain additional duties upon the State Board of Medical Education and Licensure; further regulating the status of student internes, requiring foreign applicants to complete their citizenship; making provisions for graduate students from other States and Canada, providing for automatic suspension of registration in case of mental incompetency and exempting optometrists from the provisions of said act.

Senate Bill No. 587, entitled:

An Act to amend section three hundred six of the Act, approved the twenty-fourth day of June, one thousand nine hundred thirty-seven (P. L. 2017), entitled "An act creating in each county (except of the first class) as a separate corporation, and in each city of the first and second class as a part of the city government, an institution district for the care and maintenance of certain indigent persons and children; prescribing the powers and duties of county commissioners, county treasurers, city departments of public welfare, the State Department of Welfare, and the State Department of Public Assistance in respect thereto; abolishing certain poor districts and terminating the terms of directors, overseers, guardians and managers of the poor and poor district auditors, and providing for the temporary employment of certain of them, providing for the transfer, vesting, sale and disposition of the property of poor districts and the payment of their obligations; imposing certain existing obligations on institution districts and on the Commonwealth; regulating the affairs of poor districts until abolished; revising, amending, changing and consolidating the law relating to the care of the poor; and repealing existing laws," authorizing the county commissioners to appoint and fix the compensation of a solicitor for county institution districts in counties of the third class.

Senate Bill No. 588, entitled:

An Act to protect the debtors obligors or guarantors of debts for which judgments are entered or may be entered and owners of real property affected thereby and others indirectly liable for the payment thereof by prescribing the method of fixing the fair market value of such property sold on execution and limiting the amount collectible thereafter on such judgments

Senate Bill No. 592, entitled:

An Act to further amend section one of the act, approved the thirtieth day of May, one thousand eight hundred and ninety-three (P. L. 183), entitled "An act providing for the acquisition by the State of certain ground at Valley Forge for a public park, and making an appropriation therefor," reducing the amount of land to be acquired by the Valley Forge Park Commission.

Senate Bill No. 594, entitled:

An Act to amend the act, approved the twenty-fourth day of June, one thousand nine hundred and thirty-seven (P. L. 2051), entitled "An act relating to public assistance; providing for and regulating assistance to certain classes of persons designated and defined as dependent children, aged persons, blind persons and other persons requiring relief; providing for the administration of this act by the Department of Public Assistance and county boards of assistance hereby created for this purpose; authorizing the Department of Public Assistance to cooperate with, and to accept and disburse moneys received from the United States Government for assistance to such persons; providing for the liquidation of the State Emergency Relief Board, Boards of Trustees of the Mothers' Assistance Fund, and Boards of Trustees of Pension Fund for the Blind; and repealing laws relating to Mothers' Assistance, pensions for the blind, old age assistance, and the State Emergency Relief Board," as amended by redefining assistance to include work relief providing for the appointment of an administrator to supervise coordinate and regulate work relief projects authorizing the Department of Public Assistance with the approval of the Governor to contribute funds to and cooperate in the operation of work relief projects subject to certain provisions and conditions making certain acts unlawful and imposing penalties.

Senate Bill No. 597, entitled:

An Act to further amend section seven hundred one of the act, approved the third day of June, one thousand

nine hundred thirty-seven (P. L. 1225), entitled "An act concerning game and other wild birds and wild animals; and amending, revising, consolidating, and changing the law relating thereto," providing for permits authorizing possession of flesh of lawfully killed big game animals after open season therefor.

Senate Bill No. 598, entitled:

An Act to add section two thousand two and one-tenth to the act approved the eighteenth day of May, one thousand nine hundred eleven, (P. L. 309), entitled "An Act to establish a public school system in the Commonwealth of Pennsylvania, together with the provisions by which it shall be administered, and prescribing penalties for the violation thereof; providing revenue to establish and maintain the same, and the method of collecting such revenue; and repealing all laws, general, special or local, or any parts thereof, that are or may be inconsistent therewith," providing for cooperation of State Teachers Colleges at the request of the State Council of Defense with other agencies in furthering national defense programs and activities.

Senate Bill No. 599, entitled:

An Act to amend section three of the act approved the twenty-third day of March, one thousand eight hundred and sixty-five (P. L. 607), entitled "An act for the better management of the Allegheny county prison" by requiring all contracts involving an expenditure exceeding one hundred dollars to be in writing and with the county controller and prohibiting the making of any contract involving the expenditure of over five hundred dollars unless made with the lowest and best bidders after due advertising and requiring all purchases to be made through the purchasing department of the county and providing for the opening of bids and the award of contracts.

Senate Bill No. 618, entitled:

An Act to further amend section two of the act, approved the third day of May, one thousand nine hundred thirty-three (P. L. 252), entitled, as amended "An act to regulate and restrain the traffic in malt and brewed beverages, as herein defined; providing for the licensing of the manufacture, transportation, sale and distribution of such beverages; imposing license and permit fees, and providing for collection and distribution thereof; restricting ownership and interest in licensed places; permitting municipalities and townships, by vote of the electors, to prevent the licensing therein of places where such beverages may be sold for consumption on the premises, and regulating elections for this purpose; imposing duties upon the Pennsylvania Liquor Control Board, quarter sessions courts, districts attorneys, the Department of Justice, proper authorities of political subdivisions of the State, and election officers; providing penalties; and repealing existing acts, by permitting clubs to waive or reduce or pay dues payable by members in military service.

Senate Bill No. 619, entitled:

An Act to further amend section two of the act, approved the tweny-ninth day of November, one thousand nine hundred thirty-three (P. L. 15, 1933-34), entitled "An act to regulate and restrain the sale, manufacture, possession, transportation, importation, traffic in, and use of alcohol, and alcoholic and malt or brewed beverages; conferring powers and imposing duties upon the Pennsylvania Liquor Control Board and its agents, the Department of Public Instruction, other officers of the State government, courts, and district attorneys, authorizing the establishment and operation of State stores for the sale of such beverages not for consumption on the premises, and the granting of licenses, subject to local option, to sell such beverages for consumption on and off the premises; forbidding importation or bringing of such beverages into the State except as herein provided; prohibiting certain sales or practices in, connection with, and transactions in such beverages by licensees and others; providing for the forfeiture of certain property; making disposition of the receipts from State stores and of fees; and imposing penalties," by permitting clubs to waive or reduce dues payable by members in military service.

Senate Bill No. 624, entitled:

An Act to further amend clause seven of section one thousand two hundred ten of the act approved the eighteenth day of May one thousand nine hundred eleven (P. L. 309), entitled "An act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith" by increasing the minimum salaries of teachers and providing annual increments in school districts of the fourth class and requiring the Commonwealth to make certain payments on account of such salaries.

Senate Bill No. 645, entitled:

An Act to reenact and further amend the title and the act, approved the first day of June, one thousand nine hundred thirty-three (P. L. 1409), entitled as amended "An act creating the Highway Mining Commission, with judicial powers, to have exclusive jurisdiction over the mining of coal within or under the right of ways of State highways; and the assessment and award of benefits, improvements, and damages for coal required to be left in place by reason of the obligation to furnish support for State highway routes, whether payable by the Commonwealth or a county; authorizing counties to enter into agreements to indemnify or reimburse the Commonwealth for damages to highways caused by the removal of coal under or adjacent thereto," by extending said act, as amended, to all lands, easements and right of ways purchased, condemned, or otherwise acquired by the Commonwealth; waiving vertical and lateral support therefor under certain conditions; reserving the right to acquire absolute vertical and lateral support; reserving the power to establish detours for the removal of coal underlying State highways; renaming the Highway Mining Commismission and making certain changes in its membership and procedure; providing for appeals to the court of common pleas from orders assessing damages for coal required to be left in place; and further clarifying the provisions of the act.

Senate Bill No. 653, entitled:

An Act regulating and improving the civil service of certain departments and agencies of the Commonwealth vesting in the State Civil Service Commission and a Personnel Director certain powers and duties providing for classification of positions adoption of compensation schedules and certification of payrolls, imposing duties upon certain officers and employes of the Commonwealth, authorizing service to political subdivisions of the Commonwealth in matters relating to civil service, defining certain crimes and misdemeanors, imposing penalties, making an appropriation and repealing certain acts and parts thereof.

Senate Bill No. 654, entitled:

An Act to amend sections two hundred one and four hundred fifty-two of the act approved the ninth day of April one thousand nine hundred and twenty-nine (P. L. 177), entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments boards commissions and officers thereof including the boards of trustees of State Normal Schools or Teachers Colleges abolishing creating reorganizing or authorizing the reorganization of certain administrative departments boards and commissions defining the powers and duties of the Governor and other executive and administrative officers and of the several

administrative departments boards commissions and officers fixing the salaries of the Governor Lieutenant-Governor and certain other executive and administrative officers providing for the appointment of certain administrative officers and of all deputies and other assistants and employes in certain departments boards and commissions and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments boards and commissions shall be determined" as amended in order to establish the State Civil Service Commission as an independent administrative commission in the Executive Department and making further provision with respect to the qualifications and expense of the commission.

Senate Bill No. 655, entitled:

An Act to amend the first paragraph of section one of the act approved the seventh day of June one thousand nine hundred seventeen (P. L. 570), entitled "An act fixing the salaries and providing for the expenses of county commissioners in the counties of this Commonwealth" by increasing the salary of county commissioners in eighth class counties.

Senate Bill No. 656, entitled:

A Supplement to the act, approved the first day of June, one thousand nine hundred and thirty-three (P. L. 1172), entitled "An act establishing certain streets in boroughs and incorporated towns as State highways, and providing for their construction and maintenance at the expense of the Commonwealth," establishing an additional route in the borough of Sellersville, Bucks County.

Senate Bill No. 697, entitled:

A Joint Resolution proposing an amendment to section one article nine of the Constitution of the Commonwealth of Pennsylvania.

Senate Bill No. 712, entitled:

An Act to amend section one and section two of the act approved the seventeenth day of May, one thousand nine hundred and twenty-one (P. L. 899), entitled "An act establishing a State Highway in the County of Lebanon; providing for its location, construction, improvement, and maintenance by the Commonwealth," by amending the State Highway Route established by said act and providing that said State Highway shall be located after consultation with the Executive Director of the State Game Commission instead of after consultation with the Adjutant General of the Commonwealth.

Senate Bill No. 715, entitled:

An Act to repeal certain obsolete acts relating to paupers and the management, control and operation of poor districts.

Senate Bill No. 724, entitled:

An Act to amend section four hundred one of the act, approved the ninth day of April, one thousand nine hundred and twenty-nine (P. L. 177), entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments, boards, commissions, and officers thereof, including the boards of trustees of State Normal Schools, or Teachers Colleges; abolishing, creating, reorganizing or authorizing the reorganization of certain administrative departments, boards, and commissions; defining the powers and duties of the Governor and other executive and administrative officers, and of the several administrative departments, boards, commissions, and officers; fixing the salaries of the Governor, Lieutenant-Governor, and certain other executive and administrative officers; providing for the appointment of certain administrative officers, and of all deputies and other assistants and employes in certain departments, boards, and commissions; and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments, boards and commissions shall be determined," by providing for the length of the terms and the method of appointing the members of the boards of trustees of various State Schools and Teachers Colleges enumerated.

Senate Bill No. 726, entitled:

An Act to provide for two additional law judges of the Court of Common Pleas of the Fifth Judicial District.

Senate Bill No. 782, entitled:

An Act to further amend subsections (a), (b), and (c), of section one thousand two hundred and one of the act, approved the twenty-eighth day of May, one thousand nine hundred thirty-seven (P. L. 1053), entitled "An act relating to the regulation of public utilities; defining as public utilities certain corporations, companies, associations, and persons; providing for the regulation of public utilities, including, to a limited extent, municipalities engaging in public utility business, by prescribing, defining, and limiting their duties, powers, and liabilities, and regulating the exercise, surrender or abandonment of their powers, privileges, and franchises; defining and regulating contract carriers by motor vehicle and brokers in order to regulate effectively common carriers by motor vehicle; conferring upon the Pennsylvania Public Utility Commission the power and duty of supervising and regulating persons, associations, companies, and corporations including, to a limited extent, municipal corporations subject to this act, and administering the provisions of this act; authorizing the commission to fix temporary rates; placing the burden of proof on public utilities to sustain their rates and certain other matters; authorizing a permissive or mandatory sliding scale method of regulatng rates; providing for the supervision of financial and contractual relations between public utilities and affiliated interests, and supervision and regulation of accounts and securities or obligations issued, assumed, or kept by persons, associations, companies, corporations or municipal corporations subject to this act; conferring upon the commission power to vary, reform, or revise certain contracts; conferring upon the commission the exclusive power to regulate or order the construction, alteration, relocation, protection, or abolition of crossings of facilities of public utilities, and of such facilities by or over public highways, to appropriate property for the construction or improvement of such crossings; and to award or apportion resultant costs and damages; authorizing owners of such property to sue the Commonwealth for such damages; providing for ejectment proceedings in connection with the appropriation of property for crossings; conferring upon the commission power to control and regulate budgets of public utilities; imposing upon persons, associations, companies, and corporations (except municipal corporations) subject to regulation, the cost of administering this act; prescribing and regulating practice and procedure before the commission and procedure for review by the courts of commission action giving the court of common pleas of Dauphin County exclusive original jurisdiction over certain proceedings; prescribing penalties, fines, and imprisonment for violations of the provisions of this act and regulations and orders of the commission, and the precedure for enforcing such fines and penalties; and repealing legislation supplied and superseded by or inconsistent with this act," further providing for assessment of regulatory expenses upon public utilities.

Senate Bill No. 784, entitled:

An Act to amend section four hundred three of the act, approved the fifteenth day of May, one thousand nine hundred and thirty-three (P. L. 565), entitled "An act relating to the powers and duties of the Department of

Banking and the Secretary of Banking in exercising supervision over, and taking possession of and conducting or liquidating the business and property of, corporations, associations, and persons receiving deposits or otherwise transacting a banking business, corporations acting as fiduciaries, and building and loan associations; providing for the payment of the expenses of the Department of Banking by supervised corporations, associations, or persons, and appropriating the Banking Department Fund; authorizing the Department of Banking, under certain circumstances, to examine corporations, associations, or persons, affiliated, or having business transactions with supervised, corporations, associations or persons; authorizing appeals to the Supreme Court, and prescribing and limiting the powers and duties of certain other courts and their prothonotaries, registers of wills, recorders of deeds, and certain State departments, commissions, and officers; authorizing certain local public officers and State departments to collect fees for services rendered under this act; providing penalties; and repealing certain acts and parts of acts," further regulating the publication of advertisements and notices required under the provisions of said act.

Senate Bill No. 785, entitled:

An Act to further amend section nine of the act, approved the first day of May, one thousand nine hundred and thirteen (P. L. 138), entiteld "An act defining vocational education; providing for the establishment and regulation of vocational schools; and providing for State aid in the maintenance thereof; and for the payment of tuition by certain school districts, and reimbursement thereof by the State," further regulating State reimbursements to school districts for vocational education; and making provision for additional types of vocational education for which funds may be provided by Congress.

Senate Bill No. 787, entitled:

An Act to further amend the act approved the twenty-eighth day of May one thousand nine hundred and thirty-seven (P. L. 1053) entitled "An act relating to the regulation of public utilities defining as public utilities certain corporations companies associations and persons providing for the regulation of public utilities including to a limited extent municipalities engaging in public utility business by prescribing defining and limiting their duties powers and liabilities and regulating the exercise surrender or abandonment of their powers privileges and franchises defining and regulating contract carriers by motor vehicle and brokers in order to regulate effectively common carriers by motor vehicle conferring upon the Pennsylvania Public Utility Commission the power and duty of supervising and regulating persons associations companies and corporations including to a limited extent municipal corporations subject to this act and administering the provisions of this act authorizing the commission to fix temporary rates placing the burden of proof on public utilities to sustain their rates and certain other matters authorizing a permissive or mandatory sliding scale method of regulating rates providing for the supervision of financial and contractural relations between public utilities and affiliated interests and supervision and regulation of accounts and securities or obligations issued assumed or kept by persons associations companies corporations or municipal corporations subject to this act conferring upon the commission power to vary reform or revise certain contracts conferring upon the commission the exclusive power to regulate or order the construction alteration relocation protection or abolition of crossings of facilities of public utilities and of such facilities by or over public highways to appropriate property for the construction or improvement of such crossings and to award or apportion resultant costs and damages authorizing owners of such property to sue the Commonwealth for such damages providing for ejectment proceedings in connection with the appropriation of property for crossings conferring upon the commission power to control and regulate budgets of public utilities imposing upon persons associations companies and corporations (except municipal corporations) subject to regulation the cost of administering this act prescribing and regulating practice and procedure before the commission and procedure for review by the courts of commission action giving the court of common pleas of Dauphin County exclusive original jurisdiction over certain proceedings prescribing penalties fines and imprisonment for violations of the provisions of this act and regulations and orders of the commission and the procedure for enforcing such fines and penalties and repealing legislation supplied and superseded by or inconsistent with this act" by exempting certain transportation from the terms "common carrier by motor vehicle" and "contract carrier by motor vehicle" further regulating the right to render service as a contract carrier by motor vehicle prohibiting the imposition of costs upon the commission in certain appeals to the Superior Court subjecting persons and corporations to certain civil penalties for violating the act prohibiting motor carriers common carriers by airplane and any operator or employe of such carriers and brokers from exceeding the authority of the certificate of public convenience granted such carriers and brokers and changing the penalty with respect thereto and eliminating the requirement that certain attempts to evade or defeat regulation for carriers or brokers must be fraudulent in order to be punishable.

Senate Bill No. 788, entitled:

An Act to amend sections one and two of the act, approved the eighth day of May, one thousand nine hundred and twenty-nine (P. L. 1647), entitled "An act relating to the registration of motor vehicles, and the licensing of certain operators thereof; and providing for the suspension of the registration of any motor vehicle, or of the operator's license of any operator of a motor vehicle, by the Secretary of Revenue, for violation of the provision of the public utility company law; authorizing the recission of such suspension; and providing for the disposition of fees," by extending the provisions thereof to contract carriers by motor vehicle.

Senate Bill No. 789, entitled:

An Act to amend section eleven of the act, approved the thirty-first day of March, one thousand nine hundred and thirty-seven (P. L. 160), entitled "An act creating a commission to be known as the Pennsylvania Public Utility Commission; defining in part the powers and duties of such commission; abolishing The Public Service Commission of the Commonwealth of Pennsylvania, terminating the terms of the members thereof, and transferring to the Pennsylvania Public Utility Commission the records, employes, property, and equipment of The Public Service Commission of the Commonwealth of Pennsylvania; authorizing the Pennsylvania Public Utility Commission to appear in and complete all pending proceedings, legal or otherwise, instituted before, by or against The Public Service Commission of the Commonwealth of Pennsylvania; providing that all certificates of public convenience, contracts, orders, and rules and regulations of the latter commission shall remain effective until repealed, changed or modified by the Pennsylvania Public Utility Commission, and transferring and appropriating to the Pennsylvania Public Utility Commission any unexpended balance of any existing appropriation to The Public Service Commission of the Commonwealth of Pennsylvania," by expressly providing for administration of the Public Utility Law of June first, one thousand nine hundred and thirty-seven (P. L. 1053), by the Public Utility Commission; and directing said commission to certify certain questions of fact as to the purity of water to the Department of Health.

Senate Bill No. 796, entitled:

An Act to amend the act, approved the twenty-second day of June, one thousand nine hundred and thirty-one (P. L. 594), entitled "An act establishing certain township

roads as State highways; authorizing their construction maintenance and improvement under certain conditions and restrictions; limiting the obligation of the Commonwealth in the construction of certain structures located on such highways; conferring certain powers upon the Department of Highways and local authorities, persons, associations and corporations for sharing the cost of the maintenance and construction of such highways; and making an appropration to carry out the provisions of said act," as amended, by changing Route 36174, Lancaster County.

Senate Bill No. 801, entitled:

An Act to validate and confirm certain contracts heretofore entered into by boards of school directors where there is no evidence of fraud or conspiracy and to authorize ratify confirm and validate payments on such contracts by the school district.

Senate Bill No. 806, entitled:

An Act to further amend clause (a) of section one thousand two hundred sixteen of the act, approved the eighteenth day of May, one thousand nine hundred eleven (P. L. 309), entitled, "An act to establish a public school system in the Commonwealth of Pennsylvania, together with the provisions by which it shall be administered, and prescribing penalties for the violation thereof; providing revenue to establish and maintain the same, and the method of collecting such revenue; and repealing all laws, general, special or local, or any parts thereof, that are or may be inconsistent therewith," by further regulating sabbatical leaves for certain school employes.

Senate Bill No. 823, entitled:

An Act to amend the act, approved the fifteenth day of May, one thousand nine hundred and thirty-three (P. L. 624), entitled "An act relating to the business of banking, and to the exercise of fiduciary powers by corporations; providing for the organization of corporations with fiduciary powers, and of banking corporations, with or without fiduciary powers, including the conversion of National banks into State banks, and for the licensing of private bankers; defining the rights, powers, duties, liabilities, and immunities of such corporations, of existent corporations authorized to engage in a banking business, with or without fiduciary powers, of private bankers, and of the officers, directors, trustees, shareholders, attorneys, and other employes of all such corporations or private bankers, or of affiliated corporations, associations, or persons; restricting the exercises of banking powers by any other corporation, association, or person, and of fiduciary powers by any other corporation; conferring powers and imposing duties upon the courts, prothonotaries, recorders of deeds, and certain State departments, commissions; and officers; imposing penalties; and repealing certain acts and parts of acts," as amended, by further providing for the eligibility of directors or trustees of incorporated institutions and further providing for the powers liabilities and immunities and limitations upon the powers and liabilities of corporations or persons authorized to engage in a banking or fiduciary business or both; and of affiliates of such corporations or persons; and of officers, directors, trustees and employes of such corporations and persons.

Senate Bill No. 883, entitled:

An Act to enlarge the powers of the Navigation Commission for the Delaware River and its navigable tributaries with respect to the maintenance, operation and financing of a nautical school for the Commonwealth of Pennsylvania.

Senate Bill No. 905, entitled:

An Act to further amend clause (a) of section two of the act, approved the seventh day of June, one thousand nine hundred and seventeen (P. L. 388), entitled "An act relating to the jurisdiction, powers, and procedure of the orphans' court and the court of common pleas as to sales, mortgages, conveyances on ground-rents, leases, extinguishment of ground-rents, partition, exchange, squaring and adjusting of lines between adjoining owners, consolidation and combination of mining lands and the leasing thereof, the joining by owners of undivided interests in making and taking conveyances in order to change the route or location of any right of way or passage over adjoining or other lands, and the subdivision of premises so as to command the highest price or greatest rents, and, for such purpose, the laying out or dedication of roads, streets, and alleys, or the vacation of such as have not been accepted by the public authorities, where the court shall be of the opinion that such decree will be to the interest and advantage of all those interested; and where the legal title is held by minors, lunatics, habitual drunkards, or weak-minded persons, a married person whose spouse is a lunatic, or has abandoned him or her for one year or has been absent and unheard of for seven years, by corporations having no capacity to convey or by any unincorporated association, by any religious, beneficial, or charitable society or association, incorporated or unincorporated, and the title is subject to forfeiture if real estate is held in excess of the amount prescribed by its charter or by law; by a corporation, or individual or individuals, and is subject to a trust of any description whatever; by any person as to whom a presumption of death may have arisen, or any interest wherein is held by any person under legal disability to dispose thereof; where the legal title is an estate tail or is subject to the lien of debts of a decedent not of record, contingent remainders, executory devises, or remainders to a class, some or all of whom may not be in being or ascertained; where estates shall have been devised or granted for special or limited purposes, where there is a power of sale but the time may not have arrived for its exercise, any preliminary act may not have been done to bring it into exercise, the time limited for its exercise may have expired, or any one or more persons required to consent or join in its exercise may be non compos mentis, have removed out of the State, have died, refuse to act, unreasonably withhold consent, or be absent and unheard of; where there has been or shall be a defective appointment in any deed or will, and the necessary power is not given to the executor, devisee, or appointee to make sale and conveyance; where a trust has been created, and no power conferred on the trustee to do any of the acts which the court is hereby empowered to authorize or confirm; and to the effects of such decrees," extending the provisions of said act to cases where real estate is held by entireties, and the one spouse has been declared weak-minded or mentally incomptent.

Senate Bill No. 908, entitled:

An Act to amend section seventeen of the act approved the seventh day of June one thousand nine hundred and seventeen (P. L. 415) entitled "An act relating to the qualification jurisdiction powers and duties of registers of wills and regulating proceedings before said registers and the costs thereof the effects of their acts and appeals therefrom" further regulating proceedings before the register of wills and in the orphans' court.

Senate Bill No. 913, entitled:

An Act authorizing and directing the Department of Revenue to prepare airport approach plans for publicly owned airports; empowering and directing such department and also counties, municipalities and other political subdivisions to promulgate, administer and enforce airport zoning regulations, limiting the height of structures excepting those structures that are under the jurisdiction of the Pennsylvania Public Utility Commission and objects of natural growth, and otherwise regulating the use of property in the vicinity of such airports; pro-

viding for the granting of zoning permits and variances and for appeals from zoning regulations; authorizing the acquisition by purchase, grant or condemnation of air rights and other interests in land; and providing penalties and remedies for violations of this act or of any ordinance or regulation made under the authority conferred thereby.

Senate Bill No. 934, entitled:

An Act requiring recorders of deeds to accept and record deeds prior to registry, where registry is required, and to have the same registered; and fixing fees therefor

Senate Bill No. 935, entitled:

An Act to amend sections six hundred four, six hundred five, and six hundred seven and to further amend section two thousand four hundred seven of the act, approved the ninth day of April, one thousand nine hundred and twenty-nine (P. L. 177), entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments, boards, commissions, and officers thereof, including the board of trustees of State Normal Schools, or Teachers Colleges; abolishing, creating, reorganizing or authorizing the reorganization of certain administrative departments, boards, and commissions; defining the powers and duties of the Governor and other executive and administrative officers, and of the several administrative departments, boards, commissions, and officers; fixing the salaries of the Governor, Lieutenant-Governor, and certain other executive and administrative officers; providing for the appointment of certain administrative officers, and of all deputies and other assistants and employes in certain departments, boards, and commissions; and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments, boards and commissions shall be determined," by further defining the duties of the Department of Internal Affairs.

Senate Bill No. 994, entitled:

An Act making an appropriation to the Thomas Jefferson Bicentennial Commission of Pennsylvania.

Senate Bill No. 996, entitled:

An Act to further amend section four of the act approved the twenty-eighth day of June one thousand nine hundred thirty-five (P. L. 452) entitled as amended "An act to promote the welfare of the people of the Commonwealth creating a General State Authority as a body corporate and politic with power to construct improve equip furnish and operate projects and to lease the same and to fix and collect fees rentals and charges for the use thereof authorizing and regulating the issuance of bonds by said Authority and providing for the payment of such bonds and the rights of the holders thereof and to enter into agreements with the Government of the United States or any Federal agency and authorizing the Department of Property and Supplies to grant assign convey or lease to the Authority lands of the Commonwealth and interests therein and to acquire lands therefor granting the right of eminent domain and providing that no debt of the Commonwealth shall be incurred in the exercise of any of the powers granted by this act" empowering the General State Authority through the exercise of its powers under existing law to construct equip furnish maintain and operate an official residence in the City of Harrisburg for the use of the Governor of the Commonwealth

Senate Bill No. 998, entitled:

An Act to authorize the Secretary of Property and Supplies with the approval of the Governor to sell convey or exchange the Executive Mansion located at Front and Barbara Streets in the City of Harrisburg County of Dauphin

Senate Bill No. 1004, entitled:

An Act making an appropriation to the Department of Public Assistance for the purpose of carrying out the Public Assistance Law for the two fiscal years beginning June first one thousand nine hundred forty-one and providing for certain allocations from such appropriation by the Department of Public Assistance and also allocation to the Department of the Auditor General and the Treasury Department.

Senate Bill No. 1006, entitled

An Act to amend Route 18033 established by amendment to the act, approved the twenty-second day of June, one thousand nine hundred and thirty-one (P. L. 594), entitled "An act establishing certain township roads as State highways authorizing their construction, maintenance and improvement under certain conditions and restrictions; limiting the obligation of the Commonwealth in the construction of certain structures located on such highways, conferring certain powers upon the Department of Highways and local authorities, persons, associations and corporations for sharing the cost of the maintenance and construction of such highways; and making an appropriation to carry out the provisions of said act."

Senate Bill No. 1016, entitled:

An Act providing that the Commonwealth of Pennsylvania enter into the interstate compact to conserve oil and gas with other States of the United States of America, which are signatories thereto.

Senate Bill No. 1017, entitled:

An Act to amend section one of the act approved the fifteenth day of May one thousand eight hundred and seventy-four (P. L. 186) entitled "An act declaring what offices are incompatible" by specifically exempting persons serving in the armed forces of the United States during any war or state of emergency.

Senate Bill No. 1019, entitled:

An Act authorizing the Department of Property and Supplies, with the approval of the Governor and the Board of Trustees of Pennsylvania Soldiers' Orphan School to acquire a certain tract of land for the use of said school and making an appropriation therefor.

Senate Bill No. 1023, entitled:

An Act to further amend Section 902 and to repeal Section 1033 of the act, approved the first day of May, one thousand nine hundred twenty-nine (P. L. 905), entitled "An act for the protection of the public safety; regulating the use of highways and the operation of vehicles, tractors, street cars, trackless trolley omnibuses, bicycles, pedestrians, and the riding of animals upon the highways of this Commonwealth; providing for the titling, including liens, encumbrances, and legal claims; registration of certain vehicles and licensing the operators thereof, upon payment of prescribed fees; prescribing and limiting the powers of local authorities to deal with the subject matter of this act; conferring powers and imposing duties upon the Department of Revenue, the Department of Highways, peace officers, mayors, burgesses, magistrates, aldermen, justices of the peace, the courts and the clerks thereof, owners of vehicles, and garage keepers; providing that records are admissible as evidence; imposing upon owners, counties, cities, boroughs, incorporated towns, townships, within the Commonwealth, liability for damages caused by the negligent operation of their motor vehicles; imposing penalties; imposing certain costs upon counties; providing for the disposition of fines, forfeitures, fees, and miscellaneous receipts; making an appropriation and providing for refunds;" regulating vehicles and loads on vehicles transporting other vehicles and repealing existing provisions relating thereto.

Senate Bill No. 1040, entitled:

An Act to further amend section one of the act approved the eighth day of July one thousand nine hundred and nineteen (P. L. 737) entitled "A supplement to an act entitled 'An act to establish a Board of Commissioners of Navigation for the River Delaware and its navigable tributaries regulating their jurisdiction over ships vessels and boats and wharves piers bulkheads docks slips and basins and exempting cities of the first class from certain of its provision and making an appropriation therefor' approved the eighth day of June Anno Domino one thousand nine hundred and seven authorizing and directing the commissioners to provide and maintain a nautical school for the education and training of pupils from the various counties of the Commonwealth of Pennsylvania in the science and practice of navigation and making an appropriation for two years from the first day of June Anno Domino one thousand nine hundred and nineteen towards its maintenance" giving preference to applications for admission of sons of persons who served during any war in which the United States shall have engaged.

Senate Bill No. 1041, entitled:

An Act to amend the title and section one of the act, approved the twenty-first day of May, one thousand nine hundred and twenty-three (P. L. 295), entitled "An act authorizing and empowering counties of the second class in this Commonwealth to acquire by lease, purchase, or condemnation proceedings any land within the county for the purpose of establishing and maintaining airdromes or aviation landing fields; providing for the procedure in case of condemnation, and the extent of the title acquired; authorizing the lease by the county of portions of said land to individuals or corpoations upon such terms as may be fixed, and the lease thereof to the Government of the United States upon nominal rental; authorizing and empowering the county to use land now owned by it for such purposes; and authorizing joint operation by said county and any city within the county of airdromes or aviation landing fields, where such city is authorized to establish and maintain the same," by extending the provisions of such act to all counties of this Commowealth except counties of the eighth class.

Senate Bill No. 1047, entitled:

An Act to further amend the act approved the seventh day of May, one thousand nine hundred twenty-three (P. L. 151) entitled, "An act defining and regulating the business of dry cleaning and dyeing; providing for the maintenance, construction, and inspection of dry cleaning and dyeing buildings and establishments; providing for enforcing the act, and penalties for violation thereof;" providing for the administration and enforcement of said act by the Department of Labor and Industry; exempting from certain provisions of said act certain plants and systems exclusively using a petroleum solvent having a flash point of one hundred and forty degrees Fahrenheit; and empowering the Department of Labor and Industry to make, alter, amend and repeal rules and regulations.

Senate Bill No. 1054, entitled:

An Act to amend sections four, five, twenty-six, thirty, thirty-one and thirty-eight of the act, approved the twenty-ninth day of April, one thousand nine hundred thirty-seven (P. L. 487), entitled "An act to provide for the permanent personal registration of electors in boroughs, towns, and townships as a condition of their right to vote at elections and primaries, and their enrollment as members of political parties as a further condition of their right to vote at primaries; prescribing certain procedure for the conduct of elections and primaries and the challenge and proof of qualifications of electors; requiring the county commissioners of the various counties to act as a registration commission therefor; and prescribing the powers and duties of citizens, parties, political bodies, registration commissions, commissioners, registrars, inspectors of registration and other appointees of registration commissions, county election boards, election officers, municipal officers, departments and bureaus, police officers, courts, judges, prothonotaries, sheriffs, county commissioners, peace officers, county treasurers, county controllers, registrars of vital statistics, certain public utility corporations, real estate brokers, rental agents, and boards of school directors; and imposing penalties," extending the powers and duties of the registration commission and further regulating the check-up of electors and the cancellation of their registrations by the commission.

Senate Bill No. 1055, entitled:

An Act to amend sections five, six, twenty-seven, thirty-one, thirty-two and thirty-nine of the act, approved the twenty-fifth day of May, one thousand nine hundred and thirty-seven (P. L. 849) entitled "An act to provide for the permanent personal registration of electors in cities of the third class as a condition of their right to vote at elections and primaries, and their enrollment as members of political parties as a further condition of their right to vote at primaries; prescribing certain procedure for the conduct of elections and primaries and the challenge and proof of qualifications of electors; and prescribing the powers and duties of citizens, parties political bodies, registration commissions, commissioners, registrars, inspectors of registration and other appointees of registration commissions, county election boards, election officers, municipal officers, departments and bureaus, police officers, courts, judges, prothonotaries, sheriffs, county commissioners, peace officers, county treasurers, county controllers, registrars of vital statistics, certain public utility corporations, real estate brokers, rental agents, and boards of school directors; imposing penalties; and repealing existing legislation," extending the powers and duties of the registration commission and further regulating the check-up of electors and the cancellation of their registrations by the commission.

Senate Bill No. 1087, entitled:

An Act authorizing the Secretary of Property and Supplies to sell and convey certain tracts of coal lands in Hempfield Township, Westmoreland County, Pennsylvania.

Senate Bill No. 1091, entitled:

An Act to amend the act, approved the thirtieth day of March, one thousand nine hundred thirty-seven (P. L. 115), entitled, "An act to provide for the permanent personal registration of electors in cities of the first class as a condition of their right to vote at elections and primaries, and their enrollment as members of political parties as a further condition of their right to vote at primaries; prescribing certain procedure for the conduct of elections and primaries and the challenge and proof of qualifications of electors; and prescribing the powers and duties of citizens, parties, bodies of electors, registration commissions, commissioners, registrars, inspectors of registration and other appointees of registration commission, election officers, municipal officers, departments and bureaus, police officers, courts, judges, prothonotaries, sheriffs, county commissioners, peace officers, county treasurers, count controller , registrars of vital statistics, real estate brokers, rental agents, certain public service companies, persons, firms, and corporations operating vehicles for moving furniture and household goods, and boards of school directors; and imposing penalties," as amended, by requiring and providing for the registration of persons in military service to entitle them to vote at any election.

Senate Bill No. 1095, entitled:

An Act to further amend paragraph nineteen of section one thousand two hundred and ten of the act, approved the eighteenth day of May, one thousand nine hundred and eleven (P. L. 309), entitled "An act to establish a

public school system in the Commonwealth of Pennsylvania, together with the provisions by which it shall be administered, and prescribing penalties for the violation thereof; providing revenue to establish and maintain the same, and the method of collecting such revenue; and repealing all laws, general, special or local, or any parts thereof, that are or may be inconsistent therewith," providing for minimum salary and increments of part-time teachers of children of exceptional physical or mental condition unable to attend regular public school, and for payments by the Commonwealth on account thereof.

Senate Bill No. 1098, entitled:

An Act relating to the sale, transfer, assignment and pledge of choses in action and requiring the assignor of accounts receivable and choses in action to make appropriate record of the fact of such assignment, and prescribing penalties for failure to do so.

Senate Bill No. 1102, entitled:

An Act to further amend the act, approved the eleventh day of March, one thousand nine hundred and nine (P. L. 13), entitled "An act for the protection of the public health, by prohibiting the sale, offering for sale, exposing for sale, or having in possession with intent to sell, of eggs unfit for food, as therein defined, and prohibiting the use of such eggs in the preparation of food products; providing penalties for the violation thereof, and providing for the enforcement thereof," by providing for the licensing by the Department of Agriculture of persons, copartnerships, associations and corporations engaged in the business of breaking eggs and separating the contents thereof for any purpose; regulating the opening of eggs unfit for food; and providing for the denaturing of such eggs; authorizing the Department of Agriculture to take samples of eggs for the purpose of analysis; further regulating the right to sell or otherwise deal with eggs subjected to incubation; providing that certain violations of the act shall be punishable in summary proceedings; prescribing penalties, and repealing certain legislation.

Senate Bill No. 1114, entitled:

An Act authorizing the Department of Public Instruction with the approval of the Board of Trustees of the Indiana State Teachers' College to contract with the Borough of Indiana for the erection of a sewage disposal plant and the connection therewith and use thereof by the Indiana State Teachers' College and the payment of part of the cost of maintenance thereafter; and making an appropriation.

Senate Bill No. 1172, entitled:

An Act making an appropriation to the Department of Health for the purpose of equipping and operating a sanitorium for the treatment of cancer and for cancer research.

Senate Bill No. 1173, entitled:

An Act authorizing the Department of Property and Supplies to purchase coal underlying the Cresson State Sanatorium and making an appropriation therefor.

Senate Bill No. 1186, entitled:

An Act authorizing the Department of Military Affairs of the Commonwealth of Pennsylvania to arrange for the design and permanent display in the County of Philadelphia of a plaque or monument in memory of the Honorable Theodore Rosen; and making an appropriation.

Senate Bill No. 1188, entitled:

An Act making an appropriation for the purpose of reconstruction, preservation and maintenance of public roads, and improving and replacing bridges thereon through the Cornplanter Indian Reservation in Elk Township, Warren County, Pennsylvania.

Senate Bill No. 1190, entitled:

An Act making an appropriation to the Department of Public Instruction for the cost of improving, repairing, operating and maintaining the Thaddeus Stevens Industrial School at Lancaster, Pennsylvania.

Senate Bill No. 1215, entitled:

A Supplement to the act, approved the sixteenth day of June, one thousand nine hundred forty-one (Appropriation Acts, No. 12A), entitled "An act to provide for the ordinary expenses of the Executive, Legislative and Judicial Departments of the Commonwealth, interest on the public debt and the support of the public schools for two years beginning June first, one thousand nine hundred and forty-one, and for the payment of bills incurred and remaining unpaid at the close of the fiscal year ending May thirty-first, one thousand nine hundred and forty-one."

Senate Bill No. 1218, entitled:

An Act making an appropriation to the Department of Public Assistance and providing for certain allocations therefrom for the purpose of carrying out the Public Assistance Law for the two fiscal years beginning June first one thousand nine hundred forty-one and for the payment of expenses accrued or incurred prior to and remaining unpaid on May thirty-first one thousand nine hundred and forty-one and providing for certain allocations from such appropriation to the Department of the Auditor General and the Treasury Department

Senate Bill No. 1256, entitled:

An Act authorizing the Department of Property and Supplies with the approval of the Governor to sell and convey certain plots of land.

Senate Bill No. 1257, entitled:

An Act to amend section one of the act, approved the twenty-fifth day of May, one thousand nine hundred thirty-three (P. L. 1010), entitled "An act relating to aeronautics; providing for the maintenance and operation of intermediate landing fields and air navigation facilities by the Commonwealth alone or in cooperation with the United States Government or political subdivisions of the Commonwealth; providing for the execution of leases or the issuance of licenses to the United States Government or to political subdivisions of the Commonwealth for the maintenance of navigation facilities on intermediate landing fields of the Commonwealth; conferring powers and duties on the Department of Revenue with respect thereto; and repealing certain acts and parts of acts," by extending the powers of the department in relation to air transport facilities.

Senate Bill No. 1259, entitled

An Act to amend article twenty of the act, approved the ninth day of April, one thousand nine hundred twenty-nine (P. L. 177), entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments, boards, commissions, and officers thereof, including the boards of trustees of the State Normal Schools or Teachers Colleges; abolishing, creating, reorganizing or authorizing the reorganization of certain administrative departments, boards, and commissions; defining the powers and duties of the Governor and other executive and administrative officers, and of the several administrative departments, boards, commissions, and officers;

fixing the salaries of the Governor, Lieutenant-Governor, and certain other executive and administrative officers; providing for the appointment of certain administrative officers, and of all deputies and other assistants and employes in certain departments, boards, and commissions; and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments, boards, and commissions shall be determined," by authorizing the Department of Highways to construct, repair and maintain certain facilities of airports.

Senate Bill No. 1260, entitled:

An Act to amend the act, approved the twenty-second day of June, one thousand nine hundred and thirty-one (P. L. 594), entitled "An act establishing certain township roads as State highways; authorizing their construction, maintenance, and improvement under certain conditions and restrictions; limiting the obligation of the Commonwealth in the construction of certain structures located on such highways; conferring certain powers upon the Department of Highways and local authorities, persons, associations and corporations for sharing the cost of the maintenance and construction of such highways; and making an appropriation to carry out the provisions of said act," as amended, by changing a certain route.

Senate Bill No. 1282, entitled:

An Act authorizing the Department of Property and Supplies with the approval of the Governor and the Board of Trustees of the California State Teachers College to acquire a certain tract of land for the use of said college and making an appropriation.

Senate Bill No. 1283, entitled:

A Supplement to the act approved the twenty-second day of June one thousand nine hundred and thirty-one (P. L. 594) entitled "An act establishing certain township roads as State highways authorizing their construction maintenance and improvement under certain conditions and restrictions limiting the obligation of the Commonwealth in the construction of certain structures located on such highways conferring certain powers upon the Department of Highways and local authorities persons associations and corporations for sharing the cost of the maintenance and construction of such highways and making and appropriation to carry out the provisions of said act" establishing an additional route in the County of Warren.

Senate Bill No. 1297, entitled:

An Act to validate and quiet the title to real estate in this Commonwealth conveyed to any person, partnership or corporation authorized to hold such real estate by any alderman, justice of the peace or magistrate, where such alderman, justice of the peace or magistrate has made acknowledgement of such conveyance before himself and is now deceased.

Senate Bill No. 1300, entitled:

An Act to amend sections 410 and 411 of the act approved the third day of June, one thousand nine hundred and thirty-seven (P. L. 1225) entitled "An act concerning game and other wild birds and wild animals and amending revising consolidating and changing the law relating thereto" by eliminating the requirements that owners make available open public hunting areas contiguous to regulated shooting grounds and changing shooting restrictions on regulated shooting grounds.

Senate Bill No. 1306, entitled:

An Act making an appropriation to the Trustees of the Pennsylvania State College for the use of the School of Mineral Industries.

Senate Bill No. 1308, entitled:

An Act to amend section one further amend section three and to reenact section six of the act approved the twenty-second day of May one thousand nine hundred thirty-three (P. L. 912) entitled "An act to protect the public health defining and providing for the licensing of bakeries and regulating the inspection maintenance and operation of bakeries and premises stores and shops connected therewith defining and regulating the manufacture sale and offering for sale of bakery products conferring powers on the Department of Agriculture and providing penalties" by redefining "bakery" removing the exception from registration and licensing requirements requiring registered bakery products to show the fact of such registration making it unlawful for any person to sell offer for sale or have in possession with intent to sell unregistered bakery products or to import bakery products from bakeries not licensed hereunder and making possession prima facie evidence of intention to sell.

Senate Bill No. 1313, entitled:

A Supplement to the act, approved the twenty-seventh day of June, one thousand nine hundred thirty-nine (Appropriation Acts page sixty), entitled "An act to provide for the ordinary expenses of the Executive, Legislative, and Judicial Departments of the Commonwealth, interest on the public debt, and the support of the public schools for two years beginning June first, one thousand nine hundred and thirty-nine; and for the payment of bills incurred and remaining upaid at the close of the fiscal year ending May thirty-first, one thousand nine hundred and thirty-nine," providing for deficiencies in certain appropriations made by the act for the fiscal biennium ending May thirty-first, one thousand nine hundred forty-one.

House Bill No. 11, entitled:

An Act to create a uniform and exclusive system for the administration of parole in this Commonwealth; establishing the "Pennsylvania Board of Parole"; conferring and defining its jurisdiction, duties, powers and functions, including the supervision of persons placed upon probation in certain designated cases; providing for the method of appointment of its members; regulating the appointment, removal and discharge of its officers, clerks and employees; dividing the Commonwealth into administrative districts for purposes of parole; fixing the salaries of members of the board and of certain other officers and employees thereof; making violations of certain provisions of this act misdemeaners; providing penalties therefor and for other cognate purposes; and making an appropriation.

House Bill No. 49, entitled:

An Act making an appropriation for the maintenance, repair, and improvement of the Port of Philadelphia.

House Bill No. 53, entitled:

An Act providing for the acquisition of the Admiral Peary Memorial Park, and for its management and development by the Pennsylvania Historical Commission; and making an appropriation.

House Bill No. 61, entitled:

An Act making an appropriation to the Cresson Volunteer Fire Company for the protection of State property.

House Bill No. 70, entitled:

An Act to amend section seven hundred three of the act, approved the twenty-fourth day of June, one thousand nine hundred and thirty-one (P. L. 1206), entitled "First Class Township Law," by providing for the compensation paid to township commissioners.

House Bill No. 90, entitled:

An Act providing for the correction of the designation and title of all organizations of veterans of the Spanish American War in all present legislation affecting veterans by designating such organizations as United Spanish War Veterans, Inc.

House Bill No. 94, entitled:

An Act to amend section fifteen hundred and nine of the act, approved the eighteenth day of May, one thousand nine hundred and eleven (P. L. 309), entitled "Public School Code," by providing that the board of directors of any school district may appropriate funds to pay for medical examination for tuberculosis for pupils, teachers, janitors, or other employes.

House Bill No. 99, entitled:

An Act to amend section two of the act, approved the twenty-fourth day of June, one thousand nine hundred thirty-nine (P. L. 806), entitled "An act limiting the number of licenses for the retail sale of liquor, malt or brewed beverages, or malt and brewed beverages, to be issued by the Pennsylvania Liquor Control Board; defining hotels, and prescribing the accommodations required of hotels in certain municipalities," by exempting clubs from such limitation.

House Bill No. 104, entitled:

An Act to further amend section seven of the act, approved the fifth day of January, one thousand nine hundred and thirty-four (P. L. 223, 1933-34) entitled "Veterans' Compensation Act," extending the time during which application may be filed for veterans compensation.

House Bill No. 107, entitled:

An Act to amend section eleven of the act, approved the twenty-seventh day of April, one thousand nine hundred and twenty-seven (P. L. 395), entitled "An act empowering the Department of Highways to acquire certain toll bridges within the Commonwealth; providing the procedure therefor; providing for the reimbursement of the Commonwealth from tolls and charges; and making an appropriation," as amended, by providing that such toll bridges heretofore or hereafter acquired by the Department of Highways shall be free bridges from the effective date of this act or from the date they are so acquired.

House Bill No. 124, entitled:

An Act to reenact and amend the title and the act, approved the twenty-eighth day of April, one thousand nine hundred and thirty-seven (P. L. 417), entitled "Milk Control Law," by substituting the term "handler" for the term "milk dealer"; defining the terms "handle" and "handler"; extending the provisions of the act to those who handle milk by bailment, brokerage, consignment or purchase and by giving certain additional rights to producers' and farmers' unions or organizations producing milk.

House Bill No. 139, entitled:

An Act to amend section one of the act which became effective on the seventh day of July, one thousand eight hundred and seventy-nine (P. L. 194), entitled "Aldermen and Justice of the Peace Jurisdiction Law," further enlarging the jurisdiction of justices of the peace and extending the provisions of said act to aldermen.

House Bill No. 145, entitled:

An Act validating county treasurers' deeds where the acknowledgment of such deed or deeds was defective in any respect, if in fact such acknowledgement was taken before a judge of the county.

House Bill No. 152, entitled:

An Act to amend section one of the act, approved th thirteenth day of May, one thousand nine hundred an twenty-seven (P. L. 984), entitled "An act relating t transactions between a person acting on his own behal and the same person acting jointly with others, and t make uniform the law relating thereto," by authorizin conveyances from either husband or wife to husband an wife as tenants by the entireties.

House Bill No. 179, entitled:

An Act validating the title to real estate purchased a judicial sales for unpaid taxes or municipal assessment where there is a defect in the names of the parties i certain cases and providing certain exceptions

House Bill No. 183, entitled:

An Act to amend section seven hundred two and t further amend section nine hundred five of the act ap proved the first day of May, one thousand nine hundre and thirty-three (P. L. 103), entitled "The Second Clas Township Law," authorizing the establishment and main tenance of fire hydrants and fire hydrant water servic and the levy of a special tax therefor with the asse of electors.

House Bill No. 192, entitled:

An Act to amend section four thousand four hundre and eight of the act approved the twenty-third day o June, one thousand nine hundred thirty-one (P. L. 932 entitled "Third Class City Law," providing for appeal by policemen who are fined, suspended or discharge after hearing.

House Bill No. 215, entitled:

An Act to further amend sections one and four of th act, approved the sixteenth day of May, one thousan nine hundred and nineteen (P. L. 180), entitled "An a providing a method of establishing title to land acquire at a sale for unpaid taxes or municipal claims," extend ing the provisions of said act to include land acquire at city treasurer's sales for unpaid taxes.

House Bill No. 218, entitled:

An Act to further amend section three, and to amen section eight of the act approved the seventeenth day o May, one thousand nine hundred and seventeen (P. L 224), entitled "Insecticides and Fungicides Law," by im posing additional duties on the Secretary of Agricultur and further regulating the sale, manufacture and trans portation of insecticides and fungicides.

House Bill No. 220, entitled:

An Act to amend section four of the act, approved th twenty-second day of June, one thousand nine hundre and thirty-one (P. L. 720) entitled "City State Highwa Law," requiring the Department of Highways to tak over bridges and viaducts on State highways in cities o the third class.

House Bill No. 223, entitled:

An Act authorizing the Department of Property an Supplies to acquire on behalf of the Commonwealth o Pennsylvania certain land upon which is still standin the birthplace of Robert Fulton in Fulton Township Lan caster County or so much thereof as may be necessary a a memorial providing for the control management supe vision improvement restoration and maintenance there authorizing the Pennsylvania Historical Commission make and enforce rules and regulations for the preserva tion and visitation thereof and making an appropriatio

House Bill No. 225, entitled:

An Act relating to the national and State defense, providing for the establishmen of a State Council of Defense and of local and district councils of defense, prescribing the powers and duties thereof, and making an appropriation therefor.

House Bill No. 228, entitled:

An Act to reenact and amend the title and the act, approved the fourteenth day of June one thousand nine hundred thirty-five (P. L. 341), entitled, as amended, "Cigarette Tax Act," as previously reenacted and amended, by extending the provisions of the act for a further period of time.

House Bill No. 229, entitled:

An Act to further amend section four of the act, approved the twenty-first day of May, one thousand nine hundred thirty-one (P. L. 149), entitled "Liquid Fuels Tax Law," by imposing and continuing the additional emergency tax on liquid fuel for a further limited period of time.

House Bill No. 230, entitled:

An Act to reenact and amend the title and the act, approved the twenty-second day of June, one thousand nine hundred thirty-five (P. L. 414), entitled "State Personal Property Tax Act," as previously reenacted and amended, by continuing the State personal property tax and the emergency rate of tax on script bonds, certificates and evidence of indebtedness, assumed or on which interest is paid by corporations, for a further limited period of time.

House Bill No. 231, entitled:

An Act to reenact and amend the title and the act, approved the sixteenth day of May, one thousand nine hundred thirty-five (P. L. 208), entitled, as amended, "Corporate Net Income Tax Act," as previously reenacted and amended, by extending the provisions of the act for a further limited period of time.

House Bill No. 232, entitled:

An Act to further amend the act approved the first day of June, one thousand eight hundred eighty-nine (P. L. 420), entitled "A further supplement to an act entitled 'An act to provide revenue by taxation,' approved the seventh day of June, Anno Domini one thousand eight hundred and seventy-nine," by increasing for a further limited period of time the rate of tax imposed by the act upon the gross receipts of certain companies, limited partnerships, associations, joint-stock associations, copartnerships and persons.

House Bill No. 233, entitled:

An Act to further amend section one of the act approved the thirteenth day of June, one thousand nine hundred seven (P. L. 640), entitled "An act to provide revenue by levying a tax upon the shares of stock of companies incorporated under the provisions of section twenty-nine of an act, entitled 'An act to provide for the incorporation and regulation of certain corporations,' approved April twenty-ninth, one thousand eight hundred and seventy-four, and the supplements thereto; for the insurance of owners of real estate, mortgages, and others interested in real estate, from loss by reason of defective titles, liens, and encumbrances; and of companies entitled to the benefits of, and of companies having any of the powers of, companies entitled to the benefits of an act, entitled 'An act conferring upon certain fidelity, insurance, safety deposit, trust, and savings companies the powers and privileges of companies incorporated under the provisions of section twenty-nine of an act, entitled "An act to provide for the incorporation and regulation of certain corporations,"' approved April twenty-ninth, Anno Domini one thousand eight hundred and seventy-four, and of the supplements thereto, approved June twenty-seventh one thousand eight hundred and ninety-five, commonly known as title insurance or trust companies," by continuing the increased rate of tax for a further limited period of time, and reducing the rate of tax after such limited period of time.

House Bill No. 234, entitled:

An Act to further amend section one of the act approved the fifteenth day of July one thousand eight hundred ninety-seven (P. L. 292) entitled "An act to provide revenue by taxation" by increasing the rate of tax for a further limited period of time.

House Bill No. 235, entitled:

An Act to reenact and amend the title and the act approved the ninth day of June, one thousand nine hundred thirty-six (Special Session of one thousand nine hundred thirty-six (P. L. 13), entitled "An act imposing an emergency State tax for a limited period of time on liquor, as herein defined, sold by the Pennsylvania Liquor Control Board; providing for the collection and payment of such tax; and imposing duties upon the Department of Revenue and the Pennsylvania Liquor Control Board," as previously reenacted and amended, by extending the provisions thereof for a further limited period of time.

House Bill No. 238, entitled:

An Act requiring cities of the second class A, having fire departments, to allow member of said fire departments twenty-four consecutive hours of rest each week, and fourteen days vacation with pay each year, except in emergency cases.

House Bill No. 248, entitled:

An Act authoriing taxpayers in cities of the second class A to inspect the books and records of such cities at any reasonable time.

House Bill No. 251, entitled:

An Act to amend section eleven of the act approved the first day of July, one thousand nine hundred and thirty-seven (P. L. 2532), entitled "Workmen's Compensation Security Fund Act," by providing that payment of an award from the funds established by said act shall not provide any right to recovery against the employer; and that the employer may pay the award in advance of payment from the fund and shall thereupon be subrogated to the rights of the employe or any other party in interest against the fund.

House Bill No. 253, entitled:

An Act giving volunteer firemen appointed as special police officers certain police powers at fires attended by their fire companies in any city, borough, town and township.

House Bill No. 262, entitled:

An Act making a deficiency appropriation to the Department of Public Assistance for the purpose of carrying out the Public Assistance Law, for the two fiscal years ending May thirty-first, one thousand nine hundred and forty-one.

House Bill No. 263, entitled:

An Act transferring money from the Motor License Fund to the General Fund; and providing for the subsequent return from the General Fund of the transferred money.

House Bill No. 266, entitled:

An Act making an appropriation to The Glen Mills School, situate in Delaware County, Pennsylvania.

House Bill No. 267, entitled:

An Act making an appropriation to aid certain school districts.

House Bill No. 276, entitled:

"An Act making an appropriation to the Department of Property and Supplies for the payment of rates rentals and other charges that may become due on leases and other contracts executed by The Pennsylvania State College with The General State Authority for the use and occupancy by such college of the various projects structures buildings and facilities of the Authority or for the services rendered by the Authority or its projects."

House Bill No. 280, entitled:

An Act making an appropriation to the Trustees of the College of Lincoln University, Chester County.

House Bill No. 281, entitled:

An Act making an appropriation to the Department of Labor and Industry for the rehabilitation of the deaf and hard of hearing and for the purpose of matching additional federal funds.

House Bill No. 284, entitled:

An Act making an appropriation, from the Motor License Fund, to the Department of Property and Supplies for the payment of the costs incurred by that Department in acting as purchasing agent for the Department of Highways.

House Bill No. 291, entitled:

An Act making appropriations for aid to free public nonsectarian county libraries, and for the purchase and transportation of books.

House Bill No. 300, entitled:

An Act making an appropriation for the purpose of maintaining the public roads and improving and replacing bridges thereon, through the Cornplanter Indian Reservation, in Elk Township, Warren County, Pennsylvania.

House Bill No. 301, entitled:

An Act making an appropriation to Sleighton Farm School for Girls, situate in Delaware County, Pennsylvania.

House Bill No. 305, entitled:

An Act making an appropriation to the Elwyn Trainiy School at Elwyn in the County of Delaware Commonwealth of Pennsylvania and prescribing certain conditions upon which the appropriation will be available to the school.

House Bill No. 310, entitled:

An Act making an appropriation to the State Veterans' Commission, for certain expenses of the commission and for the assistance of needy Pennsylvania veterans of any war, or their dependents.

House Bill No. 316, entitled:

An Act authorizing certain officers o nactive duty with the armed forces of the United States to act as notaries public; and requiring certification of their authority.

House Bill No. 317, entitled:

An Act making an appropriation to the several fire companies of the city of Harrisburg, Pennsylvania.

House Bill No. 320, entitled:

An Act to amend section one of the act approved the sixth day of April, one thousand eight hundred and fifty-nine (P. L. 387), entitled "An act to authorize execution of process in certain cases in equity, concerning property within the jurisdiction of the court, and on defendants not resident or found therein," authorizing execution of process in certain cases for the perpetuation of testimony.

House Bill No. 322, entitled:

An Act making an appropriation from the Game Fund to the State Employes Retirement Board to meet the obligations of the Commonwealth to the State Employes' Retirement System with respect to State employes receiving compensation from the Game Fund.

House Bill No. 333, entitled:

An Act making an appropriation from the Fish Fund to the State Employes' Retirement Board to meet the obligations of the Commonwealth to the State Employes' Retirement System with respect to State employes receiving compensation from the Fish Fund.

House Bill No. 347, entitled:

An Act making an appropriation from the Banking Department Fund to the State Employes' Retirement Board to meet the obligations of the Commonwealth to the State Employes' Retirement System with respect to State employes receiving compensation from the Banking Department Fund.

House Bill No. 348, entitled:

An Act making an appropriation to the Department of Welfare to pay for the care treatment removal and maintenance of the indigent insane in The Dixmont Hospital at Dixmont Allegheny County.

House Bill No. 349, entitled:

An Act to authorize cities, boroughs, incorporated towns, townships, and school districts to file suggestions of nonpayment and averments of default, or to sue out writs of scire facias on certain tax or municipal claims, and to revive judgments where the lien of such claims or the judgments thereon have been lost; and providing for the reinstatement of the liens of such claims and judgments.

House Bill No. 351, entitled:

An Act making an appropriation to the Johnson Industrial School of Scranton, Pennsylvania.

House Bill No. 355, entitled:

An Act to provide for the change of object of the corporate existence of beneficial and relief associations as herein defined and authorizing and providing a mode for the dissolution and surrender of the charter of such associations

House Bill No. 358, entitled:

An Act to further amend clauses three and four and subsection (b) of section 913 of the act approved the third day of June, one thousand nine hundred thirty-seven (P. L. 1333), entitled, "Pennsylvania Election Code"; by fixing the fee for filing nomination petitions for the office of jury commissioner.

House Bill No. 361, entitled:

An Act making an appropriation to the City of Harrisburg to compensate for the extra police protection afforded by the Harrisburg police force for the properties and activities of the Commonwealth within the Capital City

House Bill No. 364, entitled:

An Act to amend the act approved the twenty-first day of June, one thousand nine hundred and thirty-nine (P. L. 566), entitled "A supplement to the act, approved the second day of June, one thousand nine hundred and fifteen (P. L. 736), entitled as amended 'The Workmen's Compensation Act of 1915'." amplifying the provisions thereof as to persons entitled to such payments

House Bill No. 366, entitled:

An Act to add clause seven to subsection (b), and to further amend subsection (c) of section one thousand two of the act, approved the first day of May, one thousand nine hundred and twenty-nine (P. L. 905), entitled, "Vehicle Code," changing the provisions of said act relating to the speed of such vehicles while being operated on highways under the supervision and control of a Turnpike Commission.

House Bill No. 371, entitled:

An Act making an appropriation to the Department of Forests and Waters for the use of the Valley Forge Park Commission in payment of lands acquired by condemnation.

House Bill No. 374, entitled:

An Act to add clause (e) to section four of the act, approved the second day of July one thousand nine hundred and thirty-five (P. L. 540), entitled "Fiduciaries Investment Act," by permitting fiduciaries holding mortgages to accept deeds in lieu of foreclosures; and prescribing the effect thereof.

House Bill No. 376, entitled:

An Act to amend paragraph (a) of section eight hundred sixty-five of the act, approved the twenty-fourth day of June, one thousand nine hundred and thirty-nine (P. L. 872), entitled "The Penal Code" by prohibiting the sale of lubricating oil which has been used and re-fefined unless such oil is clearly so labeled.

House Bill No. 378, entitled:

An Act making an appropriation for the payment of expenses of the Electoral College.

House Bill No. 381, entitled:

An Act to amend section nine hundred eight of the act, approved the fifth day of May, one thousand nine hundred and thirty-three (P. L. 364), entitled "Business Corporation Law," by further prescribing the procedure to be followed by shareholders who desire to become dissenting shareholders of a corporation which becomes a party to a plan of merger or consolidation; limiting the rights and remedies of shareholders who desire to object to or dissent from any merger or consolidation, and making the rights and remedies herein provided for exclusive.

House Bill No. 382, entitled:

An Act authorizing counties, cities, boroughs, incorporated towns and townships to appropriate money for the establishment or continuance of Federal Food Stamp plans therein.

House Bill No. 383, entitled:

An Act to further amend section one thousand five hundred three of the act, approved the eighteenth day of May, one thousand nine hundred and eleven (P. L. 309), entitled "Public School Code," providing that school districts of the fourth class shall employ at their own expense a medical inspector.

House Bill No. 389, entitled:

An Act authorizing the Department of Property and Supplies with the approval of the Governor and the Board of Trustees of the Farview State Hospital to acquire a certain tract of land for the use of said hospital and making an appropriation therefor.

House Bill No. 392, entitled:

An Act authorizing county treasurers to execute and perfect deeds for seated lands sold for taxes by their predecessors in office.

House Bill No. 393, entitled:

An Act to amend sections one and two of the act approved the fifth day of June one thousand nine hundred and thirty-five (P. L. 266) entitled "An act to protect trade-mark owners distributors and the public against injuries and uneconomic practices in the distribution of articles of standard quality under a distinguished trademark brand or name" by extending the provisions thereof to vending equipment used in distributing such articles and further defining parties having a right of action for unfair competition

House Bill No. 398, entitled:

An Act authorizing the Department of Highways to take over bridges, viaducts and other structures on State highways for the purpose of construction, reconstruction, maintenance and repair thereof when such highways are designated as essential National Defense Highways.

House Bill No. 401, entitled:

An Act to further amend section five hundred eleven of the act approved the ninth day of April, one thousand nine hundred and twenty-nine, (P. L. 177), entitled "Administrative Code of 1929," appropriating to the Department of Military Affairs the proceeds of the sale of certain products, to be expended for the Indiantown Gap Military Reservation

House Bill No. 402, entitled:

An Act providing for the organization, government, discipline, maintenance and regulation of an additional land force to be known as the Pennsylvania Reserve Defense Force, for the defense of the Commonwealth during any period of time in which the National Guard of Pennsylvania or any part thereof shall be in active service of the United States.

House Bill No. 404, entitled:

An Act relating to marriage; and amending, revising consolidating and changing the law relating thereto.

House Bill No. 413, entitled:

An Act prohibiting the employment by the Commonwealth or any political subdivision thereof, of persons

whose philosphy proposes the change of the government of the United States by means not provided for in the Constitution of the United States; declaring inoperative any contract or civil service law or regulation providing for tenure in employment; and repealing inconsistent acts.

House Bill No. 426, entitled:

An Act making an appropriation to the Pennsylvania Historical Commission to cover the expenses of restoring and maintaining the Daniel Boone Homestead.

House Bill No. 434, entitled:

An Act making an appropriation to the Pennsylvania Department of Highways for the improvement of roads and parking areas within the Daniel Boone Homestead.

House Bill No. 437, entitled:

An Act authorizing the Department of Property and Supplies to acquire by purchase, gift, lease or condemnation, on behalf of the Commonwealth of Pennsylvania, ten acres of land adjacent to the Daniel Boone Homestead, or so much thereof as may be necessary to properly honor the pioneer, Daniel Boone, on the spot where he was born; providing for the control, management, supervision, improvement, preservation and maintenance thereof; authorizing the Pennsylvania Historical Commission to make and enforce rules and regulations for the preservation and visitation thereof; and making an appropriation.

House Bill No. 448, entitled:

An Act to amend the first paragraph of section nine of the act approved the twenty-fourth day of June, one thousand nine hundred and thirty-seven (P. L. 2051), entitled "Public Assistance Law," by redefining eligibility for assistance.

House Bill No. 450, entitled:

An Act to further amend section 1902 of the act, approved the twenty-third day of June, one thousand nine hundred and thirty-one (P. L. 932), entitled "Third Class City Law," exempting certain contracts for public utility service from the provisions of said act regulating advertising and bidding for contracts.

House Bill No. 463, entitled:

An Act making an appropriation to the Department of Military Affairs for the acquisition by purchase or condemnation of lands, the payment of labor and the purchase of supplies, materials and equipment to enlarge and improve the Military Reservation at Indiantown Gap; and imposing certain duties upon the Department of Property and Supplies.

House Bill No. 472, entitled:

An Act making an appropriation to the Department of Health for use in research work dealing with human nutrition for children.

House Bill No. 475, entitled:

An Act to further amend section seven of the act, approved the twenty-fourth day of June, one thousand eight hundred and ninety-five (P. L. 212), entitled "An act to establish an intermediate court of appeal; regulating its constitution, officers, jurisdiction, powers, practice and its relation to the Supreme Court and other courts; providing for the reports of its decisions, the compensation of the judges and other officers and the practice and costs on appeals from its judgments," as amended, to extend the original jurisdiction of the Superior Court to include mandamus and prohibition in certain cases.

House Bill No. 481, entitled:

An Act to amend section eighteen of the act approved the second day of July, one thousand nine hundred and thirty-five (P. L. 589), entitled "Milk Sanitation Law" requiring local ordinances in certain cases to conform to this act and the regulations made thereunder.

House Bill No. 489, entitled:

An Act making an appropriation to the Trustees of the University of Pittsburgh for the general maintenance of, and the purchase of apparatus and equipment for, the University of Pittsburgh, and for the maintenance of teaching facilities in hospitals for students in the School of Medicine.

House Bill No. 502, entitled:

An Act authorizing the Department of Property and Supplies with advice and approval of the Pennsylvania Historical Commission to acquire on behalf of the Commonwealth of Pennsylvania certain land which is the site of an old fortress known as Old Garrison in the City of Franklin Venango County or so much thereof as may be necessary as a historical memorial providing for the control management supervision and improvement thereof authorizing the Pennsylvania Historical Commission in cooperation with other agencies to make and enforce rules and regulations for the preservation and visitation thereof authorizing the Pennsylvania Historical Commission to cooperate with the Daughters of the American Revolution and interested patriotic societies in providing funds for a restoration of Old Garrison and making an appropriation.

House Bill No. 510, entitled:

An Act to amend section five of the act, approved the second day of July, one thousand nine hundred, thirty-five (P. L. 599), entitled "Sunday Motion Pictures Act," by changing the method whereby future referendums be initiated.

House Bill No. 522, entitled:

An Act making an appropriation to the Department of Agriculture to advance the tobacco interest of this Commonwealth.

House Bill No. 524, entitled:

An Act to further amend section two hundred and ten of the act, approved the second day of May, one thousand nine hundred and twenty-five (P. L. 448), entitled "Fish Law of 1925," prohibiting the sale of striped bass or rock fish under eighteen inches in length.

House Bill No. 525, entitled:

An Act amending, revising, consolidating and changing the law relating to the borrowing of money by certain political subdivisions, the authorization, issuance and sale of general obligation bonds, as herein defined, of bonds imposing no general obligation of debt, and of bonds not deemed to constitute a debt for certain purposes, and to the funding of debt and the refunding of bonds; regulating the keeping and use of sinking funds; imposing powers and duties upon the Department of Internal Affairs and upon corporate bodies and officers of political subdivisions; imposing penalties; and repealing existing laws.

House Bill No. 529, entitled:

An Act to further amend section 571 of the act approved the first day of May, one thousand nine hundred and thirty-three (P. L. 103) entitled "The Second Class Township Law," by providing that the tax collector shall give but one bond for the collection of township, county, school district, poor district and institution district taxes.

House Bill No. 550, entitled:

An Act to repeal the act approved the twenty-eighth day of March one thousand eight hundred and seventy-eight (P. L. 9), entitled "An act relative to the employment of females in hotels taverns saloons and eating houses or other places for the sale of intoxicating and other drinks and the penalty for the violation thereof"

House Bill No. 551, entitled:

An Act to approved the twenty-seventh day of June, one thousand nine hundred thirty-nine (Appropriation Acts, page 60), entitled, "An act to provide for the ordinary expenses of the Executive, Legislative, and Judical Departments of the Commonwealth, interest on the public debt, and the support of the Public schools for two years beginning June first, one thousand nine hundred and thirty-nine; and for the payment of bills incurred and remaining unpaid at the close of the fiscal year ending May thirty-first, one thousand nine hundred and thirty-nine," providing for a deficiency in the appropriation to the Department of Property and Supplies for the fiscal biennium ending May thirty-first, one thousand nine hundred forty-one; providing for payment out of revenues of the fiscal biennial period beginning June first, one thousand nine hundred forty-one; and preventing lapsing.

House Bill No. 553, entitled:

An Act to amend section twenty-two of the act approved the seventh day of June, one thousand nine hundred and seventeen (P. L. 403), entitled "Wills Act of 1917," by providing for forfeiture of the right to take property under the will of a murdered testator.

House Bill No. 554, entitled:

An Act to amend section twenty-three of the act approved the seventh day of June, one thousand nine hundred and seventeen (P. L. 429), entitled "Intestate Act of 1917," by providing for forfeiture of the right to inherit or to take property of a murdered intestate under the said act.

House Bill No. 567, entitled:

An Act to reenact and amend the act approved the twenty-fourth day of June, one thousand nine hundred and thirty-nine (P. L. 748), entitled "Pennsylvania Securities Act," by providing for the registration and regulation of investment advisers and their solicitors; further defining "dealers" and further regulating dealers and salesmen; providing for service on registrants under provisions of this act; and imposing penalties.

House Bill No. 571, entitled:

An Act making an appropriation to the Department of Public Assistance, and providing for certain allocations therefrom for the purpose of carrying out the Public Assistance Law for the two fiscal years beginning June first one thousand nine hundred forty-one and for the payment of assistance and expenses accrued or incurred prior to and remaining unpaid on May thirty-first one thousand nine hundred forty-one.

House Bill No. 572, entitled:

A Supplement to the act approved the twenty-seventh day of June one thousand nine hundred thirty-nine (Appropriation Acts page sixty) entitled "An act to provide for the ordinary expenses of the Executive Legislative and Judicial Departments of the Commonwealth interest on the public debt and the support of the public schools for two years beginning June first one thousand nine hundred and thirty-nine and for the payment of bills incurred and remaining unpaid at the close of the fiscal year ending May thirty-first one thousand nine hundred and thirty-nine" providing for deficiencies in certain appropriations made by the act for the fiscal biennium ending May thirty-first one thousand nine hundred forty-one

House Bill No. 573, entitled:

An Act to provide for the ordinary expenses of the Executive, Legislative, and Judicial Departments of the Commonwealth, interest on the public debt, and the support of the public schools for two years beginning June first, one thousand nine hundred and forty-one; and for the payment of bills incurred and remaining unpaid at the close of the fiscal year ending May thirty-first, one thousand nine hundred and forty-one.

House Bill No. 578, entitled:

An Act providing for the disposition of property where there is no sufficient evidence that persons have died otherwise than simultaneously, and to make uniform the law with reference thereto.

House Bill No. 579, entitled:

An Act relating to acknowledgments of written instruments and to make uniform the law with relation thereto.

House Bill No. 581, entitled:

An Act making an appropriation to the Department of Agriculture for laboratory research in the prevention of the transmission and in the cure of mastitis in cattle.

House Bill No. 583, entitled:

An Act authorizing the Department of Property and Supplies, with the approval of the Governor, to sell and convey two certain plots of land.

House Bill No. 593, entitled:

An Act to amend section two hundred twelve, to further amend sections two hundred thirteen, two hundred fourteen, seven hundred one, and seven hundred nine, and to amend section one thousand two hundred one of the act, approved the ninth day of April, one thousand nine hundred twenty-nine (P. L. 177), entitled "Administrative Code of 1929," by exempting the Department of Internal Affairs from the provisions of said sections, and further defining powers of the Secretary of Internal Affairs.

House Bill No. 602, entitled:

An Act denying recognition as a political party for all purposes to any group of persons advocating the overthrow of the government.

House Bill No. 605, entitled:

An Act making an appropriation to the Pennsylvania State College for expenditure by the School of Mineral Industries thereof, under the supervision of the Department of Mines, for the purpose of developing new uses and markets for anthracite and bituminous coal.

House Bill No. 609, entitled:

An Act to amend section four hundred thirty-eight of the act, approved the second day of May, one thousand nine hundred twenty-nine (P. L. 1278), entitled "General County Law," changing the qualifications of historical societies to receive county appropriations.

House Bill No. 610, entitled:

An Act to amend clause forty-seven of section two thou-

sand four hundred three of the act, approved the twenty-third of June, one thousand nine hundred and thirty-one (P. L. 932), entitled "Third Class City Law," changing the qualifications of historical societies to receive appropriations.

House Bill No. 611, entitled:

An Act providing for the acquisition by the Department of Forests and Waters in the name of the Commonwealth of certain lands in Luzerne Sullivan and Wyoming Counties for use of as a State Park making an appropriation for said acquisition providing for the management of said property by said department and defining the uses to which the property shall be put.

House Bill No. 614, entitled:

An Act making an appropriation to the Downingtown Industrial and Agricultural School Downingtown Pennsylvania.

House Bill No. 616, entitled:

An Act to amend section seven of the act approved the thirty-first day of March, one thousand eight hundred and sixty, (P. L. 427), entitled "Criminal Procedure Act of 1860," providing for admission to bail by committing magistrates in cases involving manslaughter by automobile.

House Bill No. 629, entitled:

An Act to add section three and one-tenth to the act, approved the twentieth day of June, one thousand nine hundred and one (P. L. 582), entitled "An act to provide for the registration of labels, trade-marks, trade-names, stamps, designs, devices, shopmarks terms, brands, designations, descriptions, or forms of advertisement, and protect and secure the rights, property and interest therein of the persons, copartnerships or corporations adopting and filing the same, and providing penalties for the violations of the act," providing for the cancellation of the registration of labels, trade-marks, trade-names, devices, shopmarks, designations and forms of advertisement, in certain cases.

House Bill No. 639, entitled:

An Act requiring the Department of Property and Supplies with the approval of the Department of Military Affairs to complete and thereafter maintain "The Twenty-eighth Division Shrine" at Boalsburg, Centre County, dedicating the same to the officers and men of the Twenty-eighth Division and making an appropriation.

House Bill No. 640, entitled:

An Act establishing certain public roads and streets, and certain roads and streets not yet in existence in the City of Harrisburg and the County of Dauphin as a state highway; and providing for their laying out, opening, construction and maintenance by the Department of Highways subject to certain terms and conditions.

House Bill No. 645, entitled:

An Act to further amend article four, section three hundred forty-eight of the act, approved the second day of May, one thousand nine hundred and twenty-nine (P. L. 1278), as amended by the act, approved the seventh day of May, one thousand nine hundred and thirty-five (P. L. 143), entitled "General County Law," by requiring all contracts of county commissioners over five hundred dollars to be made with the lowest and best bidder, after due notice published.

House Bill No. 646, entitled:

An Act establishing certain public roads and streets as a State highway, and providing for their construction, reconstruction and maintenance by the Department of Highways, subject to certain terms and conditions.

House Bill No. 647, entitled:

An Act relating to the bonds to be given by county officers, their deputies, clerks and assistants, in counties of the second class, the amount and conditions thereof, the sureties for such bonds, the payment of the premiums therefor and the recording and custody thereof

House Bill No. 650, entitled:

An Act to amend section seven of the act approved the twenty-second day of June, one thousand nine hundred and thirty-one (P. L. 720), entitled "City State Highway Law," as last amended, by providing for the changing of width, lines, location or grades of streets in cities of the second class, second class A and third class, by the Department of Highways without the consent of the city in which said street is located; relieving the city from liability for damages in such cases; and imposing liability for damages upon the Commonwealth of Pennsylvania.

House Bill No. 652, entitled:

An Act authorizing any county, city, borough, town, township, poor district, school district or institution district to execute a special warranty deed for any real property which it has acquired at any sale for the nonpayment of taxes or municipal claims.

House Bill No. 653, entitled:

An Act to add clause eighteen A to section three of article nineteen of the act, approved the seventh day of March, one thousand nine hundred one (P. L. 20), entitled "Second Class City Law," authorizing cities of the second class to impose and collect charges for the care and treatment at municipal hospitals of persons who are financially able to pay the expenses of such care and treatment.

House Bill No. 654, entitled:

An Act authorizing counties, cities, boroughs, towns, townships, school districts, poor districts and institution districts, at any sale of real property for the nonpayment of taxes or municipal claims to take title jointly in proportion to their tax claims; provide for the management of such real property and for the re-sale and conveyance of their interests to a purchaser.

House Bill No. 656, entitled:

An Act to amend the third paragraph of article seven of the act approved the seventh day of March, one thousand nine hundred and one (P. L. 20), entitled "Second Class City Law," permitting the city treasurer to collect delinquent taxes under the act approved the thirtieth day of March, one thousand nine hundred and three (P. L. 106).

House Bill No. 657, entitled:

An Act to amend sections one, two, three and four of the act, approved the twenty-first day of May, one thousand nine hundred thirty-seven (P. L. 787), entitled "An act authorizing the compromise or reduction of tax claims on real property purchased by any county, city, borough, town, school district or poor district at any sale for the nonpayment of taxes; and the reconveyance or private sale of such property," extending the provisions of said act to properties purchased by said political subdivisions at sales for municipal claims, and to the payment of such claims from the proceeds of such compromises or sales, and changing the time when such compromises may be made.

House Bill No. 663, entitled:

An Act authorizing the Commonwealth to negotiate temporary emergency loans to defray the current and other expenses of the State government during the two fiscal years beginning the first day of June one thousand nine hundred forty-one evidenced by tax anticipation notes secured by and payable from current revenues levied assessed collectible and accruing during such two fiscal years defining the powers and duties of the Governor the Auditor General and the State Treasurer in relation thereto providing for the payment of interest on and the repayment of such loans and making an appropriation

House Bill No. 666, entitled:

An Act to amend section one of the act approved the twenty-sixth day of August, A. D. one thousand nine hundred thirty-two (P. L. 101), entitled "An act authorizing collectors of delinquent taxes, except in cities of the first class, to accept payments of delinquent taxes or water-rents or rates in installments," by including counties.

House Bill No. 687, entitled:

An Act to further amend the title and section one of the act approved the third day of May one thousand nine hundred and nine (P. L. 424) entitled "An act providing that in all counties having more than five hundred thousand inhabitants advertisements and notices required by law or rules of court to be published in newspapers of general circulation unless dispensed with by special order of court shall be published in the legal newspapers issued at least weekly of the proper county designated by rules of court for the publication of court or other legal notices" as amended extending the provisions of the said act to counties of the sixth class

House Bill No. 688, entitled:

An Act concerning reciprocal agreements for the Interstate Transportation and the support of poor and indigent persons, and to make uniform the law with reference thereto.

House Bill No. 690, entitled:

An Act to further amend sections 402, 411, 703, 704, 705 and 903 and to repeal section 706 of the act approved the first day of May, one thousand nine hundred twenty-nine, (P. L. 905) entitled, "Vehicle Code," providing for the registration and fixing registration fees of commercial motor vehicles, truck tractors, trailers and semi-trailers according to gross weight; fixing the maximum gross weight of such vehicles which may be used and operated on the highways; and eliminating existing provisions relating to the chassis of such vehicles.

House Bill No. 692, entitled:

An Act to amend clauses (k) and (l), and to add clause (n) to section two thousand four hundred two of the act, approved the ninth day of April, one thousand nine hundred and twenty-nine (P. L. 177), entitled "Administrative Code of 1929," authorizing the leasing of Indiantown Gap Military Reservation to the United States.

House Bill No. 708, entitled:

An Act enabling city county poor institution district ward school borough and township tax collectors their executors and administrators if they are deceased or either surety or sureties to collect taxes for the payment of which they have become personally liable without having collected the same by the expiration of the authority of their respective warrants or by the expiration of their terms of office extending the time for the collection of the same for a period of two years from the passage of this act and validating collections and proceedings for collections made or commenced without previous authority

House Bill No. 710, entitled:

An Act to enable tax collectors and receivers of taxes to make return to the county commissioners of unpaid taxes assessed on seated lands for certain years and validating the liens of such taxes

House Bill No. 717, entitled:

An Act relating to criminal procedure; providing for the securing of attendance of witnesses from within or without the State in criminal cases; and making uniform the law in reference thereto.

House Bill No. 723, entitled:

An Act to further amend section fourteen of the act, approved the eighteenth day of July, one thousand nine hundred and seventeen (P. L. 1043), entitled "School Employes Retirement Law," extending the retirement provisions relating to former teachers to additional cases who separated fro mschool service because of physical or mental disability prior to the first day of July, one thousand nine hundred and nineteen.

House Bill No. 724, entitled:

An Act to further amend section 363 of the act approved May second, one thousand nine hundred twenty-nine (P. L. 1278), entitled "General County Law," and further regulating the form and contents of county auditors' reports.

House Bill No. 727, entitled:

A Supplement to the act, approved the twenty-second day of June, one thousand nine hundred and thirty-one (P. L. 594), entitled "Rural State Highway Law," establishing an additional route in the County of Northumberland

House Bill No. 736, entitled:

An Act to further amend section two thousand five hundred and sixty-three of the act, approved the twenty-third day of June, one thousand nine hundred and thirty-one (P. L. 932), entitled "Third Class City Law," changing the penalties and interest imposed for the nonpayment of taxes.

House Bill No. 739, entitled:

An Act to further amend paragraph six of section one of the act approved the twenty-seventh day of June, one thousand nine hundred and twenty-three (P. L. 858), entitled "State Employes Retirement Law," by further defining State employe.

House Bill No. 750, entitled:

An Act authorizing the Department of Property and Supplies with the approval of the Governor to convey to the county commissioners of Somerset County certain real property located in said county and heretofore acquired by the Commonwealth for development as an airport.

House Bill No. 753, entitled:

An Act authorizing the Department of Property and Supplies, with the approval of the Governor and the Department of Welfare to acquire certain land adjacent to, and for the use of the Scranton State Hospital; providing for the improvement and use thereof; and making an appropriation.

House Bill No. 762, entitled:

An Act to further amend section twelve of the act, approved the eleventh day of May, one thousand nine hundred and twenty-one (P. L. 522), entitled as amended

"Dog Law of 1921," permitting dogs kept in a kennel to be taken out for training, exercise or entry in field trials.

House Bill No. 764, entitled:

An Act to add section nine hundred thirty-eight to the act, approved the third day of June, one thousand nine hundred thirty-seven (P. L. 1225), entitled "The Game Law," providing for the establishment, regulation and use of special dog training areas.

House Bill No. 803, entitled:

An Act to amend section six hundred and forty-three of the act, approved the twenty-fourth day of June, one thousand nine hundred and thirty-nine (P. L. 872), entitled "The Penal Code," prohibiting selling, giving away or permitting or employing minors under eighteen to sing, dance, act or exhibit in dance houses, concert saloons, theatres, places of entertainment, tap rooms, clubs, cafes, restaurants or eating houses, where or connected with which, wines or spirituous or malt liquors are sold or given away.

House Bill No. 820, entitled:

An Act to amend section one of the act, approved the second day of May, one thousand eight hundred and ninety-nine (P. L. 184), entitled "Mercantile License Tax Law," as amended, exempting from the mercantile license tax so much of the business of manufacturers and mechanics as comprises the vending of goods of their manufacture from their factories and workshops.

House Bill No. 830, entitled:

An Act to further amend the act, approved the twenty-ninth day of November, one thousand nine hundred and thirty-three (1933-34, P. L. 15), entitled, as last amended, "Pennsylvania Liquor Control Act" changing the provisions of said act with respect to natural wines, as herein defined; discontinuing the sale thereof by State stores; and changing the quantities of malt or brewed beverages that may be sold by licensees, other than clubs, for consumption off the premises where sold.

House Bill No. 831, entitled:

An Act to re-enact and further amend the title and the act, approved the third day of May, one thousand nine hundred and thirty-three (P. L. 252), entitled as last amended "Malt Liquor License Law" including natural wines, as herein defined, within the provisions of said act; providing special licenses for the sale thereof, authorizing retail dispensers to sell natural wines without further license; and changing the quantities of malt or brewed beverages that may be sold by distributors and importing distributors, and by retail dispensers for consumption off the premises where sold.

House Bill No. 834, entitled:

An Act requiring persons selling "merchandise" as herein defined to place weighing and measuring devices in full view of the purchasers imposing certain duties on the Department of Internal Affairs and the several county and city inspectors of weights and measures and providing penalties.

House Bill No. 846, entitled:

An Act to amend an act approved the eighteenth day of May, one thousand nine hundred eleven (P. L. 309), entitled "Public School Code" as amended, by requiring school boards in all school districts to grant leaves of absence to all school employes who shall volunteer or be called for military naval or similar service under the Selective Service Law of 1940 or subsequent laws of the United States of America and to all school employes in the National Guard, land or naval reserve forces who shall be called for active duty; preserving certain contracts, salaries, increments, retirement rights, seniority, State contributions and grants to local school boards, eligibility lists, re-employment; requiring school boards to employ substitutes in place of such employes; reserving all rights and privileges of employes granted leaves of absence under the provisions herein; superseding or repealing all contrary laws.

House Bill No. 848, entitled:

An Act to further amend paragraph nineteen of section one thousand two hundred ten of the act, approved the eighteenth day of May, one thousand nine hundred eleven (P. L. 309), entitled "Public School Code," providing for the continuation of payments for closed schools to districts which by reason of any increase in population have been changed from a fourth class district to one of another class.

House Bill No. 849, entitled:

An Act to amend the act approved the nineteenth day of July, one thousand nine hundred thirty-five (P. L. 1356), entitled "Licensed Weighmasters Act" by further regulating the issuing to and revocation and suspension of licenses of weighmasters; requiring the use of suitable scales; regulating the issuing, use, and keeping of weighmaster's certificates; conferring powers and imposing duties upon the State, city, and county inspectors of weights and measures and the Department of Interial Affairs; declaring certain proofs to constitute prima facie evidence of a violation of the act; extending the provisions of said act to cases heretofore exempted; and prescribing additional and increased penalties.

House Bill No. 861, entitled:

An Act to further amend the act, approved the fourth day of May, one thousand nine hundred and twenty-seven (P. L. 519), entitled, "General Borough Act," by further regulating the affairs of boroughs; and revising, amending and changing the law relating thereto.

House Bill No. 885, entitled:

An Act to further amend section five hundred and thirty of the act approved the twenty-fourth day of June, one thousand nine hundred and thirty-one (P. L. 1206), entitled "First Class Township Law" providing for filling vacancies in the office of township commissioner.

House Bill No. 892, entitled:

An Act authorizing a commission to study recreational facilities available in first class cities; imposing powers and duties on said commission; and making appropriation.

House Bill No. 895, entitled:

An Act to authorize cities, boroughs incorporated towns, townships, school districts, poor districts and county institution districts to file tax and municipal claims not filed within the time specified by law and to file suggestions of nonpayment and averments of default or to sue out writs of scire facias on certain tax or municipal claims and to revive judgments where the lien of such claims or the judgments thereon have been lost and providing for the reinstatement of the liens of such claims and judgments

House Bill No. 896, entitled:

An Act authorizing and requiring county commissioners to sell seated and unseated lands purchased at tax sales upon which the period of redemption has expired and validating certain sales heretofore made

House Bill No. 897, entitled:

An Act providing for and regulating the appointment promotion and reduction in rank, suspension and removal of paid members of the police force in boroughs, incorporated towns, and townships of the first class maintaining a police force creating a civil service commission in each borough, incorporated town, and townships of the first class, defining the duties of such civil service commission; imposing certain duties and expense on boroughs; incorporated towns, and townships of the first class; imposing penalties; and repealing inconsistent laws.

House Bill No. 909, entitled:

An Act to further amend section three hundred three of and to add section three hundred seven to the act, approved the twenty-ninth day of November, one thousand nine hundred and thirty-three (P. L. 15, 1933-34), entitled as amended "Pennsylvania Liquor Control Act," by providing for the appointment of assistant managers in Pennsylvania Liquor Stores; and by establishing minimum salaries for certain employees of the Pennsylvania Liquor Control Board working in Pennsylvania Liquor Stores.

House Bill No. 931, entitled:

An Act to further amend section six of the act, approved the first day of July, one thousand nine hundred and thirty-seven (P. L. 2603), entitled "An act relating to vocational education; creating vocational school districts for the purpose of conducting systems of vocational schools, departments or classes; providing for their government; prescribing their powers and duties; conferring powers and imposing duties on school districts and on the State Board for Vocational Education; and providing for referendum in certain cases," fixing the rate of the annual tax levy; requiring county commissioners or boards for the assessment and revision of taxes to furnish, at the expense of the county, certified duplicates of last adjusted valuations of real estate; making the same taxable for vocational school purposes; and making further provision with reference to the bond of tax collectors.

House Bill No. 940, entitled:

An Act to amend section 1202 by adding thereto clause LX, of the act approved the fourth day of May, one thousand nine hundred twenty-seven (P. L. 519) entitled, "General Borough Act" authorizing boroughs to appropriate moneys for the support of hospitals.

House Bill No. 949, entitled:

An Act to further amend section nine of the act, approved the seventh day of June, one thousand nine hundred and seventeen (P. L. 363), entitled "Orphans' Court Act of 1917," by imposing liability on executors, administrators or trustees for real estate brokers commissions in certain cases.

House Bill No. 955, entitled:

An Act to amend section ninety-five of the act, approved the second day of May, one thousand nine hundred and twenty-five (P. L. 448), entitled "Fish Law of 1925," further regulating use of nets in boundary lakes.

House Bill No. 957, entitled:

An Act to amend the act approved the fourth day of June one thousand nine hundred and thirty-seven (P. L. 1625) entitled "An act providing for the creation maintenance and operation of a county employes' retirement system in counties of the third class and imposing certain charges on counties," by defining "Average Salary" and further defining "County Employe" and "Retirement Allowance"; further regulating retirement funds and allowances and the payment of retirement allowances and refunds in case of withdrawal or death of members; validating certain contributions; providing for further admissions to the system and protecting rights heretofore vested.

House Bill No. 960, entitled:

An Act to amend sections one and two and to further amend sections three and five of the act, approved the sixth day of April one thousand nine hundred and eleven (P. L. 51), entitled "Sausage Law" making possession of adulterated sausage prima facie evidence of intent to sell; further defining and regulating the adulteration of sausage; and conferring powers on the Department of Agriculture.

House Bill No. 971, entitled:

An Act to further amend sections fifteen and fifteen and three-tenths, and to repeal sections fifteen and one-tenth and fifteen and two-tenths, of the act approved the sixteenth day of May, one thousand nine hundred and twenty-three (P. L. 207), entitled "Municipal Claim and Tax Lien Law," as amended, by providing for the renewal, extension and continuation of liens for taxes and water, lighting, power and sewer rates, until such taxes and rates are fully paid and satisfied; and authorizing the filing and revival of liens heretofore lost, and in certain cases, reviving, validating, preserving and extending liens.

House Bill No. 974, entitled:

An Act to amend article twelve, section one thousand two hundred six, of the act approved the ninth day of April, one thousand nine hundred and twenty-nine (P. L. 177), entitled "Administrative Code of 1929," by providing for the issuance of a certificate of approval for weights and measures of county, city and borough sealers.

House Bill No. 1003, entitled:

An Act making an appropriation to the Moore Institute of Art, Science and Industry formerly Philadelphia School of Design for Women at Philadelphia, Pennsylvania.

House Bill No. 1005, entitled:

An Act to add section six hundred ninety-nine and six-tenths of the act, approved the twenty-fourth day of June, one thousand nine hundred and thirty-nine (P. L. 872), entitled "The Penal Code," making it unlawful for unauthorized persons to buy or exchange Federal food order stamps for currency and providing penalties.

House Bill No. 1013, entitled:

An Act to repeal section five of the act approved the fourth day of May one thousand nine hundred and five (P. L. 385) entitled "An act creating the Water Supply Commission of Pennsylvania defining its duties fixing the scope of its authority and powers and making an appropriation for the payment of the salaries and expenses connected therewith" prohibiting the issuance of letters patent to water companies until approved by the Water Supply Commission.

House Bill No. 1014, entitled:

An Act to further amend clause eight of section one thousand two hundred and ten of the act approved the eighteenth day of May, one thousand nine hundred and eleven (P. L. 309), entitled "Public School Code," by changing the minimum salary of county superintendents.

House Bill No. 1021, entitled:

An Act to add section six hundred seventeen and one-tenth to the act, approved the eighteenth day of May, one thousand nine hundred and eleven (P. L. 309), entitled

"Public School Code," authorizing school districts under certain conditions to appropriate money to non-profit corporations established for the purpose of constructing school buildings for the use of the district.

House Bill No. 1022, entitled:

An Act to amend section thirteen and to further amend section eighteen of the act approved the eleventh day of May, one thousand nine hundred and twenty-one (P. L. 522), "Dog Law of 1921," permitting certain dogs to be brought into the Commonwealth for hunting purposes, by holders of non-resident hunting licenses, without securing a Pennsylvania dog license.

House Bill No. 1023, entitled:

An Act prohibiting employers from directly or indirectly offering for sale selling procuring for sale having in possession or under control for sale to employes or others any merchandise not produced by employers or not handled in the regular course of employer's business providing exceptions thereto declaring such prohibited sales to be unfair competition and repealing prior inconsistent legislation.

House Bill No. 1035, entitled:

An Act to further amend clause ten of section one of the act approved the twenty-seventh day of June, one thousand nine hundred and twenty-three (P. L. 858), entitled "State Employes Retirement Law," further defining "new member."

House Bill No. 1036, entitled:

An Act to amend subsection (b) of section sixteen of the act, approved the seventh day of June, one thousand nine hundred and seventeen (P. L. 429), entitled "Interstate Act of 1917," by providing that in cases where the spouse of the natural parent shall adopt the child of such natural parent, the natural parent shall retain his or her status as such, and shall, for purposes of inheritance and devolution, be regarded as an adopting parent.

House Bill No. 1065, entitled:

An Act making an appropriation to the National Farm School, at Doylestown, Pennsylvania.

House Bill No. 1066, entitled:

An Act making an appropriation to the Trustees of the Hahnemann Medical College and Hospital, of Philadelphia, Pennsylvania.

House Bill No. 1068, entitled:

An Act making an appropriation to the Trustees of the University of Pennsylvania.

House Bill No. 1072, entitled:

An Act to amend section five hundred and nineteen of the act, approved the second day of May, one thousand nine hundred and twenty-nine (P. L. 1278), entitled "General County Law" providing for the payment of the costs of viewers by the Commonwealth in certain cases.

House Bill No. 1083, entitled:

An Act making an appropriation to the Trustees of Temple University at Philadelphia, Pennsylvania.

House Bill No. 1084, entitled:

An Act to validate and quiet the title to real estate in this Commonwealth held by a foreign corporation unauthorized to hold the same, and heretofore conveyed to a citizen of the United States or a corporation authorized to hold such real estate.

House Bill No. 1087, entitled:

An Act to amend Clause (2) of Section 3 of the act approved the sixteenth day of May, one thousand nine hundred and twenty-nine (P. L. 1784), entitled "Newspaper Advertising Act," by changing the definition of daily newspaper.

House Bill No. 1092, entitled:

An Act making an appropriation for the expenses of the committee of the House of Representatives created by House Resolution Serial Number forty-nine adopted the nineteenth day of February one thousand nine hundred forty-one.

House Bill No. 1095, entitled:

An Act to further amend section six of the act approved the fifth day of May one thousand nine hundred and eleven (P. L. 198) entitled "An act to establish a county court for the county of Allegheny and prescribing its powers and duties regulating the procedure therein and providing for the expenses thereof" by conferring upon said county court jurisdiction in certain civil actions transferred to it by the Court of Common Pleas of Allegheny County.

House Bill No. 1098, entitled:

An Act to amend section four hundred eight of article four of the act approved the third day of June, one thousand nine hundred thirty-three (P. L. 1449), entitled "Allegheny County Juvenile Court Law," to provide for the payment of the costs of maintenance of children under care of the Juvenile Court by the county institution district or by the city in which such child is residing at the time of assumption of jurisdiction by the court.

House Bill No. 1101, entitled:

An Act to amend section one thousand five hundred and one, and one thousand five hundred and eight of the act, approved the first day of May, one thousand nine hundred and thirty-three (P. L. 103), entitled "The Second Class Township Law," further regulating sewer connections and sewer district assessments in certain cases.

House Bill No. 1106, entitled:

An Act making an appropriation to the Woman's Medical College of Pennsylvania, located at East Falls, Philadelphia, Pennsylvania.

House Bill No. 1121, entitled:

A further Supplement to the act, approved the first day of April, one thousand eight hundred and sixty-three (P. L. 213), entitled "An act to accept the grant of Public Lands, by the United States, to the several states, for the endowment of Agricultural Colleges," making an appropriation for carrying the same into effect.

House Bill No. 1126, entitled:

An Act to further amend part of section three hundred and two, to amend section three hundred and seven and part of section fifteen hundred and one of the act, approved the ninth day of April, one thousand nine hundred and twenty-nine (P. L. 343), entitled "Fiscal Code," establishing the Surplus Commodities Stamp Fund; and authorizing the State Treasurer to disburse money from said fund upon requisition of the Secretary of Public Assistance.

House Bill No. 1127, entitled:

An Act defining, regulating and providing for the licensing and registration of employment agents and their representatives, including private employment agents, theatrical employment agencies and nurses' registries; providing for revocation and suspension of licenses and registrations, subject to appeal, and for their reinstatement; defining the powers and duties of the Department of Labor and Industry and the Department of Public Instruction; providing penalties; and repealing existing laws.

House Bill No. 1129, entitled:

An Act to further amend subsection (a) of section six of the act, approved the seventh day of June, one thousand nine hundred seventeen (P. L. 447), entitled as amended "Fiduciaries Act of 1917," eliminating requirements for advertising and for appointment of masters where value of estates of presumed decedents is not in excess of five hundred dollars.

House Bill No. 1130, entitled:

An Act making an appropriation to the Veterans of Foreign Wars, Department of Pennsylvania, towards expenses of the National Encampment in Philadelphia.

House Bill No. 1151, entitled:

An Act transferring money from the Motor License Fund to the General Fund and providing for the subsequent return from the General Fund of the transferred money.

House Bill No. 1152, entitled:

An Act making a deficiency appropriation to the Department of Public Assistance and providnig for certain allocations therefrom for the purpose of carrying out the public Assistance Law for the two fiscal years ending May thirty-first, one thousand nine hundred and forty-one; and for the payment of assistance and expenses accrued or incurred prior to and remaining unpaid on May thirty-first, one thousand nine hundred thirty-nine.

House Bill No. 1156, entitled:

An Act to add section one thousand six hundred and seven and one-tenth to article sixteen of the act, approved the eighteenth day of May one thousand nine hundred and eleven (P. L. 309), entitled "Public School Code," requiring teaching in the public schools of principles of democratic government and patriotism and imposing certain duties on the Superintendent of Public Instruction.

House Bill No. 1167, entitled:

An Act to amend section three hundred seventeen of the act, approved the third day of June, one thousand nine hundred and thirty-seven (P. L. 1225), entitled "The Game Law," changing the provisions of said act as to the right of residents to hunt and trap without a license.

House Bill No. 1175, entitled:

An Act to amend section six hundred fifteen of the act, approved the eighteenth day of May, one thousand nine hundred and eleven (P. L. 309), entitled "Public School Code," excepting certain repairs and alterations to school buildings from requirement of approval by State Council of Education.

House Bill No. 1176, entitled:

An Act making an appropriation out of the Motor License Fund to the Department of Highways for allocation to and expenditure in the second class townships of the Commonwealth for maintenance, construction, reconstruction, resurfacing or improvement of township roads and bridges during the calendar years one thousand nine hundred forty-two and one thousand nine hundred forty-three; permitting the use of the funds for maintenance and repair of township roads and bridges under certain conditions; and providing for the method of payment to townships

House Bill No. 1177, entitled:

An Act to amend section seven hundred and seventeen point one of the act approved the first day of May, one thousand nine hundred and twenty-nine (P. L. 905), entitled "Vehicle Code," by allocating fees for inspection certificates for promotion of highway safety.

House Bill No. 1187, entitled:

An Act for conveyance to the United States of America of title in and to certain land comprising the Marcus Hook Pennsylvania Quarantine Station property and ceding to the United States jurisdiction over said land.

House Bill No. 1190, entitled:

An Act relating to coal stripping operations; providing for the health and safety of persons employed therein; and for the inspection and regulation of such operations by the Department of Mines; requiring certain information and reports; and prescribing penalties.

House Bill No. 1194, entitled:

An Act to amend sections two and three of the act approved the eleventh day of May, one thousand nine hundred and eleven, (P. L. 275), entitled "An act to provide for the appointment of county and city inspectors of weights and measures; providing for their compensation and expenses; prescribing their duties: prohibiting vendors from giving false or insufficient weights; and fixing the penalties for the violation of the provisions hereof," as amended, by providing for the issuance of certificates of approval for weights and measures of county, city, and borough sealers.

House Bill No. 1197, entitled:

An Act to amend Sections 201, 202, 204, 205, 211 and 805 of the act, approved the fourth day of May, one thousand nine hundred twenty-seven (P. L. 519), entitled "General Borough Act," changing certain provisions relating to the incorporation of new boroughs, and providing for the incorporation of boroughs from townships of the first class having a population of eight thousand or more, and for the organization of the government therein.

House Bill No. 1203, entitled:

An Act making an appropriation to the Jefferson Medical College, of Philadelphia, Pennsylvania, for medical education

House Bill No. 1205, entitled:

An Act to amend subsections (b) and (c) of section two of the act, approved the twenty-first day of June, one thousand nine hundred and thirty-nine (P. L. 626), entitled "An act providing for and regulating the assessment and valuation of all subjects of taxation in counties of the second class; creating and prescribing the powers and duties of a Board of Property Assessment, Appeals and Review; imposing duties on certain county and city officers; abolishing the board for the assessment and revision of taxes in such counties; and prescribing penalties," to provide for the appointment of the members of the Board of Property Assessment, Appeals and Review in second class counties by the county commissioners.

House Bill No. 1213, entitled:

An Act to amend an act approved the seventh day of

June, one thousand nine hundred seventeen (P. L. 600) entitled "Status of Public Officers and Employes in Military Service in Time of War or Contemplated War Act," by more fully defining the times during which the benefits shall be payable and the amount thereof and to whom payable.

House Bill No. 1228, entitled:

An Act to amend sections three and four of the act, approved the fifth day of June, one thousand nine hundred thirty-five (P. L. 266), entitled "An act to protect trade-mark owners, distributors, and the public against injuries and uneconomic practices in the distribution of articles of standard quality under a distinguished trade-mark, brand or name," exempting the sale of books to libraries from the provisions of said act.

House Bill No. 1230, entitled:

An Act to further amend section one and to amend section three of the act, approved the fourteenth day of May, one thousand nine hundred and twenty-five (P. L. 730), entitled "Soft Drink Law," by excluding certain juices and combinations of juices from the operation of the act; and requiring separate registration for each bottling or manufacturing plant.

House Bill No. 1232, entitled:

An Act to further amend section one thousand eight hundred and four of the act, approved the twenty-third day of June, one thousand nine hundred and thirty-one (P. L. 932), entitled "Third Class City Law," authorizing the council in such cities from time to time to make supplemental appropriations.

House Bill No. 1233, entitled:

An Act to amend section three hundred seventy of the act, approved the second day of May, one thousand nine hundred and twenty-nine (P. L. 1278), entitled "General County Law," authorizing the county commissioners, from time to time, to make supplement appropriations.

House Bill No. 1234, entitled:

An Act to further amend section one thousand seven hundred and one of the act approved the twenty-fourth day of June, one thousand nine hundred thirty-two (P. L. 1206), entitled "First Class Township Law," authorizing the township commissioners from time to time, to make supplemental appropriations.

House Bill No. 1235, entitled:

An Act to further amend section three hundred and nine of the act, approved the twenty-fourth day of June, one thousand nine hundred and thirty-seven (P. L. 2017), entitled "County Institution District Law," authorizing the commissioners of any county institution district from time to time, to make supplemental appropriations.

House Bill No. 1236, entitled:

An Act to further amend section nine hundred two of the act, approved the first day of May, one thousand nine hundred and thirty-three (P. L. 103), entitled "The Second Class Township Law," authorizing the township supervisors from time to time, to make supplemental appropriations.

House Bill No. 1240, entitled:

An Act fixing the fee to be charged by the local authorities in cities of the first class for furnishing certified copies of the record of any birth, death or marriage which had been registered in the office of such local authorities prior to the taking effect of the Act approved June seventh, one thousand nine hundred fifteen, (Pamphlet Laws nine hundred) and for searches of the files and records when no certified copy is made.

House Bill No. 1253, entitled:

An Act providing a method of annexation of parts of townships to cities of the first class and regulating the proceedings pertaining thereto.

House Bill No. 1255, entitled:

An Act authorizing cities of the first class which have issued or may hereafter issue bonds to redeem the same and issue and sell new bonds therefor

House Bill No. 1257, entitled:

An Act to add section three and one-tenth to the act, approved the fifteenth day of May, one thousand nine hundred and thirty-nine (P. L. 134), entitled "An act relating to fireworks; defining fireworks; prohibiting the sale, offering or exposing for sale and use of fireworks, except in certain cases; authorizing cities, boroughs, towns and townships to issue permits for fireworks displays, and to regulate the same; imposing duties on the Pennsylvania Motor Police, sheriffs, police officers and constables; and providing penalties," providing for an extension of time on permits for such displays when not made on the day designated in the permit.

House Bill No. 1259, entitled:

An Act creating and providing for and regulating the maintenance and operation of a county employe's retirement system in counties of the fourth class; and imposing certain charges on counties

House Bill No. 1263, entitled:

An Act relating to the extradition of persons charged with crime and to make uniform the law with reference thereto.

House Bill No. 1265, entitled:

An Act to amend section sixty-five of the act, approved the twenty-second day of June, one thousand nine hundred and thirty-one (P. L. 594), entitled "Rural State Highway Law," by changing a certain route.

House Bill No. 1270, entitled:

An Act to further amend sections one two and seven of the act approved the twelfth day of June one thousand nine hundred and thirty-one (P. L. 510) entitled "An act providing for the licensure and regulation of certain private nursing homes and private hospitals conferring certain powers and duties upon the Department of Welfare and providing penalties" limiting the provisions of said act to exclude nursing homes and hospitals operated on a non-profit basis

House Bill No. 1282, entitled:

An Act providing that taxes on unseated lands shall be collected and returned in the same manner and at the same time as taxes on seated lands.

House Bill No. 1286, entitled:

An Act relative to the employment of females in hotels taverns saloons and eating houses for the mixing or sale of alcoholic drinks and the penalty for violation thereof

House Bill No. 1315, entitled:

An Act to amend the title and the act approved the seventh day of May one thousand nine hundred thirty-seven (P. L. 589) entitled "An act providing for the taking over by the Commonwealth under certain terms condi-

tions and limitations of certain streets in cities of the first class as State highways and for the improvement construction reconstruction resurfacing and maintenance by the Commonwealth of said streets imposing duties on such cities and on public utility companies using such streets providing that no assessment shall be made upon the Commonwealth in the elimination or reconstruction of any grade crossing thereon authorizing cities persons associations or corporations to enter into agreements with the Commonwealth to bear a portion of the cost of construction regulating the replacement of certain facilities of public utility companies prohibiting the making of any opening in said street after improvement without a permit and providing penalty therefor regulating the maintenance of detours authorizing the increase of city indebtedness in certain cases and appropriating money in the new sections; making certain changes in the designation of Motor License Fund for the purposes of this act," by adding certain streets taken over as State highways, and adding thereto certain additional streets; providing for the taking, opening, relocation, widening, or change of grade of such State highways at the expense of the Commonwealth and the city, or either of them; designating the city as agent for the Commonwealth in the settlement of damages; authorizing agreements for the taking, opening, relocation, widening, change of grade, construction, reconstruction, repair, and maintenance of such State hihgways; appropriating money in the Motor License Fund for the purposes of the act as amended.

House Bill No. 1321, entitled:

An Act making an appropriation to the Department of Property and Supplies for payment of balances due certain contractors for additions and alterations at the Harrisburg State Hospital.

House Bill No. 1323, entitled:

An Act authorizing the Department of Property and Supplies with the consent of the Department of Military Affairs and the approval of the Governor to sell and convey the property of the Pennsylvania State Arsenal at Harrisburg to the City of Harrisburg in exchange for the conveyance by said city of Wildwood Park to the Commonwealth, for the use of the Pennsylvania Game Commission in maintaining a wild life sanctuary.

House Bill No. 1324, entitled:

An Act to further amend section thirty-two of the act, approved the second day of May, one thousand nine hundred and twenty-nine (P. L. 1278), entitled "General County Law" further providing for ascertaining the change of classification of counties.

House Bill No. 1326, entitled:

An Act to amend sections three and four of the act, approved the thirtieth day of March, one thousand nine hundred three (P. L. 110), entitled "A supplement to an act, entitled 'An act regulating the construction, maintenance, alteration, and inspection of buildings and party walls in cities of the second class,' approved the seventh day of June, Anno Domini one thousand eight hundred and ninety-five; regulating the construction, alteration and ventilation of tenement-houses, and providing for the safety of the inhabitants thereof; and providing penalties for the violation of the same," further regulating the erection, alteration and ventilation of certain tenement houses.

House Bill No. 1327, entitled:

An Act to amend section six and to further amend section eleven of the act, approved the twenty-eighth day of May, one thousand nine hundred and fifteen (P. L. 596), entitled "An act requiring cities of the second class to establish a pension fund for employes of said cities, and regulating the administration and the payment of such pensions," restricting the right of per diem employes to join such pension system, and giving peace time drafted employes credit for the time spent in the services of the United States.

House Bill No. 1328, entitled:

An Act to reenact and amend the title and the act, approved the twenty-ninth day of April, one thousand nine hundred thirty-seven (P. L. 526), entitled "An act providing for and regulating joint purchases by counties (other than counties of the first and second classes), cities of the third class, boroughs, towns, townships, school districts, and poor districts," by including second class counties within the provisions of the act.

House Bill No. 1330, entitled:

An Act making an appropriation from the State Stores Fund to the State Employes' Retirement Board to meet the obligations of the Commonwealth to the State Employes' Retirement System with respect to State employes receiving compensation from the State Stores Fund.

House Bill No. 1331, entitled:

An Act making an appropriation from the Manufacturing Fund to the State Employes' Retirement Board to meet the obligations of the Commonwealth to the State Employes' Retirement System with respect to State employes receiving compensation from the Manufacturing Fund.

House Bill No. 1332, entitled:

An Act making an appropriation from the Motor License Fund to the State Employes' Retirement Board to meet the obligations of the Commonwealth to the State Employes' Retirement System with respect to State employes receiving compensation from the Motor License Fund

House Bill No. 1334, entitled:

An Act making an appropriation to the Department of Property and Supplies for the payment of claims arising in connection with the erection and construction of the Eastern State Penitentiary at Graterford.

House Bill No. 1336, entitled:

An Act authorizing and directing the Department of Property and Supplies to reprint the Report of the Commission to Locate the Sites of the Frontier Forts of Pennsylvania; and providing for the distribution thereof.

House Bill No. 1343, entitled:

An Act making an appropriation of moneys in the Motor License Fund to the Board of Finance and Revenue for the payment of the Loan and Transfer Agent of the Commonwealth.

House Bill No. 1344, entitled:

An Act making an appropriation of moneys in the Motor License Fund to the Board of Finance and Revenue to meet interest and sinking fund requirements on the State debt.

House Bill No. 1345, entitled:

An Act making an appropriation from the State Workmen's Insurance Fund to the State Employes' Retirement Board to meet the obligations of the Commonwealth to the State Employes' Retirement System with respect to State employes receiving compensation from the State Workmen's Insurance Fund.

House Bill No. 1346, entitled:

An Act designating certain days of each year as Arbor Days and Bird Days; one of which days shall be the ninth day of April excep when the ninth day of April falls on Saturday, Sunday or Good Friday; providing that the week of the ninth of April be proclaimed as Conservation Week; and directing suitable observance of Arbor Days and Bird Days in Public schools under the direction of superintendents and teachers.

House Bill No. 1365, entitled:

An Act to amend the act approved the first day of May, one thousand nine hundred and twenty-nine, (P. L. 905), entitled "Vehicle Code" as variously amended: amplifying and changing provisions of said act relating to lighting and signal devices; redefining the term dealer; further regulating dealers in junked vehicles, permits for oversize and overweight vehicles, use of school buses, registration plates and cards, maximum size of vehicles, and medical examinations by physicians; providing for payments of certain fees by counties; limiting and providing new exemptions from the various provisions of said act; giving additional authority to peace officers and department employes in the matter of investigations; further regulating prosecutions; giving certain powers to cities for the regulation of traffic and the establishment of traffic courts; fixing additional fees, changing and imposing new penalties, and giving the secretary additional powers and duties.

House Bill No. 1370, entitled:

An Act to amend section eighteen of article nineteen of the act, approved the twenty-fifth day of June, one thousand nine hundred and nineteen (P. L. 581), entitled "First Class City Charter Law" further regulating the removal, discharge or reduction in pay or position of officers, clerks and employes in the classified civil service.

House Bill No. 1373, entitled:

An Act to amend part of section two of an act, approved the twenty-seventh day of June, one thousand nine hundred thirty-nine (Appropriation Acts of one thousand nine hundred thirty-nine, page sixty), entitled "An act to provide for the ordinary expenses of the Executive Legislative, and Judicial Departments of the Commonwealth, interest on the public debt, and the support of the public schools for two years beginning June first, one thousand nine hundred and thirty-nine; and the payment of bills incurred and remaining unpaid at the close of the fiscal year ending May thirty-first, one thousand nine hundred and thirty-nine," by making an appropriation to the Department of Military Affairs for the use of the Pennsylvania National Guard also available for the use of the Pennsylvania Reserve Defense Corps.

House Bill No. 1390, entitled:

An Act making an appropriation to the Treasury Department out of various funds to pay replacement checks issued in lieu of outstanding checks when presented.

House Bill No. 1397, entitled:

An Act to amend the act approved the fifth day of May, one thousand nine hundred thirty-three (P. L. 457), entitled "Building and Loan Code," as amended, by requiring certificates of the payment of taxes and other charges to be filed with the Department of State in certain cases.

House Bill No. 1398, entitled:

An Act to amend the act, approved the fifth day of May, one thousand nine hundred thirty-three (P. L. 289), entitled "Non-profit Corporation Law," as amended, by changing certain provisions of the act relating to corporate names, by requiring certain certificates of the payment of taxes and other charges to be filed with the Department of State in certain cases, by making certain changes in the scope of the act and by making certain provisions relating to the filing of notices of changes of registered offices.

House Bill No. 1399, entitled:

An Act to amend the act, approved the fifteenth day of May, one thousand nine hundred thirty-three (P. L. 624), entitled "Banking Code," as amended, by requiring certificates of the payment of taxes and other charges to be filed with the Department of State in certain cases.

House Bill No. 1400, entitled:

An Act to amend the act, approved the fifth day of May, one thousand nine hundred thirty-three (P. L. 364), entitled "Business Corporation Law," as amended, by changing certain provisions of the act relating to corporate names and requiring certificates of the payment of taxes and other charges to be filed with the Department of State in certain cases.

House Bill No. 1417, entitled:

An Act making an appropriation to The General State Authority to defray the costs and expenses of the said Authority in connection with the organization, administration, and operation thereof.

House Bill No. 1418, entitled:

An Act making an appropriation to the Department of Welfare, for the maintenance of certain homes.

House Bill No. 1419, entitled:

An Act making an appropriation to the Department of Welfare, for the maintenance of certain hospitals.

House Bill No. 1420, entitled:

An Act to amend the act, approved the seventeenth day of June, one thousand nine hundred and thirteen (P. L. 507), entitled "Intangible Personal Property Tax Law" as amended, by imposing the tax upon personal property held and managed in this Commonwealth, owned, held or possessed by residents as trustees, agents, or attorneys-in-fact jointly with one or more trustees, agents, or attorneys-in-fact domiciled in another state, and by imposing the tax upon equitable interests of residents in personal property held and managed in another state, where the legal title to such personal property is held by more than one trustee, agent or attorney-in-fact, one or more of whom are dimiciled in another state and one or more of whom are domiciled within this Commonwealth.

House Bill No. 1435, entitled:

An Act to authorize housing authorities to undertake the development or administration of projects to provide safe and sanitary dwellings for persons engaged in national-defense activities who would not otherwise be able to secure such dwellings within the vicinity thereof; to limit the initiation of the development of such projects until December 31, 1943; to authorize housing authorities to cooperate with or act as agent of the Federal Government in the development and administration of such projects of the Federal Government, to acquire or lease such projects and to sell or lease certain projects to the Federal Government; to authorize public bodies to assist such projects of housing authorities and of the Federal Government; and to declare valid all bonds, notes and obligations of housing authorities issued for projects heretofore undertaken to provide safe and sanitary dwellings for persons engaged in national defense activities.

House Bill No. 1441, entitled:

An Act to amend routes 52037 and 52044 as added to the act, approved the twenty-second day of June, one thou-

sand nine hundred and thirty-one (Act No. 203) entitled "Rural State Highway Law" changing certain routes in the county of Potter.

House Bill No. 1442, entitled:

An Act making an appropriation to the Department of Commerce out of the Motor License Fund for the proper conduct of a specific portion of its work.

House Bill No. 1457, entitled:

An Act establishing certain public roads in Porter Township, Clarion County, and Mahoning Township, Armstrong County, as a State highway; providing for their construction and maintenance by the Department of Highways; and making an appropriation.

House Bill No. 1463, entitled:

An Act making an appropriation to the Department of Property and Supplies for the payment of rates rentals and other charges that may become due on leases and other contracts executed by such department with the General State Authority for the use and occupancy by the Commonwealth of various projects, structures, buildings, and facilities of the Authority or for the services rendered by the Authority or its projects.

House Bill No. 1465, entitled:

An Act to amend the act, approved the twenty-ninth day of April, one thousand nine hundred thirty-seven (P. L. 487) entitled "The Permanent Registration Act for Boroughs, Towns and Townships," as amended, by requiring and providing for the registration of persons in military service before they shall be entitled to vote at any election.

House Bill No. 1466, entitled:

An Act to amend the act, approved the third day of June, one thousand nine hundred and thirty-seven (P. L. 1333), entitled "Pennsylvania Election Code," by changing the procedure for and regulating elections by persons in actual military service, imposing duties upon the Secretary of the Commonwealth, courts, county boards of elections, and county commissioners, providing for reimbursement of counties for actual expenses incurred for canvassing the vote of electors in actual military service.

House Bill No. 1467, entitled:

An Act to amend the act, approved the first day of June, one thousand nine hundred thirty-seven (P. L. 1132), entitled "The Permanent Registration Act in Cities of the Second Class A" as amended, by requiring and providing for the registration of persons in military service to entitle them to vote at any election.

House Bill No. 1468, entitled:

An Act to amend the act, approved the twenty-fifth day of May, one thousand nine hundred thirty-seven (P. L. 814) entitled "The Permanent Registration Act in Cities of the Second Class" as amended, by requiring and providing for the registration of persons in military service to entitle them to vote at any election.

House Bill No. 1469, entitled:

An Act to amend the act, approved the twenty-fifth day of May, one thousand nine hundred thirty-seven (P. L. 849) entitled "The Permanent Registration Act in Cities of the Third Class" as amended, by requiring and providing for the registration of persons in military service to entitle them to vote at any election.

House Bill No. 1470, entitled:

An Act providing for practical arts and vocational agriculture, home economics, industrial and commercial schools, and classes through public school districts, and in cooperation with employment offices for the training, retraining, instruction and adjustment of out-of-school unadjusted individuals in order to enable them to enter, re-enter, or continue employment under changing conditions, conferring powers and imposing duties upon the Superintendent of Public Instruction, and making an appropriation.

House Bill No. 1483, entitled:

An Act to repeal the act approved the sixteenth day of January, one thousand seven hundred and ninety-nine (Sm. Laws, page 338), entitled "An Act to declare Frankford Creek, a public highway."

House Bill No. 1487, entitled:

An Act providing for the construction and maintenance by the Department of Forests and Waters with the advice of the Bushy Run Battlefield Commission, of a Bushy Run Museum Building on land owned by the Commonwealth in Westmoreland County; and making an appropriation.

House Bill No. 1488, entitled:

An Act preserving the rights of persons enlisting or being inducted or drafted into the military or naval service of the United States, under licenses or registrations issued by the Department of Public Instruction and the Department of Insurance to practice professions or to work at trades or occupations; and providing for renewals after discharge from such service.

House Bill No. 1493, entitled:

An Act to amend the act, approved the seventh day of June, one thousand nine hundred seventeen (P. L. 600), entitled "Status of Public Officers and Employes in Military Service in time of War or Contemplated War Act," by providing for the payment into the State Employes' Retirement Fund of certain amounts of the salaries or wages of such officers or employes under certain circumstances.

House Bill No. 1494, entitled:

A Supplement to the act, approved the twenty-seventh day of June, one thousand nine hundred twenty-three (P. L. 858), as amended, entitled "State Employes' Retirement Law."

House Bill No. 1495, entitled:

A Supplement to the act approved the twenty-ninth day of June, one thousand nine hundred thirty-seven (P. L. 2423), as amended, entitled, "An act establishing a Pennsylvania Motor Police Retirement System; providing for payments upon retirement, death, disability, involuntary retirement, and of certain medical expenses from the State Employes' Retirement Fund, under the Administration of the State Employes' Retirement Board; providing for contributions by members of the Pennsylvania Motor Police and the Commonwealth; providing for the guarantee by the Commonwealth of certain of said funds; providing for the subrogation of the Commonwealth to the rights of the member or dependents against certain third parties; exempting annuities, allowances, returns, benefits, and rights from taxation and judicial processes; and providing penalties."

House Bill No. 1501, entitled:

An Act authorizing the Secretary of the Department of Forests and Waters to lease a tract of land in Jackson Township, Dauphin County to the Susquehannock Indian Tribe.

House Bill No. 1510, entitled:

An Act to further amend section two of the act, approved the third day of June, one thousand nine hundred and nineteen (P. L. 369), entitled "An act providing for the appointment by the district attorney, in counties having a population of over one million five hundred thousand inhabitants, of a chief county detective, an assistant chief county detective, and special county detectives; defining their duties; defining their authority; fixing their salaries, and authorizing the payment of the same, together with the necessary traveling expenses, by the county," by increasing the compensation of the chief county detective.

House Bill No. 1511, entitled:

An Act making an appropriation for the expenses of the Committee of the House of Representatives created by House Resolution Serial Number thirty-five, adopted the twenty-fourth day of February, one thousand nine hundred and forty-one.

House Bill No. 1513, entitled:

An Act to further amend section three of the act approved the twenty-second day of June, one thousand nine hundred thirty-five (P. L. 414), entitled, as amended "State Personal Property Tax Act," be exempting assets held by liquidating trustees.

House Bill No. 1526, entitled:

An Act to amend section two hundred seven of the act, approved the twenty-fourth day of June, one thousand nine hundred and thirty-one (P. L. 1206), entitled "First Class Township Laws," further prescribing method by which second class townships may be classified as first class townships; and providing for the costs and holding of special elections for that purpose.

House Bill No. 1529, entitled:

A Supplement to the act, approved the twenty-second day of June, one thousand nine hundred and thirty-one, (P. L. 594) entitled "Rural State Highway Law," establishing additional routes to be used as a part of the national defense program in the County of Cambria.

House Bill No. 1542, entitled:

An Act to amend Route 55121, as added to the act, approved the twenty-second day of June, one thousand nine hundred and thirty-one (P. L. 594), entitled "Rural State Highway Law," changing a route in the County of Somerset.

House Bill No. 1543, entitled:

An Act providing a method for supplying, perfecting and recording birth records of certain person whose births have not heretofore been made a public record, or whose record of birth is incomplete or incorrect; making such records competent legal evidence; prescribing fees; and imposing certain duties upon the orphans' court

House Bill No. 1559, entitled:

An Act to amend the definition of "Peace Officer" as set forth in section one hundred and two of the act, approved the first day of May, one thousand nine hundred and twenty-nine (P. L. 905), entitled "Vehicle Code," by including therein military police and certain other persons in the armed service of the United States.

House Bill No. 1570, entitled:

An Act authorizing the Department of Property and Supplies to have a certain number of copies printed of the Report of the Joint State Government Commission on the Organization and Administration of Pennsylvania's State Government; providing for the distribution and sale of such copies; imposing new duties on the Joint State Government Commission; and making an appropriation.

House Bill No. 1572, entitled:

An Act to amend the act approved the second day of March, one thousand nine hundred thirty-three (P. L. 6), entitled "An act to enable persons, associations, partnerships and corporations engaged in farming, and raising breeding, fattening and marketing livestock, to borrow money and secure the repayment thereof by the execution and recordation of chattel mortgages on livestock, farm machinery, farm equipment, and crops; and designating the operation and effect of the lien of such mortgages," as amended, by extending, enlarging, and removing the limitations upon the class of those who may become chattel mortgagees, by making further provisions respecting the fees of recorders of deeds in connection with chattel mortgages, the extension of the lien and defaults of said mortgages and by defining violations and prescribing penalties.

House Bill No. 1585, entitled:

An Act authorizing political subdivisions to accept in full payment of municipal claims, taxes, penalties, interest and costs such amount as may be fixed for the discharge thereof in proceedings under the National Bankruptcy Act.

House Bill No. 1588, entitled:

An Act t oamend and reenact section five hundred and twenty-four of the act, approved the eighteenth day of May, one thousand nine hundred and eleven (P. L. 309), entitled "Public School Code," as amended, by limiting to eleven and three-quarter mills the total annual school tax for any one year in school districts of the first class; and prescribing the method of fixing the levy of school taxes in such districts.

House Bill No. 1590, entitled:

An Act making an appropriation to the Board of Trustees of the Philadelphia Museum, Philadelphia.

House Bill No. 1591, entitled:

An Act making an appropriation to the Pennsylvania Museum and School of Industrial Art, Philadelphia.

House Bill No. 1597, entitled:

A Supplement to the act, approved the twenty-second day of June, one thousand nine hundred and thirty-one (P. L. 594), entitled "Rural State Highway Law," establishing an additional route in the County of Lebanon.

House Bill No. 1611, entitled:

An Act creating a presumption of release or discharge of certain mortgages held by the Commonwealth and requiring the Department of Justice to enter satisfaction thereof at the cost of the property owners

House Bill No. 1621, entitled:

An Act to add section forty-three to the act, approved the twentieth day of June, one thousand nine hundred and nineteen (P. L. 521), entitled "Transfer Inheritance Tax Law," authorizing compromise of tax claims in cases where there is a dispute as to the domicile of the decedent.

House Bill No. 1631, entitled:

An Act authorizing and directing the Department of

Highways to erect, construct and maintain a free bridge over the Allegheny River in or near the Borough of Tarentum, Allegheny County and a point in Westmoreland County, and to provide the necessary approaches and connections with State highways, providing for the acceptance of Federal aid, empowering counties to pay certain damages, and making an appropriation.

House Bill No. 1636, entitled:

An Act authorizing the Secretary of Property and Supplies to give and transfer certain visual and radio aviation navigational aids to the Federal Government.

House Bill No. 1643, entitled:

An Act to amend the act, approved the ninth day of April, one thousand nine hundred and twenty-nine, (P. L. 843), entitled "Fiscal Code" by providing for the manner of payment of escheator's fees, informant's commissions, and other lawful charges due from moneys escheated to the Commonwealth and escheatable moneys paid to the Commonwealth without escheat, designating the funds to which such moneys shall be credited, and making an appropriation.

House Bill No. 1648, entitled:

An Act to amend the act, approved the first day of May, one thousand nine hundred and twenty-nine (P. L. 1005), entitled "Tractor Code," as variously amended, by changing registration years, fractions of registration years, operator's license years; extending the time for exemption from fees for transfer of registration to conform with changed registration year; reducing operator's license fee, and giving the secretary power to determine whether certain motor vehicles are of tractor type.

House Bill No. 1650, entitled:

An Act providing for the cooperation of the Commonwealth and certain political subdivisions thereof with the United States in respect to flood control projects authorizing the Secretary of Highways on behalf of the Commonwealth and the authorities of the various counties cities, boroughs and townships to grant and convey certain rights and easements thereof and lands bordering the same over which such governmental units may have control.

House Bill No. 1652, entitled:

An Act to further amend sections eight and eleven of the act, approved the fifteenth day of May, one thousand nine hundred and thirty-three (P. L. 553), entitled "Uniform Automobile Liability Security Act," by giving the secretary discretionary power, under certain circumstances, to suspend operators' licenses; and providing for notice and hearing before suspension of licenses and registrations.

House Bill No. 1658, entitled:

An Act to further amend the first paragraph of section one of article fifteen of the act approved the seventh day of March one thousand nine hundred and one (P. L. 20), entitled "Second Class City Law," by further regulating the manner of letting contracts relating to city affairs.

House Bill No. 1659, entitled:

An Act making an appropriation to the Department of Revenue for the payment of accounts settled against the Commonwealth and that department in favor of certain persons, associations and corporations.

House Bill No. 1660, entitled:

An Act to amend section seven hundred and thirty of the act, approved the ninth day of April, one thousand nine hundred and twenty-nine (P. L. 343), entitled "Fiscal Code," by authorizing the furnishing of certain confidential information to other states and the United States.

House Bill No. 1661, entitled:

An Act to amend section three of the act, approved the tenth day of May, one thousand nine hundred thirty-nine P. L. 111), entitled "Commerce Law," providing for the promulgation or adoption and administration by the Department of Commerce of voluntary plans to control the output of mineral resource industries located preponderantly within the Commonwealth.

House Bill No. 1662, entitled:

An Act to amend the title and further amend section one of the act, approved the twenty-second day of June, one thousand nine hundred and thirty-one (P. L. 844), entitled "An act authorizing the Commonwealth of Pennsylvania, or any department or division thereof, and counties, cities, boroughs, incorporated towns, townships, school districts and poor districts to make contracts of life, health, and accident policies for the benefit of employes thereof, and contracts for pensions for such employes; and providing for the payment of the cost thereof," authorizing the making of contracts for hospitalization; and extending the provisions of the act to vocational school districts and institution districts.

House Bill No. 1663, entitled:

An Act making an appropriation to the Special Committee of the House of Representatives which completed an investigation of the administration of W. P. A. Sewing Projects of the Commonwealth to reimburse the committee for expenses incurred by it in making such an investigation.

House Bill No. 1665, entitled:

An Act to amend section six hundred five of the act, approved the twenty-fourth day of June, one thousand nine hundred and thirty-nine (P. L. 872), entitled "The Penal Code" by providing that said section shall not apply to certain games or devices where free plays are given or allowed; and providing that such free plays shall not be considered things of value.

House Bill No. 1670, entitled:

An Act validating the action of cities of the third class in constructing sections of their sewer systems outside of their territorial limits; and making such sections lawful sewers of such cities.

House Bill No. 1676, entitled:

An Act to further amend the act, approved the second day of May, one thousand nine hundred and twenty-nine (P. L. 1518), entitled, as amended, "Elevator Regulation Law," by defining and making further provision relative to the installation and use of "man lift" elevators.

House Bill No. 1678, entitled:

An Act to further amend section one thousand one hundred thirty-three of the act, approved the eighteenth day of May, one thousand nine hundred and eleven (P. L. 309), entitled "Public School Code," by removing certain limitations of the appointment of district superintendents.

House Bill No. 1704, entitled:

An Act authorizing the Department of Public Instruction, with the approval of the Board of Trustees of the Indiana State Teachers' College, to contract with the Borough of Indiana for the erection of a sewage disposal plant and the connection therewith and use thereof, by

the Indiana State Teachers' College, and the payment of part of the cost of maintenance thereafter; and making an appropriation.

House Bill No. 1716, entitled:

An Act to further amend sections three and ten of the act, approved the fifth day of May, one thousand nine hundred and thirty-three (P. L. 284), entitled, as amended, "Beverage Tax Law," by prescribing malt beverage tax rates for certain original containers or standard fractions thereof; fixing a minimum quantity of malt or brewed beverages which may be sold in cases, cartons or boxes; and providing for refunds of tax for malt or brewed beverages sold to commissaries, ship's stores and voluntary unincorporated organizations of the Army or of the Navy personnel operating under regulations promulgated by the Secretary of War or the Secretary of the Navy.

House Bill No. 1719, entitled:

An Act to add clause (k) to section two thousand one hundred two, and to repeal clause (d) of section two thousand one hundred ten of the act, approved the ninth day of April, one thousand nine hundred twenty-nine, (P. L. 177) entitled "Administrative Code of 1929," transferring the power to determine questions of fact regarding the purity of water supplied to the public from the Sanitary Water Board to the Department of Health, to conform with the provisions of the Public Utility Law.

House Bill No. 1720, entitled:

An Act authorizing the Department of Property and Supplies with the approval of the Governor and the Board of Trustees of Harrisburg State Hospital to acquire a certain tract of land for the use of said hospital and making an appropriation therefor

House Bill No. 1721, entitled:

An Act authorizing the Department of Property and Supplies with the approval of the Governor and the Department of Welfare to acquire a certain tract of land for the use of Pennsylvania Industrial School and making an appropriation

House Bill No. 1722, entitled:

An Act authorizing the Department of Property and Supplies, with the approval of the Governor and the Board of Trustees of Warren State Hospital, to acquire a certain tract of land for the use of said hospital, and making an appropriation therefor.

House Bill No. 1727, entitled:

An Act providing that proceedings, acts and bonds issued, by Authorities incorporated under the Municipality Authorities Act, as amended and supplemented, shall not be invalid by reason of certain circumstances.

House Bill No. 1728, entitled:

An Act relating to the compatibility of office of members of the Boards and officers of the Authorities incorporated under the Municipality Authorities Act, as amended and supplemented.

House Bill No. 1729, entitled:

An Act to add section fourteen and one-tenth to the act, approved the seventh day of August, one thousand nine hundred and thirty-six (P. L. 106), entitled, as amended "Flood Control Law," authorizing the Secretary of Highways and the various political subdivisions with the approval of the Water and Power Resources Board, to grant easements and flowage rights to the Federal Government, over certain highways, roads, streets and bridges.

House Bill No. 1738, entitled:

An Act to amend Route 22045 of the act, approved the twenty-second day of June, one thousand nine hundred and thirty-one (P. L. 594), entitled "Rural State Highway Law."

House Bill No. 1739, entitled:

An Act to amend Route 38043 of the act, approved the twenty-second day of June, one thousand nine hundred and thirty-one (P. L. 594), entitled "Rural State Highway Law."

House Bill No. 1760, entitled:

An Act creating a commission to make a study and investigation of the various problems related to the surface subsidence frequently caused by the mining of anthracite coal, directing such commission to make a report and recommendations to the General Assembly; conferring certain powers upon such commission, including the power to issue subpoenas, administer oaths and affirmations, retain employes and expend funds; and making an appropriation.

House Bill No. 1765, entitled:

An Act regulating and abandoning as a State highway. State highway Routes 03123 and 03133 in Armstrong County; and providing for the reversion thereof to the townships.

House Bill No. 1766, entitled:

A Supplement to the act, approved the eighteenth day of July, one thousand nine hundred seventeen (P. L. 1043), entitled "School Employes Retirement Law," defining the rights and obligations of members of the School Employes' Retirement Association engaged in active military service.

House Bill No. 1768, entitled:

An Act to further amend the act, approved the fifth day of December, one thousand nine hundred thirty-six (P. L. of 1937, p. 2897) entitled "Unemployment Compensation Law," by providing therein as to the replacement of certain moneys received pursuant to the provisions of Section three hundred two of the Federal Social Security Act as amended.

House Bill No. 1770, entitled:

An Act to amend the title and to further amend section forty-three of the act, approved the seventh day of June, one thousand nine hundred and one (P. L. 493), entitled "An act providing for the examination, licensure, and registration of persons, firms, or corporations engaged or engaging in the business or work of plumbing or house drainage, and prescribing certain rules, regulations, and requirements for the construction of plumbing, house drainage, and cesspools in cities of the second class; and imposing fines, penalties, and forfeitures for violation thereof," by permitting the use of enclosed woodwork about sinks in all except tenement-houses and lodging houses in cities of the second class, second class A, and third class.

House Bill No. 1771, entitled:

An Act requiring clerks of courts to forward to the Department of Health a certificate of decrees in divorce, annulment of marriage, adoption and annulment of adoption proceedings, providing for the registration of such certificates by the said Department, the issuance of certified copies thereof, and fixing fees and penalties.

House Bill No. 1798, entitled:

An Act setting up a procedure for the adoption of annual budget ordinances in cities of the second class A.

House Bill No. 1802, entitled:

An Act providing for, and requiring in certain cases, preference in appointments to public position for honorably discharged persons, who served in the military or naval service during any War in which the United States was engaged.

House Bill No. 1825, entitled:

An Act establishing a certain section of public road as a State highway; and providing for its construction and maintenance at the expense of the Commonwealth.

House Bill No. 1826, entitled:

An Act to amend part of section two of the act, approved the twenty-second day of June, one thousand nine hundred and thirty-one (P. L. 720), entitled "City State Highway Law," changing a certain route in the City of Johnstown.

House Bill No. 1827, entitled:

An Act making an appropriation out of the Motor License Fund to the Department of Highways to be used with the advice of the Pennsylvania Historical Commission for construction and improvement of roads within and approaches to The Ephrata Cloisters, and for the landscaping thereof.

House Bill No. 1831, entitled:

An Act to further amend section twenty-one of the act, approved the seventh day of June, one thousand nine hundred fifteen (P. L. 900), entitled "Vital Statistics Law," by directing the Department of Health to maintain branch offices in counties of the second class for the filing of death certificates; authorizing such offices to issue certified copies of death certificates and make searches of their files; imposing additional duties upon local registrars in such counties; and prescribing fees.

House Bill No. 1832, entitled:

An Act making an emergency appropriation to the Department of Highways for allocation to and distribution among boroughs and townships for the repair of certain roads and streets in western Pennsylvania.

House Bill No. 1835, entitled:

An Act creating a Highway Traffic Advisory Committee to the War Department of the United States of America; providing for its appointment; prescribing its powers and duties; and authorizing the use by the committee of the employes, equipment, supplies and facilities of certain State agencies.

House Bill No. 1857, entitled:

An Act making an appropriation to the Department of Revenue for the payment of claims against the Commonwealth arising from damage by fire caused by defective wires used for operating airplane beacons.

House Bill No. 1878, entitled:

An Act to further amend the act approved the eighteenth day of May, one thousand nine hundred and eleven (P. L. 309), entitled "Public School Code" as amended, by providing for the appointment of a deputy school treasurer, a deputy school controller and clerks to the school controller.

House Bill No. 1895, entitled:

An Act to amend section five of the act, approved the fourth day of April, one thousand nine hundred twenty-nine (P. L. 144), entitled "Farm Products Standards Law," by including certificates of the United States Department of Agriculture as evidence of grade and classification.

House Bill No. 1919, entitled:

An Act to amend sections 103, 301, 304, 305, 307, 308, 310, 311, 401, 402, 403, 404, 405, 410, 501, 502, 503, 505, 506, 508, 510, 511, 512, 513, 703, 801, 802, 803, 804, 807, 808, 809, 904, 1013 and 1101 of the act approved the twenty-eighth day of April, one thousand nine hundred and thirty-seven (P. L. 417) entitled "Milk Control Law", by adding the term "handler" as a synonym for the term "milk dealer", defining the terms "handle" and "handler"; extending the provisions of the act to those who handle milk by bailment, brokerage, consignment or purchase; authorizing special agents or examiners to conduct hearings on behalf of the Milk Control Commission; enabling certain officers, employes and agents to administer oaths; providing the method and effect of service of certain orders and the posting of rules, regulations and certain orders; enabling employes of the commission to photograph, photostat, mark or stamp for identification books and papers that they have inspected; providing for action with milk control agencies of other states and of the United States in holding hearings and promulgating and enforcing orders; requiring milk dealers or handlers to be licensed; stating grounds for refusal, suspension, revocation of licenses and the right to transfer licenses stating grounds for refusal of the right to apply for a license; stating the effect of service by registered mail; enlarging requirement of milk dealers or handlers to file bonds to secure payment to producers and certain milk dealers or handlers; prescribing the effective date and term of such bonds and providing for their release; providing for the increase or decrease of the amounts of bonds; prescribing the effect or orders and findings of fact of the commission relating to licenses in suits or bonds; providing for payment to those entitled thereto of moneys in the hands of the commission owing from dealers or handlers to producers and from subdealers or subhandlers to dealers or handlers; increasing the scope of regulation of subdealers or subhandlers; making certain information available to cooperatives and producers' groups; clarifying the requisites of orders fixing prices for milk; providing for the competency of certain statistical testimony and data; providing that all provisions of price-fixing orders shall be presumed to be valid and placing the burden of proving any invalidity of any order or part thereof; stating the effect of partial invalidity of price-fixing orders; defining violations of orders of the commission fixing prices; making milk dealers or handlers responsible for acts of their directors, officers, agents or other persons acting for or on behalf of them; giving certain additional rights to cooperatives and producers' and farmers' unions or organizations of producers of milk; further regulating and imposing duties on milk dealers or handlers; prescribing procedure on appeal from orders of the commission; further defining and prescribing penalties, defenses, rights and remedies; and providing for the payment of funds in the hands of the commission owing producers or dealers or handlers to those entitled thereto.

House Bill No. 1935, entitled:

An Act to further amend clause six of section one and section three of the act, approved the twenty-seventh day

of June, one thousand nine hundred and twenty-three (P. L. 858), entitled "State Employes Retirement Law," by further defining "State employe" so as to include certain employes of the Board of Fish Commissioners and the Pennsylvania Game Commission; providing that such employes shall have the option of joining the State Employes Retirement Association; and permitting their membership in such association to be retroactive upon the making of certain back payments by them and by the Board of Fish Commissioners and the Pennsylvania Game Commission.

House Bill No. 1952, entitled:

An Act fixing the salary of the Parliamentarian of the House of Representatives.

RESOLUTION COMMITTEE TO NOTIFY THE HOUSE THAT THE SENATE IS READY TO ADJOURN SINE DIE

Mr. DEITRICK offered the following resolution which was twice read, considered and agreed to:

In the Senate, July 15, 1941.

Resolved, That a Committee of two Senators be appointed to notify the House of Representatives that the Senate is now ready to adjourn sine die.

The PRESIDENT. The President Pro Tempore appoints as said committee, the Senator from Northumberland, Mr. Deitrick and the Senator from Berks, Mr. Ruth, to notify the House that the Senate is ready to adjourn.

COMMITTEE TO NOTIFY GOVERNOR THAT THE SENATE IS READY TO ADJOURN SINE DIE

Mr. TALLMAN offered the following resolution which was twice read, considered and agreed to:

In the Senate, July 15, 1941.

Resolved, That a Committee of three members of the Senate be appointed to wait upon his Excellency, the Governor, and inform him that the Senate is now ready to adjourn sine die, and inquire if he has any further communications to make.

The PRESIDENT. The President Pro Tempore appoints as said committee, the Senator from Lehigh, Mr. Tallman; the Senator from Mercer, Mr. Thomas and the Senator from Philadelphia, Mr. McCreesh, to notify the Governor, the Senate is ready to adjourn.

HOUSE MESSAGES

NOTIFICATION THAT THE HOUSE IS READY TO ADJOURN SINE DIE

Messrs. Readinger, Baugher, and Hall, committee from the House of Representatives, being introduced by the Sergeant-at-Arms, informed the Senate that the House is ready to adjourn sine die at 11:30 o'clock, p. m., this day.

The PRESIDENT. The Chair thanks the Committee on behalf of the Senate.

PRINTING JOURNAL OF THE SENATE AND THE HOUSE

The Clerk of the House of Representatives being introduced informed the Senate that the House has concurred in Resolution from the Senate as follows:

In the Senate, July 15, 1941.

Resolved (if the House of Representatives concur), That the Chief Clerks of the Senate and House of Representatives be directed to have the copy of the Journals of the two Houses of this session prepared and placed in the hands of the Director of the Bureau of Publications after the close of the Session, and the Director of the Bureau of Publications is hereby directed to have said Journals printed, bound and delivered to the Chief Clerks of the Senate and House of Representatives within ninety days after the receipt of the copy therefor.

REPORT OF COMMITTEE APPOINTED TO NOTIFY HOUSE THAT SENATE IS READY TO ADJOURN SINE DIE

Mr. DEITRICK. Mr. President, the committee appointed to notify the House of Representatives that the Senate is ready to adjourn sine die, desires to report to the Senate that they have fulfilled the duties of their appointment.

The PRESIDENT. The committee is discharged with the thanks of the Senate.

BILLS SIGNED

The PRESIDENT (Lieutenant-Governor Samuel S. Lewis) announced that the Chief Clerk having reported that the following bills had passed both houses of the General Assembly and the same being correct, the titles were publicly read as follows:

Senate Bill No. 1114, entitled:

An Act authorizing the Department of Public Instruction with the approval of the Board of Trustees of the Indiana State Teachers' College to contract with the Borough of Indiana for the erection of a sewage disposal plant and the connection therewith and use thereof by the Indiana State Teachers' College and the payment of part of the cost of maintenance thereafter; and making an appropriation.

Senate Bill No. 1190, entitled:

An Act making an appropriation to the Department of Public Instruction for the cost of improving, repairing, operating and maintaining the Thaddeus Stevens Industrial School at Lancaster, Pennsylvania.

Whereupon,

The PRESIDENT (Lieutenant-Governor Samuel S. Lewis) in the presence of the Senate signed the same.

REPORT OF COMMITTEE TO WAIT UPON THE GOVERNOR

The PRESIDENT. The Chair recognizes the Committee that was appointed to wait upon the Governor.

Mr. TALLMAN. Mr. President, the Committee on the part of the Senate appointed to wait upon His Excellency, the Governor, and inform him that the Senate is ready to adjourn sine die, and to ask him if he has any further communication, has performed its duty.

The PRESIDENT. The Committee is discharged with the thanks of the Senate.

ADJOURNMENT SINE DIE

The PRESIDENT. This being the day and hour fixed by concurrent resolution for the final adjournment, and the hour of eleven-thirty, p. m., having arrived, I hereby declare the 134th regular session of the Senate of Pennsylvania adjourned sine die.

HOUSE OF REPRESENTATIVES

TUESDAY, JULY 15, 1941

The House met at 10:45 a.m.

The SPEAKER (Elmer Kilroy) in the Chair.

PRAYER

Rev. Marshall L. Shepard, a member of the House offered the following prayer:

Oh, Lord, our God, how excellent is Thy name in all the earth. As we come to the closing hours of this session, we pray to Thee that Thou wouldst bless the Speaker and Members of this House and the officers of the government. We pray unto Thee, Father, that we may find rest and refreshment from waiting on Thee, realizing that Thou hast promised in Thy word that they who rely on the Lord shall renew their strength, they shall mount up on wings like the eagle, they shall run and not grow weary, they shall walk and not fail.

Lord, God of Hosts, be with us yet. Keep us with Thy power of divine grace. Bless our families at home, our relatives and friends, and all our interests.

Through Jesus Christ, our Lord, and for His sake, Amen.

JOURNAL APPROVED

The SPEAKER. The Clerk will read the Journal of Saturday, July 12, 1941.

The Clerk proceeded to read the Journal of Saturday, July 12, 1941, when, on motion of Mr. DAVID P. REESE, unanimously agreed to, the further reading was dispensed with and the Journal approved.

RECESS

The SPEAKER. If there is no objection the Chair is about to declare a recess for one hour. Is there objection? The Chair hears none and a recess is declared.

AFTER RECESS

The SPEAKER. The time of recess having expired the House was called to order.

The SPEAKER (Elmer Kilroy) in the Chair.

CONGRATULATORY RESOLUTION

Mr. WEISS offered the following resolution and asked and obtained unanimous consent for its immediate consideration.

The resolution was read, considered and adopted:

In the House of Representatives, July 15, 1941.

Whereas, Justine Cohen by her gracious and efficient work for the House of Representatives during the legislative Session of 1941 has merited the appreciation of the members, therefore be it

Resolved, That the thanks of the membership of the House of Representatives is hereby tendered to Justine Cohen; and that in token thereof a certified copy hereof be prepared and delivered to her in person by the Chief Clerk of the House.

REPORT AND DISCHARGE OF COMMITTEE OF CONFERENCE ON HOUSE BILL No. 957

Mr. WEISS. Mr. Speaker, I wish to report that the Committee of Conference appointed on House Bill No. 957, has failed to agree and ask that they be discharged.

The SPEAKER. The Committee having failed to agree is discharged from further consideration of House Bill No. 957.

On the question recurring,

Will the House concur in the amendments made by the Senate?

Mr. WEISS. Mr. Speaker, I move that the House recede from its non-concurrence in the amendments made and insisted upon by the Senate and concur in the Senate amendments made to House Bill No. 957, Printer's No. 1146.

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows, viz:

YEAS—203

Achterman,	French,	Lyons,	Royer,
Auker,	Gallagher,	Malloy,	Rush,
Baker,	Gates,	Marks,	Sarge,
Balthaser,	Gerard,	Maxwell,	Sarraf,
Baugher,	Gillan,	McClanaghan	Scanlon,
Bentley,	Gillette,	McClester,	Schwab,
Bentzel,	Goodwin,	McDermott	Serrill,
Boles,	Greenwood,	McDowell	Shaffer,
Boney,	Gross,	McFall,	Shaw,
Boorse,	Gryskewicz,	McIntosh	Shepard,
Bower,	Gyger,	McKinney,	Simons,
Bradley,	Habbyshaw,	McLanahan,	Skale,
Breth,	Haberlen,	McLane,	Snyder,
Bretherick,	Haines,	McMillen,	Sollenberger,
Brown,	Hall,	McSurdy,	Sorg,
Brunner, C. H.,	Hamilton,	Melchiorre,	Stambaugh,
Brunner, P. A.,	Hare,	Mihm,	Stank,
Burns,	Harkins,	Modell,	Stine,
Burris,	Harmuth,	Monks,	Stockham,
Cadwalader,	Harris,	Mooney,	Tarr,
Chervenak,	Heatherington,	Moran,	Tate,
Chudoff,	Helm,	Moul,	Taylor,
Cochran,	Hering,	Muir,	Thompson, E. F.,
Cohen, M. M.,	Herman,	Munley,	Thompson, R. L.,
Cohen, R. E.,	Hersch,	Nagel,	Trout,
Cook,	Hewitt,	Nunemacher	Turner,
Cooper,	Hirsch,	O'Brien,	Van Allsburg,
Cordier,	Holland,	O'Connor,	Verona,
Corrigan,	Huntley,	O'Dare,	Vincent,
Croop,	Imbrie,	O'Mullen,	Vogt,
Cullen,	James,	O'Neill,	Voldow,

Dalrymple,	Jefferson,	Owens,	Wagner,
Dennison,	Jones, G. E.,	Petrosky,	Watkins,
DiGenova,	Jones, P. N.,	Pettit,	Weingartner,
Dix,	Keenan,	Polaski,	Weiss,
Dolon,	Kenehan,	Polen,	Welsh, E. B.,
D'Ortona,	Kline,	Powers,	Welsh, M. J.,
Duffy,	Knoble,	Prosen,	Wilkinson,
Early,	Kolankiewicz,	Rank,	Williams,
Eckels,	Komorofski,	Rausch,	Winner,
Elder,	Krise,	Readinger	Wolf,
Elliott,	Lee, E. A.,	Reagan,	Wood, L. H.,
Ely,	Lee, T. H.,	Reese, D. P.,	Wood, N.,
Falkenstein,	Leisey,	Reese, R. E.,	Woodring,
Finestone,	Leonard,	Reynolds,	Woodside,
Fisher,	Lesko,	Rhea,	Wright,
Fiss,	Levy,	Riley,	Yeakel,
Fleming,	Leydic,	Rooney,	Yester,
Fletcher,	Lichtenwalter,	Rose, S.,	Young,
Flynn,	Longo,	Rose, W. E.,	Kilroy,
Foor,	Lovett	Rosenfeld,	Speaker.

NAYS—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative and the amendments were concurred in.

Ordered, That the Clerk inform the Senate accordingly.

PERMISSION TO ADDRESS HOUSE

Mr. SHEPARD asked and obtained unanimous consent to address the House.

Mr. Speaker, I just want to make a very brief statement. In these recent days, we have heard so much criticism, especially on the part of certain newspapers because of what the Assembly has not done. It is very refreshing to read the editorial that appeared in today's Evening Public Ledger of Philadelphia.

"Thanks to the Assembly

"For those things which the present Legislature has done to benefit this city, Philadelphians are truly grateful. Republicans and Democrats have forgotten their political differences where the good of the principal municipality of the Commonwealth has been concerned. Out of a total of 2459 bills introduced in the record-breaking session of six and one-half months, less than 300 were enacted, and a good share of that number were of help to Philadelphia.

"There was generous financial treatment. Provision was made to allocate $50,000,000 to Philadelphia in the next five years to eliminate bottleneck approaches and improve the highways around the airport and to make suitable entrances and exits at the Delaware River Bridge. Another $1,500,000 becomes available to maintain streets, highways and bridges this year.

Then about $2,000,000 a year will be saved city taxpayers by the State assuming the maintenance of Byberry. Millions will be saved by the permission granted to refund outstanding bonds, by new arrangements for payment of delinquent taxes and the guarantee of a balanced school budget by continuing the present tax rate of 11¾ mills. There was also the doubling of the appropriation for the Port of Philadelphia, which will get $300,000 in the current biennium.

"Other matters besides financial which will redound to the city's advantage include the amending of the Permanent Personal Registration Act to make it workable and to brush about 140,000 fraudulent names off the voting lists. The Philadelphia Housing Authority has been authorized to act as an agent of the Federal Government for the construction, operation, maintenance and leasing of defense housing projects. The Board of Public Education can spend funds to buy milk for undernourished children. A commission has been named to study the parks and playgrounds with a view to enlarging them.

"Altogether it has been a constructive program put into force by the State for Philadelphia's advancement. The city having set its own financial house in order under Mayor Lamberton and the present Council, the State Legislature has been quick to come forward to help it hold its proud place among the cities of the Nation."

Mr. Speaker, it is indeed encouraging to find a note of appreciation appearing in some of our newspapers on behalf of the work we have tried to do here in the Assembly, and I am sure we all thank the Public Ledger for taking time to point out the advantages that have accrued to the city of Philadelphia at this session.

Mr. BROWN. Mr. Speaker, we join with Representative Shepard in congratulating the Commonwealth of Philadelphia.

SENATE MESSAGES

SENATE ADOPTS CONFERENCE COMMITTEE REPORT ON HOUSE BILL No. 803

The Clerk of the Senate being introduced, informed that the Senate has adopted the report of the Committee of Conference on the subject of the difference existing between the two Houses on House Bill numbered and entitled as follows:

HOUSE BILL No. 803.

An Act to amend section six hundred and forty-three of the act approved the twenty-fourth day of June one thousand nine hundred and thirty-nine (Pamphlet Laws 872) entitled "An act to consolidate amend and revise the penal laws of the Commonwealth" by prohibiting certain persons from permitting or employing minors under eighteen years of age to sing dance act or exhibit in any place where wines or spirituous or malt liquors are sold or given way or any place connected therewith and prohibiting certain persons from employing minors under fifteen years of age and providing penalties for the violation of the provisions of this act.

SENATE ADOPTS CONFERENCE COMMITTEE REPORT ON HOUSE BILL No. 1729

The Clerk of the Senate being introduced, informed that the Senate has adopted the report of the Committee of Conference on the subject of the difference existing between the two Houses on House Bill numbered and entitled as follows:

HOUSE BILL No. 1729.

An Act to add section fourteen and one-tenth to the act approved the seventh day of August one thousand nine hundred and thirty-six (P. L. 106) entitled as amended "An act relating to flood control prescribing the powers and duties of the Water and Power Resources Board of the Department of Forests and Waters in relation to the creation of flood control districts adoption of plans for flood control works and improvements carrying into effect of such plans assistance aid and cooperation with public and private agencies and the Federal Government in Federal flood control works and improvements and entering into compacts and agreements with other states for flood control works and improvements conferring the power of eminent domain providing for the setting off of benefits imposing certain charges upon the Commonwealth providing for appeals and conferring certain powers on municipalities counties and townships and the Department of Highways" authorizing the Secretary of Highways and the various political subdivisions with the approval of the Water and Power Resources Board to grant easements

and flowage rights to the Federal Government over certain highways roads streets bridges and adjacent lands

SENATE ADOPTS CONFERENCE COMMITTEE REPORT ON HOUSE BILL No. 1176

The Clerk of the Senate being introduced, informed that the Senate has adopted the report of the Committee of Conference on the subject of the difference existing between the two Houses on House Bill numbered and entitled as follows:

HOUSE BILL No. 1176.

An Act making an appropriation out of the Motor License Fund to the Department of Highways for allocation to and expenditure in the second class township of the Commonwealth for maintenance construction reconstruction resurfacing or improvement of township roads and bridges during the calendar years one thousand nine hundred forty-two and one thousand nine hundred forty-three permitting the use of the funds for maintenance and repair of township roads and bridges under certain conditions and providing for the method of payment to townships.

APPOINTMENT OF CONFERENCE COMMITTEE ON HOUSE BILL No. 1727

The Clerk of the Senate being introduced, informed that the Senate has insisted upon its amendments, nonconcurred in by the House of Representatives, to House Bill No. 1727, entitled:

An Act providing that bonds notes and other evidences of indebtedness issued by Authorities incorporated under the Municipality Authorities Act as amended and supplemented shall not be invalid by reason of certain circumstances.

And has appointed Messrs. Mallery, Becker and Ruth a committee of conference to confer with a similar committee of the House of Representatives (already appointed) on the subject of the differences existing between the two houses in relation to said bill.

Mr. BROWN. Mr. Speaker, I move that the House insist upon its non-concurrence in the amendments made and insisted upon by the Senate and that a Committee of Conference be appointed.

The motion was agreed to.

APPOINTMENT OF COMMITTEE OF CONFERENCE ON HOUSE BILL No. 1727

The SPEAKER. The Chair appoints as a Committee of Conference on said bill, Messrs. HARKINS, LONGO and CHARLES H. BRUNNER.

Ordered, That the Clerk inform the Senate accordingly.

SENATE MESSAGES

SENATE RECEDES FROM ITS AMENDMENTS

The Clerk of the Senate being introduced, informed that the Senate has receded from its amendments nonconcurred in by the House, to House bill numbered and entitled:

HOUSE BILL No. 931.

An Act to further amend section six of the act approved the first day of July one thousand nine hundred and thirty-seven (P. L. 2603) entitled "An act relating to vocational education creating vocational school districts for the purpose of conducting systems of vocational schools departments or classes providing for their government prescribing their powers and duties conferring powers and imposing duties on school districts and on the State Board for Vocational Education and providing for referendum in certain cases" fixing the rate of the annual tax levy on real estate and authorizing the computation and entry for collection purposes in tax duplicates of the county of the taxes due to vocational school districts and the separate accounting and return thereof and making further provisions with reference to the bond of tax collectors.

APPOINTMENT OF CONFERENCE COMMITTEE ON HOUSE BILL No. 1768

The Clerk of the Senate being introduced, informed that the Senate has insisted upon its amendments, nonconcurred in by the House of Representatives, to House Bill numbered and entitled:

HOUSE BILL No. 1768.

An Act to further amend the act, approved the fifth day of December, one thousand nine hundred thirty-six (P. L. 1937, page 2897) entitled "An act establishing a system of unemployment compensation to be administered by the Department of Labor and Industry and its existing and newly created agencies with personnel (with certain exceptions) selected on a civil service basis requiring employers to keep records and make reports and certain employers to pay contributions based on payrolls to provide moneys for the payment of compensation to certain unemployed persons providing procedure and administrative details for the determination payment and collection of such contributions and the payment of such compensation providing for cooperation with the Federal Government and its agencies creating certain special funds in the custody of the State Treasurer and prescribing penalties" by providing therein as to the replacement or expenditure of certain moneys received or donated pursuant to the provisions of Section three hundred two of the Federal Social Security Act as amended or the Wagner-Peyser Act and making the moneys in the Administrotion Fund available to the Treasury Department to pay the costs incurred by said department in making disbursements from said fund and the Unemployment Compensation Fund.

And has appointed Messrs. Heyburn, H. I. Wilson and Coleman a committee of conference to confer with a similar committee of the House of Representatives (If the House of Representatives shall appoint such committee) on the subject of the differences existing between the two houses in relation to said bill.

Mr. ACHTERMAN. Mr. Speaker, I move that the House insist upon its non-concurrence in the amendments made and insisted upon by the Senate and that Committee of Conference be appointed.

The motion was agreed to.

APPOINTMENT OF COMMITTEE OF CONFERENCE ON HOUSE BILL No. 1768

The SPEAKER. The Chair appoints as a Committee of Conference on said bill, Messrs. REUBEN C. COHEN, HARKINS and WOODSIDE.

Ordered, That the Clerk inform the Senate accordingly.

SENATE MESSAGES

RESOLUTION CONCURRED IN BY SENATE

The Clerk of the Senate being introduced, informed that the Senate has concurred in the resolution from the House of Representatives, as follows:

In the House of Representatives, July 12, 1941.

Resolved, (if the Senate concur), That House Bill No. 401, Printer's No. 564, entitled:

An Act to further amend section five hundred eleven of the act approved the ninth day of April, one thousand nine hundred and twenty-nine, (P. L. 177), entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments, boards, commissions, and officers thereof, including the boards of trustees of State Normal Schools, or Teachers Colleges; abolishing, creating, reorganizing or authorizing the reorganization of certain administrative departments, boards, and commissions; defining the powers and duties of the Governor and other executive and administrative officers, and of the several administrative departments, boards, commissions, and officers; fixing the salaries of the Governor, Lieutenant Governor, and certain other executive and administrative officers; providing for the appointment of certain administrative officers, and of all deputies and other assistants and employes in certain departments, boards, and commissions; and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments, boards and commissions shall be determined," appropriating to the Department of Military Affairs the proceeds of the sale of certain products to be expended for the Indiantown Gap Military Reservation,"

which was recalled from the Governor on May 29th for the purpose of amendment, be returned to the Governor without amendment.

SENATE ADOPTS CONFERENCE COMMITTEE REPORT ON HOUSE BILL No. 481

The Clerk of the Senate being introduced, informed that the Senate has adopted the report of the Committee of Conference on the subject of the difference existing between the two Houses on House Bill numbered and entitled as follows:

HOUSE BILL No. 481.

An Act to amend sections eighteen and nineteen of the act approved the second day of July, one thousand nine hundred and thirty-five (P. L. 589), entitled "An act to safeguard human health and life by providing for the issuance of permits to, and regulation of persons and entities selling milk and milk products; conferring powers, and imposing duties on the Secretary of Health, the Advisory Health Board; and otherwise providing for the administration of the act and imposing penalties" eliminating the power of the Advisory Health Board to make certain rules and regulations establishing a Dairy Advisory Council in the Department of Health conferring powers and imposing duties thereon providing for appeals to courts of common pleas and requiring local ordinances rules and regulations in certain cases to conform to the provisions of this act.

PERMISSION TO ADDRESS HOUSE

Mr. BAUGHER asked and obtained unanimous consent to address the House.

Mr. Speaker, on May 8th of this somewhat long drawn out Session House Bill No. 812, which I sponsored, unanimously passed the House by a vote of 177 to 0.

This Bill provides that at all elections, the American Flag should be displayed at the polling places, and imposes duties on the county board of elections to see that it is carried out.

On May the 12th, the Bill was referred to the Senate committee on Elections where it languished until June 25th. At which time it was reported as committed and passed first reading. On June the 30th, it was recommitted, and with the present dead-lock in session, it is doomed to certain oblivion.

My purpose in sponsoring this Legislation was to again impress on all our citizens at the time they exercise their right of franchise, that this is one of the very few remaining countries in the world where every individual citizen was given an opportunity to vote for a candidate of his own choice, to vote in accordance with the dictates of his conscience, to give a free and untrammeled expression by ballot to his own political convictions without a soldier standing behind him, bayonet fixed, so that robot-like he automatically voted "Ja", or else did not survive to see his vote tallied.

I wanted the flag in these polling places, as a reaffirmation of the American way of life, as a reminder of a priceless heritage, and a source of inspiration to all those who came to ballot, that this way of life was worth living for, and dying for, if necessary. The Democratic House of Representatives thought such Legislation necessary. On the other hand, the Republican Senate thought it wasn't.

These were the gentlemen in the Senate who were very busy chasing "pinks" and "reds" and all other shades of that primary color up and down and through the Commonwealth, who were devoting themselves to this elusive pursuit, with all the unrestrained enthusiasm of a puppy chasing his tail, and accomplishing almost as much as the aforesaid puppy, and had no time to pass legislation which would reaffirm in every elector's mind in this Commonwealth our determination to maintain our American traditions. They were so busy looking for what un-Americanism might be, that they had no opportunity to express their faith in Americanism as it is today.

There is, unfortunately, no opportunity for this bill to be passed at this session, but I urge on the membership to remember that an opportunity will again arise for its passage at future sessions of the Legislature, and, while I congratulate the House in its unanimous passage of this worth while legislation, I feel that the Republican Senate has been derelict in its duties and responsibilities, and this utter disinterestedness by that body in this reaffirmation of the high principles on which our commonwealth and country are based, must be directly placed on their shoulders. These gentlemen in the Senate seem to have been very adept in wrapping themselves in the American Flag, but they proved very poor in allowing every elector in this Commonwealth to pay tribute to it at the time of exercising that greatest of all American rights, the right of franchise.

PERMISSION TO ADDRESS HOUSE

Mr. HEWITT asked and obtained unanimous consent to address the House.

Mr. Speaker, it is unfortunate for Mr. Baugher that the bill failed in the Senate to become a law, at least to be placed on the Governor's desk. I want to tell Mr. Baugher that we have seventy-seven voting precincts in the County of Indiana, and I will see personally that the American flag is displayed in each voting precinct on the next election.

BILLS SIGNED BY SPEAKER

Bills numbered and entitled as follows having been prepared for presentation to the Governor, and the same being correct, the titles were publicly read as follows:

SENATE BILL No. 1308.

An Act to amend section one further amend section three and to reenact section six of the act approved the twenty-second day of May one thousand nine hundred thirty-three (P. L. 912) entitled "An act to protect the public health defining and providing for the licensing of bakeries and regulating the inspection maintenance and operation of bakeries and premises stores and shops connected therewith defining and regulating the manufacture sale and offering for sale of bakery products conferring powers on the Department of Agriculture and providing penalties" by redefining "bakery" removing the exception from registration and licensing requirements requiring registered bakery products to show the fact of such registration making it unlawful for any person to sell offer for sale or have in possession with intent to sell unregistered bakery products or to import bakery products from bakeries not licensed hereunder and making possession prima facie evidence of intention to sell

SENATE BILL No. 618.

An Act to further amend section two of the act approved the third day of May one thousand nine hundred thirty-three (P. L. 252) entitled as amended "An act to regulate and restrain the traffic in malt and brewed beverages as herein defined providing for the licensing of the manufacture transportation sale and distribution of such beverages imposing license and permit fees and providing for collection and distribution thereof restricting ownership and interest in licensed places permitting municipalities and townships by vote of the electors to prevent the licensing therein of places where such beverages may be sold for consumption on the premises and regulating elections for this purpose imposing duties upon the Pennsylvania Liquor Control Board quarter sessions courts district attorneys the Department of Justice proper authorities of political subdivisions of the State and election officers providing penalties and repealing existing acts" by permitting clubs to waive or reduce or pay dues payable by members in military service

HOUSE BILL No. 957.

An Act to amend the act approved the fourth day of June one thousand nine hundred and thirty-seven (P. L. 1625) entitled "An act providing for the creation maintenance and operation of a county employes' retirement system in counties of the third class and imposing certain charges on counties" extending and further regulating such retirement systems.

Whereupon,

The SPEAKER, in the presence of the House, signed the same.

PERMISSION TO ADDRESS HOUSE

Mr. NAGEL asked and obtained unanimous consent to address the House.

Mr. Speaker, the House and Senate calendars show that 3259 Bills have been introduced during this Session. Deducting approximately the number of House bills that appear on the Senate History would leave about 3000 introduced. It is a question whether the Members of this House have a knowledge of the provisions of more than ten per cent of these bills. The combined army of Lobbyists probably have a greater knowledge and understanding of the bills introduced than the Legislators themselves.

The general public whom we pretend to serve has little facility for knowing what the bills introduced into this House and Senate would do, what changes these bills would make in our laws. Only a small percentage of this vast number of bills introduced will or can become law, obviously then, most of these bills have no merit that would justify their introduction.

Heretofore there was a date set as the dead-line for the introduction of bills in the House. This was good so far as it went for it had a tendency to reduce the number of bills introduced. This custom was abandoned at the beginning of this Session. The room on the next lower floor is filled to capacity with bills, calendars and histories, tons of paper used that will and must eventually be destroyed. Each week accumulated histories of the House and Senate are published, and during the last half of all Sessions these histories are large and often serve a purpose for but a brief period of two days. Here is affected a great loss of material, to say nothing of the loss in cost of printing.

It is my opinion that there is not a Member of this General Assembly who will not readily admit there is something radically wrong with our Legislative procedure, but nothing has been done to correct this costly evil. In fact, nothing can be done under our present arrangement to stop this tremendous waste of State funds.

So long as there is an open season for the introduction of bills no Representative or Senator can be limited in the number of bills he may desire to introduce, and I can not think that anyone desires to limit or curb activities along this line in a dictatorial manner, but a democratic course of action should be established that would automatically reduce this extensive waste and at the same time prove efficient and satisfactory not only to the Members of the General Assembly, but to all the people of our great Commonwealth.

Mr. Speaker and Members of the House, at this, the closing session of the 1941 Session, I feel it my duty to again call the attention of this House to House Bill No. 1485 introduced on May 6 by the Honorable Herbert G. Gates and myself. I do this to refresh your memories and to impress upon your minds the manifest need of some change. This Bill failed to become a law. Like most other good things of the past that carried with them sweeping changes, time was needed to effect these changes. Our American people have always been slow and hesitate to step out of a beaten path, but the time has come in Legislative procedure when it would seem that some drastic change must be made and this matter must be brought to the general public if we expect the public mind to run in constructive channels of progress.

Let us briefly examine this bill. Since its introduction both I and Mr. Gates have received much favorable comment from some of the best thinkers of our State.

House Bill No. 1485 advocates an amendment to our Constitution. It provides, as I stated some weeks ago, that the procedure during the fore part of our legislative work would be the same as heretofore; we would meet on the first Tuesday of January and use a week to elect our Speaker and appoint such committees as would direct the affairs of our body and the Senate appoint standing committees and attend to other preliminary matters. We

would then adjourn for a week and this committee could work out its plans. Then, under this amendment we would come here and devote five weeks of our time to the introduction of bills, during which five weeks no bills would be released from Committee, no bills acted upon on the floor of the House or the Senate except matters that might be of an emergency nature, which would be done by concurrent resolution.

During the time of the introduction of these bills, we advocate that there be published weekly a history of these House and Senate bills and that there not only be printed in this history the titles of these bills, which you see in our histories now, but there would be also printed about these bills, each one of them, a description of what the bill would do, if it were a new act, or how it would affect or change one of the laws on our statute books.

These histories would be made available to the Senators and Representatives of the General Assembly for distribution over their districts. They could be left at libraries, and different organizations so that the people of the State might know what laws or what propositions were being made before this body to become laws in the future.

It would give the people an opportunity and a chance to analyze these things so that they might instruct the men who represent them intelligently and knowingly. After the four weeks recess, the introductory period, we would come back here and no bills might be introduced except new bills or bills for raising revenue. This would give us an opportunity in the meantime as Representatives to study these bills, and it would give our constitutents at home an opportunity to have knowledge of what was before us here for consideration.

I contend, Mr. Speaker, not because I was one of two who introduced this bill.—I contend it is a constructive piece of legislation and I contend it will do many good things for our state. I contend it will, if enacted, tend to make better laws; it will give the people of our state advance knowledge of what may be enacted into law. It will reduce the cost of our legislation. It will not be necessary to waste tons of paper here and pay out enormous bills for printing. It will reduce to a minimum bills that are introduced. It will shorten our session, it will provide the members of the General Assembly with a brief statement of what each bill will do.

When we see a bill come up on third reading it will not be necessary for some one to rise and call upon the sponsors to explain it, unless some details of the bill are not clear. The matter will be clear before us. I believe it will result in the enactment of just laws in Pennsylvania, and, Mr. Speaker, it will help make the corrupt lobbyist a prehistoric animal who will only be found in our museums.

I give this short talk before this House; it is nonpartisan, it is patriotic, it is for the best interests of our state and nation, it is according to Democratic ideals.

I bring this again to your attention on this, perhaps the closing day of the session, that you may take home the thoughts I have left with you and discuss them with your constituents, and I am sure you will find after proper consideration that there is outlined here a program for the Commonwealth of Pennsylvania that will make it outstanding among the states of the nation and will result in keeping our state democratic. If this is enacted into law, I believe it will not be necessary perhaps after this war hysteria is over, to have as many of these Red laws enacted, because people will study our laws and the laws will be just; there will be no occasion for anyone to dislike his state and his national government.

I thank you, members of the House, for the attention you have given me at this time.

PERMISSION TO ADDRESS HOUSE

Mr. STAMBAUGH asked and obtained unanimous consent to address the House.

Mr. Speaker, I listened with interest to the speeches made by the preceding gentleman, and I thought perhaps I might add something that would in some way help him out of the dilemma about which he speaks and which we all think at various times clutters up the records.

Mr. Speaker, I rise at this time to recall to this House the fact that during this long, tiresome and practically unproductive session, we have talked about, considered and passed, or failed to pass, bills covering the interests of practically every minority group that has an organization of any sort whatsoever. The enumeration of the legislation presented and considered in the interest of the various minority groups would in itself require pages of manuscript for the purpose of the record. I only wish to say that the only large group that has not been directly covered and given their fair share of consideration is the Farmer Group.

The farmers of Pennsylvania have been promised much during each and every political campaign, but when the political battle of each election is past, he is relegated in the files of the average politician, and set aside as the "Forgotten man."

On January 13, 1941, the gentleman from Bedford, Mr. Foor, and I introduced House Bill No. 9.

House Bill No. 9 was a bill which returned to the farmer and the domestic user that portion of the gasoline tax which was rightly due him because of the fact that gasoline used on a farm for domestic purposes should not be taxed by the Commonwealth for highway purposes.

In looking over the record of the different states I found that Pennsylvania was the only large state in the union that does not refund to the farmers the tax on gasoline used for domestic and farm purposes. It therefore follows that the Pennsylvania farmer is working at a disadvantage due to the fact that he has an unusual and extraordinary expense to keep his machinery running when he has to pay an extraordinary tax which is not paid by the farmers of other states.

This bill, with a number of other similar bills was immediately placed in what is known as strong brine, or more commonly the pickling vat. There it was destined to take its place, with many other worthy pieces of legislation.

In speaking of pickling, we recall that there are seasons of pickling, seasons for sport, pastime, or recreation. Fall presents football and hunting; the winter season recalls basketball, ice skating and hockey. Baseball and tennis are quite in order in the spring and summer. Mountain sports, bathing, seashore recreations are in order in summer and it is during the summer period that this

great pastime of pickling takes place. We pickle tripe, we pickle sour krout, we pickle eggs, we pickle cucumbers, we pickle the pickle, and we go on pickling bills.

Let us consider this bill pickling process. Last winter we met, shook hands and made up a rather congenial mass of substance in this House known as fellowship and friendship, but at the same time we prepared the necessary ingredients to make up the brine of the pickle. And while we believe this homogeneous mass of fellowship and friendship will be lasting and preserved, we are fearful, however, that the bills that were turned into the other pickling vat will be lost forever, unless someone keeps the subjects alive during the period of time between this session and the succeeding sessions.

Yes, Mr. Speaker, the pickling process has been carried on by the majority side of this House until they themselves have gotten so deeply into the pickle that they are having difficulty in getting out. They will probably continue to wallow in the brine which they themselves prepared and into which they have fallen until the electorate of the state decides that they have had enough and they too decide to take a hand in what is going on and pickle once and for all those who have failed to carry out their promises and the desires of their constituents.

Just now, Mr. Speaker, I have been informed that the conditions have become unbearable even to those who made up the pickle and that they are about willing and ready to roll out the barrel, kick in the head and get ready for a new supply of brine to be prepared by the present minority of this house, the new mixture to be of such qualities so to be able to dissolve subversive elements, but will preserve for all times the principles of democracy as founded and established by our Revolutionary Fathers. When that is done the farmers of Pennsylvania will get their fair share of consideration—as well as all other groups.

SENATE MESSAGE

AMENDED SENATE BILL CONCURRED IN BY SENATE

The Clerk of the Senate being introduced informed that the Senate has concurred in the amendments made by the House of Representatives to Senate bill numbered and entitled as follows, viz:

SENATE BILL No. 1215.

A Supplement to the act, approved the sixteenth day of June, one thousand nine hundred forty-one (Appropriation Act No. 12A), entitled "An act to provide for the ordinary expenses of the Executive, Legislative and Judicial Departments of the Commonwealth, interest on the public debt and the support of the public schools for two years beginning June first, one thousand nine hundred and forty-one, and for the payment of bills incurred and remaining unpaid at the close of the fiscal year ending May thirty-first, one thousand nine hundred and forty-one"

BILL SIGNED BY SPEAKER

Bill numbered and entitled as follows having been prepared for presentation to the Governor, and the same being correct, the title was publicly read as follows:

SENATE BILL No. 1215.

A Supplement to the act, approved the sixteenth day of June, one thousand nine hundred forty-one (Appropriation Act No. 12A), entitled "An act to provide for the ordinary expenses of the Executive, Legislative and Judicial Departments of the Commonwealth, interest on the public debt and the support of the public schools for two years beginning June first, one thousand nine hundred and forty-one, and for the payment of bills incurred and remaining unpaid at the close of the fiscal year ending May thirty-first, one thousand nine hundred and forty-one."

Whereupon,

The SPEAKER, in the presence of the House, signed the same.

SENATE MESSAGES

SENATE ADOPTS CONFERENCE COMMITTEE REPORT ON SENATE BILL No. 298

The Clerk of the Senate being introduced, informed that the Senate has adopted the report of the Committee of Conference on the subject of the difference existing between the two Houses on Senate Bill numbered and entitled as follows:

SENATE BILL No. 298.

An Act making appropriations out of the Motor License Fund to the Department of Highways for allocation to and expenditure in cities boroughs towns and townships of the first class of the Commonwealth for maintenance construction reconstruction resurfacing or improvement of municipal roads highways and bridges during the calendar years one thousand nine hundred forty-two and one thousand nine hundred forty-three permitting the use of the funds for maintenance and repair of municipal roads highways and bridges under certain conditions and providing for the method of payment to such political subdivisions

REPORT OF COMMITTEE OF CONFERENCE ON SENATE BILL No. 298

Mr. ACHTERMAN. Mr. Speaker, I desire to call up the report of the Committee of Conference on Senate Bill No. 298, Printer's No. 623.

The report was read by the Clerk as follows:

To the Members of the Senate and House of Representatives:

We, the undersigned, Committee of Conference on the part of the Senate and House of Representatives for the purpose of considering Senate Bill No. 298, entitled:

"An Act making appropriations out of the Motor License Fund to the Department of Highways for allocation to and expenditure in cities, boroughs, towns and townships of the first class of the Commonwealth for maintenance, construction, reconstruction resurfacing or improvement of municipal roads, highways and bridges during the calendar years one thousand nine hundred forty-two and one thousand nine hundred forty-three; permitting the use of the funds for maintenance and repair of municipal roads, highways and bridges under certain conditions and providing for the method of payment to such political subdivisions."

Respectfully submit the following bill as our report:

Edward J. Coleman
J. G. Snowden
Charles R. Mallery
(Committee on the Part of the Senate.)

Leo T. Achterman
Albert S. Readinger
Ira T. Fiss
(Committee on the part of the House of Representatives.)

An Act making appropriations out of the Motor License Fund to the Department of Highways for allocation to and expenditure in cities boroughs towns and townships of the first class of the Commonwealth for maintenance construction reconstruction resurfacing or improvement of municipal roads highways and bridges during the calendar years one thousand nine hundred forty-two and one thousand nine hundred forty-three permitting the use of the funds for maintenance and repair of municipal roads highways and bridges under certain conditions and providing for the method of payment to such political subdivisions

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The sum of eight million dollars ($8,000,000) is hereby appropriated to the Department of Highways for the two calendar years beginning January first one thousand nine hundred forty-two out of the Motor License Fund for allocation to and expenditure in the cities (except cities of the first class) boroughs towns and townships of the first class of the Commonwealth in the amounts upon the terms in the manner and for the purposes hereinafter set forth in this act

The sum of one million five hundred thousand dollars ($1,500,000) is hereby appropriated to the Department of Highways for the two calendar years beginning January first one thousand nine hundred forty-two out of the Motor License Fund for expenditure in cities of the first class of the Commonwealth upon the terms in the manner and for the purposes hereinafter set forth in this act

Section 2 Sixty-five per centum of the moneys hereby appropriated for allocation to cities (except cities of the first class) boroughs towns and townships of the first class shall be allocated and apportioned among such municipalities in the ratio which the mileage of municipal roads and highways in such municipality bears to the total mileage of municipal roads and highways in all of such municipalities as of January first one thousand nine hundred forty-two

Thirty-five per centum of the moneys hereby appropriated for allocation to cities (except cities of the first class) boroughs towns and townships of the first class shall be allocated and apportioned among such municipalities in the ratio which the population of each such municipality bears to the total population in all of such municipalities as shown by the 1940 decennial census of the United States

The funds appropriated by this act shall be expended by the respective municipalities under the supervision and subject to the approval of the Department of Highways and in compliance with such rules and regulations as the Department of highways may prescribe in carrying out the provisions of this act

The funds appropriated by this act shall be used for the maintenance construction reconstruction resurfacing and improvement of municipal roads and highways and the maintenance construction and reconstruction of municipal bridges in municipalities excepting that in municipalities which do not have sufficient funds from other sources for the maintenance and repair of all the roads highways and bridges under their jurisdiction the allocations or appropriations for such municipalities shall be used in whole or in part for such maintenance and repair purposes

Section 3 Before any of the funds appropriated for municipalities by this act shall be expended for construction reconstruction resurfacing or improvement the corporate authorities of the respective municipalities shall by resolution specify the location and type of construction of the road or highway proposed to be constructed reconstructed resurfaced or improved or the bridge to be constructed or reconstructed and shall submit the same to the Department of Highways together with estimates plans if any and specifications for the approval of said department

Section 4 Nothing in this act shall be construed to relieve any municipality from any obligation they may have incurred under any contract or agreement entered into prior to January first one thousand nine hundred forty-two for the construction or repair of any road highway or bridge now under its jurisdiction

Section 5 The corporate authorities of each municipality not having a department or bureau of highways or streets shall appoint a foreman who may be an officer or employe of the municipality to supervise the work to be done under the provisions of this act and in the event more than one foreman is required the Department of Highways may authorize the corporate authorities of the municipality to appoint one or more additional foremen The Secretary of Highways shall have the right to remove any foreman so appointed for incompetency or for neglect or refusal to comply with the rules and regulations of the Department of Highways prescribed for the work under this act The corporate authorities of each municipality shall also employ any laborers required for said work and fix their wages

Nothing herein contained shall be construed to prevent work under the act being done by contract let by the corporate authorities of the municipality and approved by the Department of Highways

Section 6 No payment shall be made from moneys appropriated by this act to the municipalities except on warrants drawn by the Auditor General upon the State Treasurer as provided by the act of Assembly to the treasurer of the municipality and such payment if approved by the Secretary of Highways shall be made in four equal installments payable the first day of March the first day of June the first day of September and the first day of December of each year

There shall be submitted to the Department of Highways by the proper authorities of each municipality a report on the last days of February May August and November of each year showing the cost of the work done under the provisions of this act in such detail as may be required by the Department of Highways

In case any records or reports required by law are not made in the manner or at the time required no further funds shall be approved for payment by the Secretary of Highways to such municipality until such reports have been made and approved

Nothing in this act shall be construed to permit the funds appropriated by the act to be paid for other than labor rental of equipment payrolls material purchases including repair parts for equipment small tools road drags and snow fence on road highway and bridge work performed by the municipalities under the provisions of this act

Nothing herein contained shall be construed to prevent the use of any of the funds allocated or appropriated under this act for Federal projects sponsored by municipalities and approved by the Department of Highways or for county-aid work relating to the improvement of roads highways and bridges

Section 7 The term "municipal roads and highways" as used in this act shall be construed to mean all roads and highways for the maintenance of which municipalities are by law responsible and shall not include any roads and highways taken over by the Commonwealth as part of the state highway system

On the question,

Will the House adopt the report of the Committee of Conference?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows, viz:

YEAS—203

Achterman,	French,	Lovett,	Rosenfeld,
Auker,	Gallagher,	Lyons,	Royer,
Baker,	Gates,	Malloy,	Rush,
Balthaser,	Gerard,	Marks,	Sarge,
Baugher,	Gillan,	Maxwell,	Sarraf,
Bentley,	Gillette,	McClanaghan	Scanlon,
Bentzel,	Goodwin,	McClester	Schwab,
Boles,	Greenwood,	McDermott	Serrill,
Boney,	Gross,	McDowell	Shaffer,
Boorse,	Gryskewicz,	McFall	Shaw,
Bower,	Gyger,	McIntosh	Shepard,
Bradley,	Habbyshaw,	McKinney	Simons,
Breth,	Haberlen,	McLanahan	Skale,
Bretherick,	Haines,	McLane,	Snyder,
Brown,	Hall,	McMillen,	Sollenberger,
Brunner, C. H.,	Hamilton,	McSurdy,	Sorg,
Brunner, P. A.,	Hare,	Melchiorre,	Stambaugh,
Burns,	Harkins,	Mihm,	Stank,
Burris,	Harmuth,	Modell,	Stine,
Cadwalader,	Harris,	Monks,	Stockham,
Chervenak,	Heatherington,	Mooney,	Tarr,
Chudoff,	Helm,	Moran,	Tate,
Cochran,	Hering,	Moul,	Taylor,
Cohen, M. M.,	Herman,	Muir,	Thompson, E. F.,
Cohen, R. E.,	Hersch,	Munley	Thompson, R. L.,
Cook,	Hewitt,	Nagel	Trout,
Cooper,	Hirsch,	Nunemacher	Turner,
Cordier,	Holland,	O'Brien,	VanAllsburg,
Corrigan,	Huntley,	O'Connor,	Verona,
Croop,	Imbrie,	O'Dare,	Vincent,
Cullen,	James,	O'Mullen,	Vogt,
Dalrymple,	Jefferson,	O'Neill,	Voldow,
Dennison,	Jones, G. E.,	Owens,	Wagner,
DiGenova,	Jones, P. N.,	Petrosky,	Watkins,
Dix,	Keenan,	Pettit,	Weingartner,
Dolon,	Kenehan,	Polaski,	Weiss,
D'Ortona,	Kline,	Polen,	Welsh, E. B.,
Duffy,	Knoble,	Powers,	Welsh, M. J.,
Early,	Kolankiewicz,	Prosen,	Wilkinson,
Eckels,	Komorofski,	Rank,	Williams,
Elder,	Krise,	Rausch,	Winner,
Elliott,	Lee, E. A.,	Readinger,	Wolf,
Ely,	Lee, T. H.,	Reagan,	Wood, L. H.,
Falkenstein,	Leisey,	Reese, D. P.,	Wood, N.,
Finestone,	Leonard,	Reese, R. E.,	Woodring,
Fisher,	Lesko,	Reynolds,	Woodside,
Fiss,	Levy,	Rhea,	Wright,
Fleming,	Leydic,	Riley,	Yeakel,
Fletcher,	Lichtenwalter,	Rooney,	Yester,
Flynn,	Longo,	Rose, S.,	Young,
Foor,		Rose, W. E.,	Kilroy, Speaker

NAYS—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative, and the report of the Committee of Conference was adopted.

Ordered, That the Clerk inform the Senate accordingly.

RESOLUTION FOR CONCURRENCE

The Clerk of the Senate being introduced, presented an extract from the Journal of the Senate, which was read as follows:

In the Senate, July 12, 1941.

Resolved, (if the House of Representatives concur), That Senate Bill No. 1090, House Bill No. 1871, Printer's No. 436, entitled:

An Act to amend the act, approved the first day of June, one thousand nine hundred thirty-seven (P. L. 1132), entitled, "An act to provide for the permanent personal registration of electors in cities of the second class A as a condition of their right to vote at elections and primaries, and their enrollment as members of political parties as a further condition of their right to vote at primaries; prescribing certain procedure for the conduct of elections and primaries and the challenge and proof of qualifications of electors; and prescribing the powers and duties of citizens, parties, political bodies, registration commissions, commissioners, registrars, inspectors of registration and other appointees of registration commissions, county election boards, election officers, municipal officers, departments and bureaus, police officers, courts, judges, prothonotaries, sheriffs, county commissioners, peace officers, county treasurers, county controllers, registrars of vital statistics, certain public utility corporations, real estate brokers, rental agents, and boards of school directors; and imposing penalties," as amended, by requiring and providing for the registration of persons in military service to entitle them to vote at any election.

now in the hands of the Governor, be recalled from the Governor for further consideration.

Ordered, That the Clerk present the same to the House of Representatives for its concurrence.

On the question,

Will the House concur in the resolution of the Senate?

It was concurred in.

Ordered, That the Clerk inform the Senate accordingly.

REPORT OF COMMITTEE OF CONFERENCE ON HOUSE BILL No. 1727

Mr. HARKINS. Mr. Speaker, I desire to submit the report of the Committee of Conference on House Bill No. 1727.

The SPEAKER. The report will lie over for printing under the rules.

RECESS

The SPEAKER. If there is no objection the Chair is about to declare a recess for fifteen minutes. Is there objection? The Chair hears none and a recess is declared.

AFTER RECESS

The SPEAKER. The time of recess having expired the House was called to order.

The SPEAKER (Elmer Kilroy), in the Chair.

RESOLUTION

RECALLING HOUSE BILL No. 1952 FROM THE SENATE

Mr. READINGER offered the following resolution which was twice read, considered and adopted:

In the House of Representatives, July 15, 1941

Resolved, (if the Senate concur), That House Bill No. 1952, Printer's No. 1199, entitled "An act to amend section four of the act approved the first day of July, one thousand nine hundred and nineteen, (P. L. 717), entitled 'An act fixing the number, compensation, mileage and duties of the officers and employes of the General Assembly, and providing for their election or appointment, term of office, and manner of filling vacancies,' by providing for the appointment, compensation and duties of clerks and pages to the majority and minority floor leaders respectively of the Senate and of the House of Representatives, and making an appropriation," which passed Third Reading and Final Passage in the Senate on July 12th,

be recalled from the Senate.

Ordered, That the Clerk present the same to the Senate for concurrence.

PERMISSION TO ADDRESS HOUSE

Mr. CORDIER asked and obtained unanimous consent to address the House.

Mr. Speaker, today in the hall of the House the gentleman from Philadelphia, Mr. Shepard, arose and read an editorial from the Philadelphia Evening Ledger in respect to the many great benefits that the people of Philadelphia have received at the hands of the General Assembly. In

that same newspaper is another editorial which is labeled "Time to Go Home":

"It is time for the Legislature to get out of Harrisburg. It is time for the Assemblymen who have prolonged the present session beyond all precedent to adjourn sine die and go home.

"They are doing the State, the Assembly and themselves no good. For more than six months they have delayed, lingered, waited, maneuvered and intrigued. They have passed some good legislation, but it could have been passed in half the time they have been in Harrisburg.

"They have given comfort to those enemies of democratic government who say it is weak, inefficient and fumbling."

Mr. Speaker, one of the things that both the Evening Ledger and Reverend Shepard failed to mention as one of the benefits the people of Philadelphia have gotten out of this particular session is the fact that the Reverend Shepard has a new suit. I would say, Mr. Speaker, from my observation that he is the acme of sartorial splendor, and, Mr. Speaker, I suggest that the Reverend Shepard be voted the best dressed man in the House tonight.

PERMISSION TO ADDRESS HOUSE

Mr. SHEPARD asked and obtained unanimous consent to address the House.

Mr. Speaker, I appreciate the tribute, if it is a tribute, that was paid me by the gentleman from Lackwanna. I would urge him and the Members of the House to hurry through with the deliberations tonight, so that I may get my check and be in a position to pay for some of these clothes I am wearing.

BILLS SIGNED BY SPEAKER

Bills numbered and entitled as follows having been prepared for presentation to the Governor, and the same being correct, the titles were publicly read as follows:

HOUSE BILL No. 481.

An Act to amend sections eighteen and nineteen of the act aproved the second day of July, one thousand nine hundred and thirty-five (P. L. 589), entitled "An act to safeguard human health and life by providing for the issuance of permits to and regulation of persons and entities selling milk and milk products, conferring powers and imposing duties on the Secretary of Health the Advisory Health Board and otherwise providing for the administration of the act and imposing penalties." eliminating the power of the Advisory Health Board to make certain rules and regulations, establishing a Dairy Advisory Council in the Department of Health, conferring powers and imposing duties thereon providing for appeals to courts of common pleas and requiring local ordinances rules and regulations in certain cases to conform to the provisions of this act

HOUSE BILL No. 1729.

An Act to add section fourteen and one-tenth to the act approved the seventh day of August one thousand nine hundred and thirty-six (P. L. 106) entitled as amended "An act relating to flood control prescribing the powers and duties of the Water and Power Resources Board of the Department of Forests and Waters in relation to the creation of flood control districts adoption of plans for flood control works and improvements carrying into effect of such plans assistance aid and cooperation with public and private agencies and the Federal Government in Federal flood control works and improvement and entering into compacts and agreements with other states for flood control works and improvements conferring the power of eminent domain providing for the setting off of benefits imposing certain charges upon the Commonwealth providing for appeals and conferring certain powers on municipalities counties and townships and the Department of Highways" prohibiting the construction maintenance or operation of facilities, works and improvements for the generation or development of power and authorizing the Secretary of Highways and the various political subdivisions with the approval of the Water and Power Resources Board to grant easements and flowage rights to the Federal Government over certain highways roads streets bridges and adjacent lands

HOUSE BILL No. 1176.

An Act making an appropriation out of the Motor License Fund to the Department of Highways for allocation to and expenditure in the second class townships of the Commonwealth for maintenance construction reconstruction resurfacing or improvement of township roads and bridges during the calendar years one thousand nine hundred forty-two and one thousand nine hundred forty-three permitting the use of the funds for maintenance and repair of township roads and bridges under certain conditions and providing for the method of payment to townships

HOUSE BILL No. 803.

An Act to amend section six hundred and forty-three of the act approved the twenty-fourth day of June one thousand nine hundred and thirty-nine (P. L. 872) entitled "An act to consolidate amend and revise the penal laws of the Commonwealth" by prohibiting certain persons from permitting or employing minors under eighteen years of age to sing dance act or exhibit in any place where wines or spirituous or malt liquors are sold or given away or any place connected therewith and prohibiting certain persons from employing minors under fifteen years of age and providing penalties for the violation of the provisions of this act

HOUSE BILL No. 931.

An Act to further amend section six of the act approved the first day of July one thousand nine hundred and thirty-seven (P. L. 2603) entitled "An act relating to vocational education creating vocational school districts for the purpose of conducting systems of vocational schools departments or classes providing for their government prescribing their powers and duties conferring powers and imposing duties on school districts and on the State Board for Vocational Education and providing for referendum in certain cases" fixing the rate of the annual tax levy on real estate and authorizing the computation and entry for collection purposes in tax duplicates of the county of the taxes due to vocational school districts and the separate accounting and return thereof and making further provisions with reference to the bond of tax collectors

Whereupon,

The SPEAKER, in the presence of the House, signed the same.

CONDOLENCE RESOLUTION

Messrs. O'NEILL, SARRAF and KEENAN offered the following resolution and asked and obtained unanimous consent for its immediate consideration.

The resolution was read, considered and adopted:

In the House of Representatives, July 15, 1941.

Whereas, The House of Representatives notes with pro-

found sorrow the passing of the wife of Melvin R. Clark, associated with the Pennsylvania Railroad, who died suddenly this morning; and

Whereas, Mrs. Clark was beloved by all who knew her, because of her devotion to the betterment of the community in which she lived; and

Whereas, Those of us who knew her will miss her cheering presence and the inspiration of her personality; therefore be it

Resolved, That the House of Representatives mourns the passing of Mrs. Clark, and directs the Chief Clerk of the House to mail a copy of this resolution to Melvin R. Clark as a symbol of the House of Representative's profound sympathy for him in his great bereavement.

PERMISSION TO ADDRESS HOUSE

Mr. REUBEN E. COHEN asked and obtained unanimous consent to address the House.

Mr. Speaker, an ancient once said that a prophet is not without honor except in his own country. About a week ago, we here in this House, expressed by proper resolutions felicitations upon the birthday of one who during this session we have grown to respect, admire, and love as our leader. At that time, no one anticipated that on this, his natal day, we might be here and be able to give him some warmer and more personal expression of our feelings.

I feel, Mr. Speaker, that it is quite fitting that we should pay this second tribute to the gentleman from Monroe, Mr. Achterman, upon this his birthday, because it was several months ago that this prophet of the House of Representatives stated that we would adjourn at least by July 15th, his birthday.

I think before we give this expression of our good feeling toward him, that for the benefit of the Members of the House he might answer an interrogation, and I now ask permission, Mr. Speaker, to interrogate the gentleman from Monroe, Mr. Achterman.

The SPEAKER. Will the gentleman from Monroe permit himself to be interrogated?

Mr. ACHTERMAN. I shall, Mr. Speaker.

Mr. REUBEN E. COHEN. Mr. Speaker, I would like to ask the gentleman whether he would admit something,—I am not speaking about the conference with the Governor—this is something else. I was about to say, Mr. Speaker, we would not endeavor to tie him in with or infringe upon the gentleman from Allegheny, Dr. Sarraf.

Mr. ACHTERMAN. With that broad latitude, Mr. Speaker, I think I can say "yes".

Mr. REUBEN E. COHEN. Mr. Speaker, I should like to ask the gentleman how many years he would admit.

Mr. ACHTERMAN. At least twenty-one, Mr. Speaker.

Mr. REUBEN E. COHEN. Mr. Speaker, I find myself unable to question the constitutionality of that statement, because it seems to me that most people have the right to admit that they are twenty-one years of age and get away with it. I would like to ask, Mr. Speaker, whether in the number of years he has admitted he has made any division between the summers and the winters.

Mr. ACHTERMAN. Unfortunately, yes, Mr. Speaker.

Mr. REUBEN E. COHEN. Mr. Speaker, I am through with my interrogation. I think at this time it would be fitting and proper, without any written resolution, for this House to resolve that upon this natal day of the majority leader, Mr. Achterman, it express itself in some manner to be indicated by the Chair, of its warmest and deepest feelings of congratulation and felicitation.

The SPEAKER. The Chair would inform the gentleman from Philadelphia that at his request a gentleman was requested to sing, "Happy Birthday" to the gentleman from Monroe, Mr. Achterman, but the gentleman from Mifflin, "Buttermilk" French, is not present in the Hall of the House.

REPORT AND DISCHARGE OF COMMITTEE OF CONFERENCE ON HOUSE BILL No. 690

Mr. ELLWOOD B. WELSH from the Committee of Conference on House Bill No. 690, submitted the following report:

Harrisburg, Pennsylvania, July, 15, 1941.

To the Members of the Senate and House of Representatives:

The conferees on the part of the Senate and the House of Representatives appointed to compose the differences between the said Senate and House of Representatives on House Bill No. 690, Senate Bill No. 472, Printer's No. 824, entitled:

"An act to further amend sections 402, 411, 703, 704, 705, 707, and 903 and to repeal section 706 of the act approved the first day of May, one thousand nine hundred twenty-nine x x x," respectfully report that the conferees have been unable to agree upon said differences and to arrive at a mutually satisfactory report, and are therefore constrained to respectfully request that they may be discharged from further consideration of said bill.

Respectfully submitted,

James E. Lovett
Elwood B. Welsh
(Committee on the part of the House)

J. G. Snowden
Thomas B. Wilson
Israel Stiefel
(Committe on the part of the Senate)

The SPEAKER. The Committee of Conference is discharged with the thanks of the House.

On the question recurring,

Will the House concur in the amendments made by the Senate?

Mr. ELLWOOD B. WELSH. Mr. Speaker, I move that the House recede from its non-concurrence in the amendments made and insisted upon by the Senate and concur in the Senate amendments.

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows, viz:

YEAS—160

Achterman,	Flynn,	Levy,	Rush,
Auker,	Foor,	Lichtenwalter,	Sarge,
Balthaser,	French,	Lyons,	Sarraf,
Baugher,	Gallagher,	Malloy,	Scanlon,
Bentzel,	Gates,	McClanaghan	Schwab,
Boles,	Gillan,	McClester	Serrill,
Boney,	Gillette,	McDermott	Shaw
Boorse,	Goodwin,	McDowell	Shepard,
Bower,	Greenwood,	McIntosh	Simons,
Bradley,	Gross,	McKinney	Skale,
Breth,	Gyger,	McLanahan	Snyder,
Bretherick,	Habbyshaw,	McMillen,	Sollenberger,
Brunner, C. H.,	Haberlen,	McSurdy,	Sorg,
Burns,	Haines,	Melchiorre,	Stambaugh,

Chervenak,	Hall,	Monks,	Stank,
Chudoff,	Hamilton,	Moul,	Stine,
Cochran,	Hare,	Muir,	Stockham,
Cohen, M. M.,	Harmuth,	Nagel,	Tarr,
Cohen, R. E.,	Harris,	O'Brien,	Tate,
Cook,	Helm,	O'Dare,	Taylor,
Corrigan,	Hering,	O'Mullen,	Thompson, E. F.,
Croop,	Herman,	O'Neill,	Trout,
Cullen,	Hersch,	Owens,	Turner,
Dalrymple,	Hewitt,	Petrosky,	VanAllsburg,
Dennison,	Hirsch,	Pettit,	Voldow,
DiGenova,	Huntley,	Polaski,	Wagner,
Dix,	Imbrie,	Powers,	Watkins,
Dolon,	James,	Prosen,	Weingartner,
D'Ortona,	Jefferson,	Rank,	Welsh, E. B.,
Duffy,	Jones, G. E.,	Rausch,	Welsh, M. J.,
Early,	Kenehan,	Readinger,	Wilkinson,
Eckels,	Kline,	Reagan,	Williams,
Elder,	Knoble,	Reese, D. P.,	Winner,
Elliott,	Kolankiewicz,	Reese, R. E.,	Wood, L. H.,
Ely,	Komorofski,	Riley,	Wood, N.,
Falkenstein,	Krise,	Rooney,	Woodring,
Finestone,	Lee, E. A.,	Rose, S.,	Woodside,
Fisher,	Lee, T. H.,	Rose, W. E.,	Yeakel,
Fiss,	Leisey,	Rosenfeld,	Yester,
Fletcher,	Leonard,	Royer,	Young,
			Kilroy, Speaker

NAYS—40

Baker,	Heatherington,	McLane,	Rhea,
Bentley,	Holland,	Mihm,	Shaffer,
Brown,	Jones, P. N.,	Modell,	Thompson, R. L.,
Brunner, P. A.,	Keenan,	Mooney,	Verona,
Burris,	Lesko,	Moran,	Vincent,
Cadwalader,	Longo,	Munley,	Vogt,
Cordier,	Lovett,	Nunemacher,	Weiss,
Fleming,	Marks,	O'Connor,	Wolf,
Gryskewicz,	Maxwell,	Polen,	Wright,
Harkins,	McFall	Reynolds,	

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative and the amendments were concurred in.

Ordered, That the Clerk inform the Senate accordingly.

REPORT OF COMMITTEE OF CONFERENCE ON HOUSE BILL No. 1727

Mr. HARKINS. Mr. Speaker, I desire to call up the report of the Committee of Conference on House Bill No. 1727, Printer's No. 1209.

The report was read by the Clerk as follows:

To the Members of the Senate and House of Representatives:

We, the undersigned, Committee of Conference on the part of the Senate and House of Representatives for the purpose of considering House Bill No. 1727, entitled:

"An Act providing that bonds, notes and other evidences of indebtedness issued by Authorities incorporated under the Municipality Authorities Act as amended and supplemented shall not be invalid by reason of certain circumstances."

Respectfully submit the following bill as our report:

Frank W. Ruth
Clarence D. Becker
Charles R. Mallery
(Committee on the Part of the Senate.)

L. Kenneth Harkins
Joseph A. Longo
Chas. H. Brunner, Jr.
(Committee on the Part of the House of Representatives.)

An Act providing that bonds notes and other evidences of indebtedness issued by Authorities incorporated under the Municipality Authorities Act as amended and supplemented shall not be invalid by reason of certain circumstances

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 No bonds notes or other evidences of indebtedness heretofore issued by Authorities incorporated under the Municipality Authorities Act approved June 28 1935 (P. L. 463) as amended and supplemented shall be invalid by reason of the fact that any member of the Board or any officer of said Authority was at the time of the issuance of such bonds notes or other evidences of indebtedness a member or officer of the governing body of the incorporating municipality or municipalities or an officer thereof provided that such bonds notes or other evidences of indebtedness or otherwise valid

Section 2 Nothing contained in this act shall be construed to validate any bonds notes or other evidences of indebtedness in connection with the issuance of which any fraud or conspiracy has been committed

Section 3 This act shall become effective immediately upon its final enactment

On the question,

Will the House adopt the report of the Committee of Conference?

Mr. ACHTERMAN. Mr. Speaker, I wish to call the attention of the Chair to a Printer's error, and I assume it is a printer's error, in line eleven, the third word from the end of the line, the word, "or." I presume it should be the word, "are". I presume it will be properly corrected as provided for under the law.

The SPEAKER. The Chair presumes the correction can be made under existing law. If the gentleman is satisfied the report can be acted upon without having the Correction made now.

However it might be advisable to check with the Secretary of the Commonwealth and determine whether the assumption of the Chair is correct. The Chair would like to have the advice of the gentleman from Allegheny, Mr. Harkins.

Mr. HARKINS. Mr. Speaker, the remarks of the gentleman from Monroe, Mr. Achterman, relative to the word, "or" in line eleven, page three, of House Bill No. 1727, being a Printer's error are correct. The word, "are," appears in the prior Printer's No. of this bill. Representatives of the office of the Secretary of the Commonwealth were consulted and I was informed that such Printer's errors may be corrected.

I would request that this House adopt the report of the Committee of Conference. I might inform the House that the Senators who were conferees have been informed of the proposed action of the House and they intend to make a similar statement for the record.

On the question recurring,

Will the House adopt the report of the Committee of Conference?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows, viz:

YEAS—196

Achterman,	French,	Lyons,	Rosenfeld,
Auker,	Gallagher,	Malloy,	Royer,
Baker,	Gates,	Marks,	Sarge,
Balthaser,	Gillan,	McClanaghan	Sarraf,
Baugher,	Gillette,	McClester,	Scanlon,
Bentley,	Goodwin,	McDermott,	Schwab,
Bentzel,	Greenwood,	McDowell,	Serrill,
Boles,	Gross,	McFall,	Shaffer,
Boney,	Gryskewicz,	McIntosh	Shaw,
Boorse,	Gyger,	McKinney,	Shepard,
Bower,	Habbyshaw,	McLanahan,	Simons,

Bradley,	Haberlen,	McLane,	Skale,
Breth,	Haines,	McMillen,	Snyder,
Bretherick,	Hall,	McSurdy,	Sollenberger,
Brown,	Hamilton,	Melchiorre,	Sorg,
Brunner, C. H.,	Hare,	Mihm,	Stambaugh,
Brunner, P. A.,	Harkins,	Modell,	Stank,
Burns,	Harmuth,	Monks,	Stine,
Burris,	Harris,	Mooney,	Stockham,
Cadwalader,	Heatherington,	Moran,	Tarr,
Chervenak,	Helm,	Moul,	Tate,
Chudoff,	Hering,	Muir,	Taylor,
Cochran,	Herman,	Munley,	Thompson, E. F.,
Cohen, M. M.,	Hersch,	Nagel,	Thompson, R. L.,
Cohen, R. E.,	Hewitt,	Nunemacher,	Trout,
Cook,	Hirsch,	O'Brien,	VanAllsburg,
Corrigan,	Holland,	O'Connor,	Verona,
Croop,	Huntley,	O'Dare,	Vincent,
Cullen,	Imbrie,	O'Mullen,	Vogt,
Dalrymple,	James,	O'Neill,	Voldow,
Dennison,	Jefferson,	Owens,	Wagner,
DiGenova,	Jones, G. E.,	Petrosky,	Watkins,
Dix,	Jones, P. N.,	Pettit,	Weingartner,
Dolon,	Keenan,	Polaski,	Welsh, E. B.,
D'Ortona,	Kenehan,	Polen,	Welsh, M. J.,
Duffy,	Kline,	Powers,	Wilkinson,
Early,	Knoble,	Prosen,	Williams,
Eckels,	Kolankiewicz,	Rank,	Winner,
Elder,	Komorofski,	Rausch,	Wolf,
Elliott,	Krise,	Readinger,	Wood, L. H.,
Ely,	Lee, E. A.,	Reagan,	Wood, N.,
Falkenstein,	Lee, T. H.,	Reese, D. P.,	Woodring,
Finestone,	Leisey,	Reese, R. E.,	Woodside,
Fisher,	Leonard,	Reynolds,	Wright,
Fiss,	Lesko,	Rhea,	Yeakel,
Fleming,	Levy,	Riley,	Yester,
Fletcher,	Lichtenwalter,	Rooney,	Young,
Flynn,	Longo,	Rose, S.,	Kilroy,
Foor,	Lovett,	Rose, W. E.,	Speaker.

NAYS—4

Cordier,	Maxwell,	Rush,	Weiss,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative, and the report of the Committee of Conference was adopted.

Ordered, That the Clerk inform the Senate accordingly.

QUESTION OF INFORMATION

Mr. MUIR. Mr. Speaker, I rise to a question of information.

The SPEAKER. The gentleman from Warren will state his question of information.

Mr. MUIR. Mr. Speaker, I would like to know what the original vote was on House Bill 690.

The SPEAKER. The bill has gone to the Senate.

BILL SIGNED BY SPEAKER

Bill numbered and entitled as follows having been prepared for presentation to the Governor and the same being correct, the title was publicly read as follows:

HOUSE BILL No. 690.

An Act to further amend sections 402, 411, 703, 704, 705, 707 and 903 and to repeal section 706 of the act approved the first day of May one thousand nine hundred twenty-nine (P. L. 905), entitled "An act for the protection of the public safety, regulating the use of highways and the operation of vehicles, tractors, street cars, trackless trolley omnibuses, bicycles, pedestrians and the riding of animals upon the highways of this Commonwealth, providing for the titling including liens encumbrances and legal claims registration of certain vehicles and licensing the operators thereof, upon payment of prescribed fees, prescribing and limiting the powers of local authorities to deal with the subject matter of this act, conferring powers and imposing duties upon the Department of Revenue the Department of Highways, peace officers, mayors, burgesses, magistrates, aldermen, justices of the peace, the courts and the clerks thereof; owners of vehicles and garage keepers, providing that records are admissible as evidence, imposing upon owners counties, cities, boroughs, incorporated towns, townships within the Commonwealth liability for damages caused by the negligent operation of their motor vehicles, imposing penalties imposing certain costs upon counties, providing for the disposition of fines, forfeitures, fees and miscellaneous receipts making an appropriation and providing for refunds," providing for the registration and fixing registration fees of commercial motor vehicles, truck tractors trailers and semi-trailers according to gross weight and certain motor buses and omnibuses with pneumatic tires according to equipment, fixing the maximum gross weight of such vehicles which may be used and operated on the highways and eliminating existing provisions relating to the chassis of such vehicles.

Whereupon,

The SPEAKER, in the presence of the House, signed the same.

RECESS

The SPEAKER. If there is no objection the Chair is about to declare a recess for fifteen minutes. Is there objection? The Chair hears none and a recess is declared.

AFTER RECESS

The time of recess having expired the House was called to order.

The SPEAKER (Elmer Kilroy) in the Chair.

BILL SIGNED BY SPEAKER

Bill numbered and entitled as follows having been prepared for presentation to the Governor and the same being correct, the title was publicly read as follows:

SENATE BILL No. 298.

An Act making appropriations out of the Motor License Fund to the Department of Highways for allocation to and expenditure in cities, boroughs, towns and townships of the first class of the Commonwealth for maintenance, construction, reconstruction, resurfacing or improvement of municipal roads, highways and bridges during the calendar years one thousand nine hundred forty-two and one thousand nine hundred forty-three; permitting the use of the funds for maintenance and repair of municipal roads, highways and bridges under certain conditions and providing for the method of payment to such political subdivisions.

Whereupon,

The SPEAKER, in the presence of the House, signed the same.

SENATE MESSAGE

SENATE ADOPTS CONFERENCE COMMITTEE REPORT ON HOUSE BILL No. 1727

The Clerk of the Senate being introduced, informed that the Senate has adopted the report of the Committee of Conference on the subject of the difference existing between the two Houses on House Bill numbered and entitled as follows:

HOUSE BILL No. 1727.

An Act providing that bonds notes and other evidences

of indebtedness issued by Authorities incorporated under the Municipality Authorities Act as amended and supplemented shall not be invalid by reason of certain circumstances.

BILL SIGNED BY SPEAKER

Bill numbered and entitled as follows having been prepared for presentation to the Governor, and the same being correct, the title was publicly read as follows:

HOUSE BILL No. 1727.

An Act providing that bonds notes and other evidences of indebtedness issued by Authorities incorporated under the Municipality Authorities Act as amended and supplemented shall not be invalid by reason of certain circumstances.

Whereupon,

The SPEAKER, in the presence of the House, signed the same.

RECESS

The SPEAKER. If there is no objection the Chair is about to declare a recess for fifteen minutes. Is there objection? The Chair hears none and a recess is declared.

AFTER RECESS

The time of recess having expired the House was called to order.

The SPEAKER (Elmer Kilroy) in the Chair.

QUESTION OF PERSONAL PRIVILEGE

Mr. TURNER. Mr. Speaker, I rise to a question of personal privilege.

The SPEAKER. The gentleman from Delaware will state his question of personal privilege.

Mr. TURNER. Mr. Speaker, I would like to know whether the chair can inform me how I am recorded as voting on the final passage of House Bills 1727 and 1728.

The SPEAKER. The gentleman is not recorded as voting.

Mr. TURNER. That is correct, sir.

EXTENDED REMARKS

Mr. TURNER. Mr. Speaker, I would like to address the House, but I do not want to take the time of the House to do so now. However, I have a statement which under ordinary circumstances I would ask unanimous consent of the House to read. I assure you there is nothing scurilous or vituperative in the address and I ask unanimous consent of the House to offer it for the Journal as though it had been delivered on the floor of the House.

The SPEAKER. Will the House give its unanimous consent to extend the remarks of the gentleman from Delaware, Mr. Turner, on the Legislative Journal? Is there objection? The Chair hears none and consent is granted.

Mr. TURNER. Mr. Speaker, in these, the closing hours of the General Assembly, the legislative fluctuations, our accomplishments, our failures, are brought into sharp focus as we realize that the records of the 1941 legislature are about to become an irrevocable part of Commonwealth history.

These have been action-packed months with grave political implications and behind the necessity for clear, constructive legislation has been the graphic urge to strengthen the processes of State government so that this Commonwealth would be equipped to assume its share of the vital requirements of National Defense.

We have been confronted with a record breaking tide of bills and resolutions and whatever our political incentives there have emerged from the legislative hopper a number of important measures which intuitively demanded the unanimous endorsement of every member of this body.

We have debated the merits of state fiscal policies, farm programs, state hospitals, anti-Red bills, veterans' legislation, milk law amendments and relief and whatever the relation of these issues to the stabilized operation of state government, we must, in all final calculations, consider the position of labor and what has been done to advance the interests and economic status of the working man in Pennsylvania.

There can be no question but that there has been deliberate procrastination by Democratic leadership in acting upon the many bills designed to broaden the standard of living for thousands of workers and give them the same protective assurances enjoyed by labor in other states.

The Democratic high command, prodded by the urgencies of political expediency, inaugurated this session by fomenting unwarranted attacks upon the James labor laws which were set up by the 1939 legislature to correct glaring abuses and malpractices possible under the Pennsylvania Labor Relations Act as written and enacted by the Democratic regime.

The Republican legislature of 1939 amended the state labor laws to conform with the actual needs of honest, conscientious working men who clearly foresaw the advantages of collective bargaining over violence and coercion as a means of settling labor disputes.

The Democratic leaders have been guilty of political demagoguery in their efforts to rip out the liberal provisions of the amended act notwithstanding the fact that the Republican changes imposed a rigid ban against sit down strikes and gave labor a more assuring economic outlook by eliminating the riots, bloodshed and property damage which threw a menacing cloud over Pennsylvania's far-flung industrial empire.

It is inconceivable, in view of the history of this session, that the Democratic party has been sincere in its attempt to parade as the big brother of the working man. We have witnessed the boisterous philanthropy of New Deal leaders in what might pass as a program to impress labor but we have yet to see actual evidence of any improvement in the status of the working man beyond the political satisfaction accruing to the Democratic party through such carefully camouflaged maneuvering.

Until July 7th, only ten bills which might be regarded as labor measures passed the House in six months. We are all familiar with the haggling and stalling that characterized passage of those bills. It is also noteworthy that the delay in acting upon these bills was carefully timed to affect the normal period of adjournment and throw the responsibility onto the Republican-controlled Senate.

In other words, the Democratic House reserved for its

own purpose a period of five or six months to thoroughly study and dissect the merits of these bills and then with three or four weeks to go before adjournment, suddenly dumped them into Republican laps and assumed the righteous attitude: "We have done our part for labor . . . now hurry up and do yours."

The mockery of this type of political hedge jumping is that the Democratic party doesn't care any more about labor than it does about the farmers of this state, or those on relief. Theirs has been the old shell game adapted to political intrigue. Their shameful attitude toward the anti-Red bills, with the whole state clamoring for action, has been a tacit admission that they have been motivated by politics and not the basic urge of good government.

Contrastingly, on April 10th the Senate sent to the House a bi-partisan bill liberalizing the Pennsylvania Unemployment Compensation law and embracing 22 recommendations unanimously approved by the Republican and Democratic personnel of the Joint Legislative Committee to Study Unemployment Compensation. This gave the New Deal brain trusters several months in which to act on the measure and what happened?

Reluctant to give the Republican party any credit whatsoever for the broadening provisions of this bill, the Democratic directorate deliberately scuttled it and stripped it of 20 of the original 22 recommendations. New Dealers inserted a trick clause designed to freeze persons engaged for administrative purposes and paid by the Unemployment Compensation Administration Fund so that the set-up could be maneuvered to provide patronage plums for Democratic appointees. Also written into the mangled version of the bill were other impossible provisions which certainly accomplished nothing toward elevating the economic security of labor.

As a sop to the state labor vote, Democrats boosted the minimum payment ratio beyond all limit of financial sanity and interjected other provisions which inevitably would have bankrupted the unemployment compensation fund.

As a further example of the warped humanitarian impulses of the Democratic leadership we have only to examine the manner in which House Bills 863 and 864, covering occupational disease, were juggled to carry out Democratic strategy aimed at embarrassing the Republican Senate.

It was back in 1937 that the Democrats enacted an occupational disease act that proved so faulty and invalid that claims amounting to more than a million dollars have gone unpaid! In the face of pressure exerted by the Republican bloc of the House, House Bills 863 and 864 were introduced and just as quickly smothered by the Democratic committee. That was the dubious status of these measures until March 31st, when the Senate, aroused by the iron-fisted tactics of the House leadership, introduced two similar bills which were passed April 22nd, and forced the House to pass them.

It was then, and only then, that the New Deal high command suddenly remembered its obligations to labor. And so, after six months, the Democratic-controlled House has passed bills amending the Workmen's Compensation and Occupational Disease Acts ostensibly to provide increased benefits to disabled or afflicted workers. Close scrutiny of these bills discloses the fact that the stipulated increases follow the usual Democratic pattern of giving something on paper when they are well aware that their generosity does not conform with what is financially possible for the state to do.

The increases listed under those bills not only are out of proportion and inconsistent with the balanced operation of state government but are a throwback to the same Democratic policies adopted in 1937 when the provisions of the acts were declared invalid and unconstitutional. These bills which are so impractical in stature that they defeat the basic purpose of workmen's compensation, have been rammed through the House, and if enacted would be so impossible that it would be an infringement on public confidence to expect other than a complete collapse of the compensation system now in effect.

This, of course, is not a new theoretical device for the Democratic brain trusters. With all the arrogance that has been typical of their political sharpshooting, they openly attempted to handcuff the courts of this state by restricting them from issuing injunctions in case of sit-down strikes.

Through the Williams-Lovett bill, they sought to condone the right of labor to seize or damage plants, destroy equipment and other property and indulge in terrorism to force employers to meet demands.

They turned blindly from the fact that the Republican party had sought to perpetuate higher economic standards for the working man by scrupulously observing his rights so that labor and industry together might open new channels of productive prosperity.

Republicans believe now as we did then, that collective bargaining and diplomatic adjustment of labor controversies are the real answer to industrial progress.

Democratic attempts to strangle the courts of this state, just as they have attempted to crush labor's rights by riding roughshod over liberalizing bills, is an un-American attitude that distorts the very purpose of legislative unity and exposes just how the forces of destruction work under the guise of political strategy!

Four labor bills have been introduced by Republican members of the House to make further improvements in the Labor Relations Law by giving labor more time in which to petition for elections and other beneficial changes. What has happened to these bills? Like many another Republican measure, they have languished in committee for no other reason but that they bore the Republican label.

Certainly the Republican party is not interested in credit for authorship of any bill beyond what it might accomplish in public interest and proof of this has been in Republican willingness to go along on many Democratic measures.

I think the most incongruous development of this session has been the bigoted attitude of the Democratic party in regard to Republican bills and aside from violating all the constitutional privileges intended under our free course of government it has shown conclusively that the New Dealers have no qualms about using public interests as a springboard to political autocracy.

That this could happen in the Commonwealth of Pennsylvania and in the face of the solemn obligations hinging upon every member of this body is a glaring indictment of Democratic perfidy and unfitness to participate in the legislative affairs of this state!

COMMUNICATION FROM THE GOVERNOR

The Secretary to the Governor being introduced, presented a communication in writing from His Excellency the Governor, which was read as follows:

APPROVAL OF RESOLUTIONS RETURNING BILLS TO GOVERNOR

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, July 15, 1941.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed resolutions of the House of Representatives and Senate returning to the Governor, without amendment, the following bills:

House Bill No. 107, Printer's No. 742
House Bill No. 267, Printer's No. 713
House Bill No. 280, Printer's No. 583
House Bill No. 281, Printer's No. 586
House Bill No. 291, Printer's No. 1047
House Bill No. 305, Printer's No. 737
House Bill No. 351, Printer's No. 600
House Bill No. 389, Printer's No. 339
House Bill No. 401, Printer's No. 564
House Bill No. 404, Printer's No. 1059
House Bill No. 502, Printer's No. 783
House Bill No. 581, Printer's No. 976
House Bill No. 614, Printer's No. 616
House Bill No. 611, Printer's No. 773
House Bill No. 650, Printer's No. 164
House Bill No. 727, Printer's No. 821
House Bill No. 1003, Printer's No. 591
House Bill No. 1065, Printer's No. 599
House Bill No. 1066, Printer's No. 978
House Bill No. 1068, Printer's No. 592
House Bill No. 1083, Printer's No. 614
House Bill No. 1106, Printer's No. 1046
House Bill No. 1203, Printer's No. 612
House Bill No. 1321, Printer's No. 602
House Bill No. 1334, Printer's No. 588
House Bill No. 1590, Printer's No. 572
House Bill No. 1591, Printer's No. 634
House Bill No. 1659, Printer's No. 775
House Bill No. 1722, Printer's No. 836

ARTHUR H. JAMES.

SENATE MESSAGE

RESOLUTION CONCURRED IN BY SENATE

The Clerk of the Senate being introduced, informed that the Senate has concurred in the resolution from the House of Representatives, as follows:

In the House of Representatives, Tuesday, July 15, 1941.

Resolved (if the Senate concur) that this Regular Session of the General Assembly adjourn sine die Tuesday, July 15, 1941 at 11:45 p.m.

PERMISSION TO ADDRESS HOUSE

Mr. McMILLEN asked and obtained unanimous consent to address the House.

Mr. Speaker, I will be very glad to read this little poem which was written by the Honorable Jacob W. Carr, of the Senate, and with a few changes I think it would fit here very well. I think that some of the boys would not be hurt by a reading of this poem.

Mr. GERARD. Mr. Speaker, did I understand the gentleman to say this was a poem written by somebody in the Senate.

Mr. McMILLEN. That is right, Mr. Speaker.

Mr. GERARD. Mr. Speaker, it appears that at last we are hearing from the Senate. I heard a resolution concurred in, and now we are ready to hear further from the Senate. I have no objection to having some statement from the Senate, and it is very lovely and nice of them to send a poem over here.

Mr. McMILLEN. I thank the gentleman from Allegheny very much.

Mr. Speaker. This poem written by Senator Carr reads as follows:

OH WELL

"Here I am, covered with rags and dirt,
Without a clean collar, without a clean shirt;
I came prepared to stay for the day
And now that I'm here I can't get away;
I left a good home and I left a good wife
To suffer a most unenjoyable life.

If I ever get back, I never will roam
From that dear loving wife and good happy home.
My Jimmie, the boy that is grandson to me,
I am longing deep down in my heart for to see.
Instead I must listen to Assemblymen rave,
Like chattering monkeys, they cannot behave.

O give me, Good Lord, the right to inquire
Why previous to death I should go through this fire;
I haven't been bad and I've tried to do well,
So why in the world should I suffer this Hell?"

Mr. LOVETT. Mr. Speaker—

The SPEAKER. For what purpose does the gentleman from Westmoreland arise?

Mr. LOVETT. Mr. Speaker, I would like to amend the poem to read from the "Bible Club" instead of from Jimmie and Jacob.

QUESTION OF INFORMATION

Mr. LEVY. Mr. Speaker, I arise to a question of information.

The SPEAKER. The gentleman from Philadelphia will state his question of information.

Mr. LEVY. Mr. Speaker, I would like to know if there are any more poems in the Senate?

Mr. REUBEN E. COHEN. Mr. Speaker, I suggest we have some music for our ears, because poetry has no place here.

PERMISSION TO ADDRESS HOUSE

Mr. TAYLOR asked and obtained unanimous consent to address the House.

Mr. Speaker, I would like to answer the gentleman who just spoke. He has asked whether we were going to get any more poems from the Senate. I would like to tell the gentleman that we are very shortly going to have a poem from the Senate that will be very well understood by everyone. It will only take a few minutes to recite that poem—"We're Going Home".

PERMISSION TO ADDRESS HOUSE

Mr. HARKINS asked and obtained unanimous consent to address the House.

Mr. Speaker, the other afternoon a few of us Members went into a movie theater and we were met by the manager. When he found out that we were Members of the assembly he asked us if we would extend his cordial greetings to Dr. Sarraf, Dr. Reese and Representative Nagel, the gentleman from Beaver, and ask them to present themselves at the box office where upon identifying themselves, they would be given free tickets of admission to the local theater called the "Senate". I think that all the Members of the House will understand why the management requests their attendance when you know the title, which is "The People vs. Dr. Kildare".

PERMISSION TO ADDRESS HOUSE

Mr. NAGEL asked and obtained unanimous consent to address the House.

Mr. Speaker, when I think of what I might have saved I am indeed very sorry that my friend from Allegheny, Mr. Harkins, has been so derelict in his duty. I did not know this until just now. I was down this afternoon and saw that show and paid my way in. I regret that very much. The next time he gets a message like that I hope he will deliver it promptly, but I thank the gentleman for delivering it now.

INTERROGATION

Mr. HARKINS. Mr. Speaker, I desire to interrogate the gentleman from Beaver, Mr. Nagel.

The SPEAKER. Will the gentleman from Beaver permit himself to be interrogated?

Mr. NAGEL, I shall, Mr. Speaker.

Mr. HARKINS. Mr. Speaker, I would like to ask the gentleman if after the conclusion of the picture he did not arise in his chair, and make a speech condemning the medical profession.

Mr. NAGEL. Mr. Speaker, the medical profession was sufficiently condemned.

PERMISSION TO ADDRESS HOUSE

Mr. HEATHERINGTON asked and obtained unanimous consent to address the House.

Mr. Speaker, for the benefit of quite a few of the members, if they go down to the "Colonial", I think it is, they will see a picture called, "Caught in the Draft," and they will get another look at a Willkie button.

Mr. LEVY. Mr. Speaker, I might say that the Wilkie button was found in a poor fish.

Mr. REUBEN E. COHEN. Mr. Speaker, it has been suggested by several of the Members here, after almost two weeks of kidding around and getting out of more or less regular habits, that before the Members of this House retire from the session they stop at the Rio Theatre out on the Hill and get lessons from a picture entitled "School for Husbands".

Mr. NAGEL. Mr. Speaker, I am just wondering whether or not we are ready to adjourn. It seems to me the speeches made on the floor of this House this evening would indicate that certain Members of our House are in collusion with the movie operators, and might be receiving pay from them. I think that we had better stay a few days longer and introduce a resolution to investigate.

RECESS

The SPEAKER. If there is no objection the Chair is about to declare a recess for fifteen minutes. Is there objection? The Chair hears none and a recess is declared.

AFTER RECESS

The time of recess having expired the House was called to order.

The SPEAKER (Elmer Kilroy) in the Chair.

REPORT AND DISCHARGE OF COMMITTEE OF CONFERENCE ON HOUSE BILL No. 690

Mr. TATE from the Committee of Conference on Senate Bill No. 507, submitted the following report:

In the House of Representatives, July 15, 1941.

To the Members of the House of Representatives:

The Conferees on the part of the House of Representatives appointed to confer with a similar committee on the part of the Senate to compose the difference between the House of Representatives and the Senate on Senate Bill No. 507, Printer's No. 292, entitled "An act to apportion the State into Congressional districts," respectfully report that the conferees have been unable to agree on a report, and further respectfully request the conferees on the part of the House be discharged from further consideration of the Bill.

JAMES H. J. TATE
WILLIAM L. SHAFFER
(Committee on the Part of the House of Representatives).

The SPEAKER. The Committee is discharged with the thanks of the House.

Ordered, That the Clerk inform the Senate accordingly.

REPORT AND DISCHARGE OF CONFERENCE ON HOUSE BILL No. 448

Mr. CORDIER from the Committee of Conference on House Bill No. 448, submitted the following report:

In the House of Representatives, July 15, 1941.

To the Members of the Senate and House of Representatives:

We, the undersigned, Committee of Conference on the part of the Senate and House of Representatives for the purpose of considering House Bill No. 448, Printer's No. 1167, entitled:

An Act to further amend clause (e) of section seven and to amend the first paragraph of section nine of the act approved the twenty-fourth day of June one thousand nine hundred and thirty-seven (P. L. 2051) entitled "An act relating to public assistance providing for and regulating assistance to certain classes of persons designated and defined as dependent children aged persons blind persons and other persons requiring relief providing for the administration of this act by the Department of Public Assistance and county boards of assistance hereby created for this purpose * * *" by redefining eligibility for assistance providing for appeals from certain decisions of the Department of Public Assistance to common pleas courts and imposing powers and duties on common pleas court

respectfully report that we have been unable to agree on a report and request to be discharged.

Robert M. Miller
C. A. R. Bartlett

.....

(Committee on Part of the Senate)

R. J. Cordier
Francis X. McClanaghan
Wm. S. Brown

(Committee on Part of the House of Representatives)

The SPEAKER. The Committee on the part of the House is discharged with the thanks of the House.

On the question recurring,

Will the House concur in the amendments made by the Senate?

Mr. CORDIER. Mr. Speaker, I move that the House further insists on its non-concurrence in the amendments made and insisted upon by the Senate to House Bill No. 448, Printer's No. 1167.

The motion was agreed to.

Ordered, That the Clerk inform the Senate accordingly.

PERMISSION TO ADDRESS HOUSE

Mr. CORDIER asked and obtained unanimous consent to address the House.

Mr. Speaker, this is the last of the so called anti-Red or subversive bills. To wind this thing up in the proper spirit I will be glad at this time to join around the microphone with the gentleman from Allegheny, Mr. Brown, the gentleman from Philadelphia, Mr. McClanaghan, the gentleman from Philadelphia, Mr. O'Brien, the gentleman from Philadelphia, Mr. Levy and the gentleman from Delaware, Mr. Turner in singing "God Bless America."

MR. WOODSIDE IN THE CHAIR

SENATE MESSAGE

SENATE RECEDES FROM NON-CONCURRENCE IN AMENDMENT TO SENATE BILL No. 253

The Clerk of the Senate being introduced, informed that the Senate recedes from its non-concurrence and concurs in the amendments made and insisted upon by the House of Representatives to Senate bill numbered and entitled:

SENATE BILL No. 253.

An Act relating to members of the bureau of fire in cities of the second class; providing, subject to the approval of the electors, for a three-platoon system for such members, with certain exceptions; providing for an election on such question; and regulating hours of service, hours of rest and annual vacations.

THE SPEAKER (Elmer Kilroy) IN THE CHAIR.

The SPEAKER. The Chair thanks the gentleman from Dauphin, Mr. Woodside, for presiding.

RECESS

Mr. WOODSIDE. Mr. Speaker, I move that the House do now recess for five minutes and, Mr. Speaker, I ask for a roll call.

Mr. ACHTERMAN. Mr. Speaker, I wish to second that motion.

On the question,

Will the House agree to the motion?

The yeas and nays were required by Mr. Woodside and Mr. Achterman and were as follows:

YEAS—111

Achterman,	Gillette,	Lesko,	Riley,
Baker,	Goodwin,	Leydic,	Rooney,
Balthaser,	Greenwood,	Lichtenwalter,	Shaffer,
Baugher,	Gross,	McClanaghan	Shaw,
Bentzel,	Gryskewicz,	McClester,	Shepard,
Boney,	Gyger,	McDermott	Skale,
Boorse,	Habbyshaw,	McFall,	Snyder,
Bower,	Hall,	McIntosh	Sollenberger,
Bradley,	Hamilton,	McLane,	Sorg,
Bretherick,	Harkins,	McSurdy,	Stambaugh,
Cohen, R. E.,	Heatherington,	Mihm,	Stine,
Cook,	Helm,	Modell,	Stockham,
Cordier,	Herman,	Mooney,	Tarr,
Corrigan,	Hersch,	Moran,	Tate,
Croop,	Holland,	Moul,	Thompson, E. F.,
Cullen,	Imbrie,	Muir,	Verona,
Dennison,	Jefferson,	Munley,	Vincent,
Dolon,	Jones, G. E.,	Nagel,	Voldow,
D'Ortona,	Jones, P. N.,	O'Brien,	Watkins,
Eckels,	Keenan,	O'Dare,	Weingartner,
Elder,	Kline,	O'Mullen,	Welsh, E. B.,
Elliott,	Knoble,	O'Neill,	Winner,
Fisher,	Kolankiewicz,	Polen,	Woodside,
Fiss,	Komorofski,	Powers,	Yeakel,
Flynn,	Krise,	Prosen,	Yester,
French,	Lee, E. A.,	Reagan,	Young,
Gallagher,	Lee, T. H.,	Reese, D. P.,	Kilroy,
Gerard,	Leisey,	Reynolds,	Speaker.

NAYS—29

Auker,	Lyons,	Rhea,	Simons,
Brunner, C. H.,	McKinney,	Rose, S.,	Taylor,
Cadwalader,	McLanahan,	Royer,	Thompson, R. L.,
Cooper,	McMillen,	Rush,	Trout,
Fleming,	Petrosky,	Sarge,	Wagner,
Hewitt,	Rank,		

So the question was determined in the affirmative and the motion was agreed to.

REASON FOR VOTE

Mr. SAMUEL ROSE offered the following reason for his vote:

Since a five minute recess is asked for in this motion and since this is still Tuesday, and on the basis upon which we have been deliberating here, the five minutes that will elapse may take us up to what is actually Friday, and since my wife insists that I be back in Philadelphia this week-end, I must vote "no."

Mr. REUBEN E. COHEN. Mr. Speaker, the Pasters and Folders Choral Society have requested me as their spokesman to have the gentleman read the reason for the information of the House.

The SPEAKER. The reason will be noted in the Legislative Journal.

RECESS

The SPEAKER. If there is no objection the Chair is about to declare a recess for fifteen minutes. Is there objection? The Chair hears none and a recess is declared.

AFTER RECESS

The time of recess having expired the House was called to order.

The SPEAKER (Elmer Kilroy) in the Chair.

SENATE MESSAGE

CONGRESSIONAL REAPPORTIONMENT

The Clerk of the Senate being introduced, presented the following extract from the Journal of the Senate, which was read as follows, viz:

In the Senate, July 15, 1941.

Moved by Senator Wade, seconded by Senators Mundy and Taylor

That it is the sense and opinion of the Senate Body that the proper solution of Congressional reapportionment is to reduce the number of districts in the County of Philadelphia from seven to six and that the House of Representatives be officially notified.

Referred to the Committee on Rules.

REPORT OF COMMITTEE OF CONFERENCE ON HOUSE BILL No. 1768

Mr. WOODSIDE. Mr. Speaker, I desire to submit the report of the Committee of Conference on House Bill No. 1768.

The SPEAKER. The report will lie over for printing under the rules.

BILL ON THIRD READING

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1752, (Senate Bill No. 1016), entitled:

An Act providing that the Commonwealth of Pennsylvania enter into the interstate compact to conserve oil and gas with other States of the United States of America, which are signatories thereto.

On the question,

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

Mr. PETROSKY. Mr. Speaker, several days ago in reading a newspaper my attention was brought to an item appearing in the paper relative to the program that is on foot at the present time for the conservation of oil and gas. In this quotation I noticed that several motorists were arrested for smoke coming out of their exhaust, which in the natural course of the operation of an automobile would sufficiently show that the rings were worn on the pistons of the car and therefore the car used too much oil. In my mind I am practically convinced that this bill will give to the Governor the same powers under which those motorists were arrested. In the same instance may I say that I would not think that the State of Pennsylvania was so high in the category of oil producing states that we had to enter into a compact with such oil producing states as Texas, Oklahoma and so forth.

Therefore, Mr. Speaker, it is my humble opinion that the piece of legislation before us is unnecessary, and at the same time will be a direct imposition upon the people of this Commonwealth. I would therefore, Mr. Speaker and members of the House, ask you to vote against Senate Bill No. 1016 which is before us today.

Mr. WOODSIDE. Mr. Speaker, this bill is not a party issue. If the information which we obtained from the national administration in Washington is correct this bill is truly vital to the national defense. I don't know of the circumstances which surround the bill but I do know that oil and gasoline are extremely vital to our national defense program. I further know that proper control of oil and gasoline is essential to our national defense and that it is necessary for the national government to assume the task of regulating oil and gasoline. I also know that the President of the United States has directed the Secretary of the Interior to look after this problem. I further know that the Secretary of the Interior has advised this legislature that this bill is vital in order that he may carry out the provisions, which are necessary in connection with the regulation of oil and gasoline.

If the gentlemen on the other side or any of them wish to take the responsibility for defeating this bill under those circumstances they may take that responsibility but I believe that the majority on that side will go along with the request that was made by the Secretary of the Interior to this Legislature and to the Commonwealth to pass this bill as being something absolutely necessary and vital in connection with the defense program. It is not something that we have thought up here. It is something which the national administration, that is charged with the problem and the responsibility, has said to us "It is important to us for you to pass this legislation."

I say, Mr. Speaker, that the Members in this House who are interested in national defense, and I am sure all must be, will not let anything interfere with this request. I have been told that if the Secretary of the Interior feels he must immediately step up the production of oil in the coming weeks this would be the machinery by which he could do it. If he does not have this machinery they say it will take weeks or months and possibly years to set up the machinery which will do it as satisfactorily as this oil compact bill will do it. I do not know all the angles, but the gentleman who is charged with the responsibility, the man who was appointed by the President of the United States, the Commander in Chief of the Army and Navy, charged with the responsibility of dealing with this vital oil problem, says to the Commonwealth of Pennsylvanit, "You should pass this bill to make my task possible." Are we going to do it or are we not?

Mr. REUBEN E. COHEN. Mr. Speaker, there have not been many occasions during this session that I have

been able to agree with the gentleman from Dauphin, Mr. Woodside. I very frankly admit that I don't know the details of this bill. I don't know what plan it embraces but I am certain of one thing, of which I satisfied myself. I do know that the national administration is vitally interested in this matter. I know that the national administration wants this bill. I understand that we in this state are the last of several states to pass enabling legislation permitting our signature to this oil compact.

For that reason, Mr. Speaker, I am urging the Philadelphia Members to vote "aye" on this bill.

Mr. ACHTERMAN. Mr. Speaker, I wish to concur in the statement made by the gentleman from Philadelphia, Mr. Cohen, in relation to the remarks made by the gentleman from Dauphin, Mr. Woodside. This is a measure which is intended to advance national defense. It is not only a measure intended for that purpose but it has been sponsored by the national administration in Washington. They are desirous of having this particular legislation. It represents our contribution toward national defense, toward the conservation of oil. I am asking the Democratic Members of this House to pass this legislation. I realize that there has been some small opposition and I have endeavored to ascertain the reason for that opposition, but I am unable to do so. I am at a loss to understand, Mr. Speaker, why one or two individuals who feel that they perhaps may be affected in some measure, should say, "No, the interests of the United States and of Pennsylvania should be submerged to our small, petty, personal interests." Because that opposition is small, because it is petty, because it involves a personal interest in conflict with the national interest, I am certain that every Democrat in this House will vote for this measure.

Mr. PETROSKY. Mr. Speaker, I certainly do not want to disagree with my floor-leader in any instance but finding myself in that position at the present time I am still insisting upon my stand against this measure. Doubt creeps into my mind relative to the great need for such legislation. May I point out if this measure were so badly needed by the national administration, why then, I ask, must we have this bill reported out of committee for final action by this body at this late date, even after a date that was almost definitely decided upon for adjournment?

I again say to you, Mr. Speaker, that no conservation is needed for the oil and gas of this state due to the fact that we do not produce sufficient, and it is my contention that Joe Pew will get a few extra votes on the Allocation Committee.

Mr. WOODSIDE. Mr. Speaker, I merely want to state that many of the oil producing companies feel that this bill will not be of any particular advantage to them and in certain instances might even be harmful to them, but they recognize the value of this bill to the nation as a whole and the industry as a whole. For that reason they have all come down here to ask this Legislature to pass this bill, because they understand the problem and recognize the vital necessity of having it for national defense.

On the question recurring,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows, viz:

YEAS—121

Achterman,	Gillette,	McClester,	Shepard,
Auker,	Goodwin,	McDermott,	Simons,
Baker,	Greenwood,	McFall,	Skale,
Balthaser,	Gross,	McIntosh,	Snyder,
Baugher,	Gyger,	McKinney,	Sollenberger,
Boorse,	Habbyshaw,	McLanahan,	Sorg,
Bower,	Haines,	McMillen,	Stambaugh,
Bretherick,	Hall,	McSurdy,	Stine,
Brunner, C. H.,	Hare,	Mihm,	Stockham,
Cadwalader,	Heatherington,	Modell,	Tarr,
Cohen, M. M.,	Helm,	Moran,	Tate,
Cohen, R. E.,	Herman,	Muir,	Taylor,
Cook,	Hersch,	O'Brien,	Thompson, E. F.,
Cooper,	Hewitt,	O'Mullen,	Thompson, R. L.,
Cordier,	Imbrie,	Polen,	Trout,
Corrigan,	Jefferson,	Powers,	Vincent,
Croop,	Jones, G. E.,	Prosen,	Voldow,
Cullen,	Jones, P. N.,	Reagan,	Wagner,
Dennison,	Kline,	Reese, D. P.,	Watkins,
Dolon,	Knoble,	Reynolds,	Weingartner,
D'Ortona,	Kolankiewicz,	Rhea,	Welsh, E. B.,
Eckels,	Komorofski,	Riley,	Wilkinson,
Elder,	Krise,	Rooney,	Winner,
Elliott,	Lee, E. A.,	Rose, S.,	Wood, L. R.,
Finestone,	Lee, T. H.,	Rose, W. E.,	Wood, N.,
Fiss,	Leisey,	Royer,	Woodside,
Fleming,	Lesko,	Rush,	Yeakel,
Flynn,	Leydic,	Sarge,	Young,
French,	Lichtenwalter,	Shaffer,	Kilroy,
Gallagher,	Lovett,	Shaw,	Speaker.
Gerard,	Lyons,		

NAYS—14

Bentzel,	Hamilton,	McLane,	Petrosky,
Boney,	Harkins,	Munley,	Verona,
Bradley,	Keenan,	O'Neill,	Yester,
Gryskewicz,	Kenehan,		

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return it to the Senate with information that the House has passed it without amendment.

MR. ACHTERMAN IN THE CHAIR

CONFERENCE REPORT ON SENATE BILL No. 654

Mr. READINGER presented the report of the Committee of Conference on the part of the House on Senate Bill No. 654.

The report was read by the Clerk.

The SPEAKER pro tempore. This being a Senate bill the report will be printed by the Senate, and placed in the files of the Members of the House.

CONGRATULATORY RESOLUTION

Messrs. KOLANKIEWICZ and DAVID P. REESE offered a privileged resolution which was read, considered and adopted as follows:

In the House of Representatives, July 15, 1941.

The present prolonged session of the General Assembly has at least one pleasant aspect, in that its apparently endless extensions have operated to include the birthdays of a number of members of the House of Representatives in honor of whom the House could not otherwise have joined in congratulations and good wishes.

July 18th, which will apparently be encompassed in the present session as an actual day, if not a Legislative day, marks the birthday of the Honorable Ray E. Taylor, able member of the House from Dauphin County and well known civic and fraternal leader in the City of Harrisburg. Ray E. Taylor was born in Philadelphia, July 18, 1895, and was educated in the Philadelphia public schools, Drexel Institute and the American Institute of Banking. He served in the United States Navy during the World War, and is now engaged in the investment insurance business

in the City of Harrisburg. He has long taken an active part in public life; therefore be it

Resolved, That the House extends hearty congratulations and best wishes to their fellow member from Dauphin County and wishes him continued success throughout life; and be it further

Resolved, That a copy of this resolution be prepared by the Chief Clerk and transmitted to the Honorable Ray E. Taylor.

The SPEAKER pro tempore. The Chair congratulates the gentleman from Dauphin, Mr. Taylor, on his birthday.

The Chair recognizes the gentleman from Dauphin.

Mr. TAYLOR. Mr. Speaker, of course, today is not July 18th. There has always been some question in my mind whether I was born on July 17th or July 18th. It was somewhere around midnight between July 17th and July 18th. However, Mr. Speaker, I appreciate the sentiment expressed in the resolution, and I wish to thank the Members of the House for their vote on the resolution. I thank you very much, all of you.

The SPEAKER pro tempore. The Chair wishes to comment that, of course, today is not the gentleman's birthday, as the gentleman has indicated. It will be three days hence.

QUESTION OF INFORMATION

Mr. HARKINS. Mr. Speaker, I rise to a question of information.

The SPEAKER pro tempore. The gentleman from Allegheny will state his question of information.

Mr. HARKINS. Mr. Speaker, I rise to inquire whose birthday is today.

The SPEAKER pro tempore. The Chair is too modest to say.

Mr. MORAN. Mr. Speaker, in congratulating Mr. Taylor on his birthday, which is on the eighteenth, this being the fifteenth which I understand is Mr. Achterman's birthday, if Mr. Achterman was born on the fifteenth and Mr. Taylor was born on the eighteenth, which birthday are we celebrating today?

The SPEAKER pro tempore. The Chair hopes it will be both.

REPORT OF COMMITTEE OF CONFERENCE ON HOUSE BILL No. 943

Mr. PAUL A. BRUNNER. Mr. Speaker, I desire to call up the report of the Committee of Conference on House Bill No. 943, Printer's No. 1206.

The report was read by the Clerk as follows:

To the members of the Senate and House of Representatives:

We, the undersigned, Commitee of Conference on the part of the Senate and House of Representatives for the purpose of considering House Bill No. 943 entitled:

"An Act to re-enact and amend section 441 of the act approved the second day of May one thousand nine hundred twenty-nine (P. L. 1278 entitled An act relating to counties of the second third fourth fifth sixth seventh and eighth classes and revising amending and consolidating the laws relating thereto' by authorizing boards of county commissioners to appropriate county moneys for the support of charitable hospitals"

Respectfully submit the following bill as our report:

George A. Deitrick
Clarence D. Becker
John J. Haluska
(Committee on the Part of Senate)

Paul A. Brunner
Kenneth G. Haines
(Committee on the Part of the House of Representatives)

An Act to reenact and amend section 441 of the act approved the second day of May one thousand nine hundred twenty-nine (P. L. 1278) entitled "An act relating to counties of the second third fourth fifth sixth seventh and eighth classes and revising amending and consolidating the laws relating thereto" by authorizing boards of county commissioners to appropriate county moneys for the support of charitable hospitals.

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows:

Section 1 That section 441 of the act approved the second day of May one thousand nine hundred twenty-nine (P. L. 1278) entitled "An act relating to counties of the second third fourth fifth sixth seventh and eighth classes and revising amending and consolidating the laws relating thereto" as amended by the act approved the ninth day of June one thousand nine hundred thirty-one (P. L. 401) is hereby reenacted and further amended to read as follows:

Section 441 Appropriations to Hospital The board of commisisoners may appropriate county moneys for the support of any hospital located within or without the limits of such county which is engaged in charitable work and extends treatment and medical attention to the residents of such county and may also appropriate moneys for the support of any home or place of detention for dependent delinquent and neglected children located within the county such appropriations may be made notwithstanding the fact that there may be no liability on the county or the institution district coextensive with or wholly within the limits of the county for the support care and maintenance of the residents of the county receiving medical attention in such hospitals or for the support of such dependent delinquent or neglected children cared for or maintained in such homes or places.

On the question,

Will the House adopt the report of the Committee of Conference?

Agreeably to the provisions of the Constitution the yeas and nays were taken.

Messrs. Mihm, Tarr and McDermott asked for a verification of the roll.

The roll was verified and was as follows:

YEAS—77

Achterman,	Fiss,	Lee, T. H.,	Simons,
Auker,	Fleming,	Leisey,	Snyder,
Balthaser,	Gillette,	Leydic,	Sollenberger,
Baugher,	Greenwood,	Lichtenwalter,	Sorg,
Bentzel,	Gross,	Lyons,	Stambaugh,
Boney,	Gyger,	McClester,	Stine,
Boorse,	Habbyshaw,	McIntosh,	Stockham,
Bower,	Haines,	McKinney,	Taylor,
Bretherick,	Hall,	McMillen,	Thompson, R. L.,
Brunner, C. H.,	Hare,	McSurdy,	Trout,
Brunner, P. A.,	Helm,	O'Dare,	Wagner,
Cadwalader,	Hewitt,	Rank,	Watkins,
Cook,	Imbrie,	Reagan,	Wilkinson,
Cooper,	Jones, G. E.,	Reese, D. P.,	Winner,
Cordier,	Jones, P. N.,	Rhea,	Wolf,
Croop,	Kline,	Riley,	Wood L. H.,
Dennison,	Knoble,	Rose, W. E.,	Wood, N.,
Eckels,	Krise,	Royer,	Woodside,
Elder,	Lee, E. A.,	Sarge,	Yeakel,
Fisher,			

NAYS—55

Baker,	Gryskewicz,	McFall,	Rush,
Bradley,	Hamilton,	McLanahan,	Shaffer,
Cohen, R. E.,	Harkins,	Mihm,	Shepard,
Corrigan,	Heatherington,	Modell,	Skale,
Cullen,	Herman,	Mooney,	Tate,
Dolon,	Hersch,	Moran,	Thompson, E. F.,
D'Ortona,	Holland,	O'Brien,	Verona,
Elliott,	Jefferson,	O'Mullen,	Vincent,
Finestone,	Kolankiewicz,	Petrosky,	Voldow,
Flynn,	Komorofski,	Polen,	Welsh, E. B.,
French,	Lesko,	Powers,	Yester,
Gallagher,	Lovett,	Reynolds,	Young,
Gerard,	McClanaghan,	Rooney,	Kilroy,
Goodwin,	McDermott,	Rose, S.,	Speaker.

Less than the majority required by the Constitution having voted in the affirmative, the question was determined in the negative and the report of the Committee of Conference was not adopted.

On the question recurring,

Will the House concur in the amendments made and insisted upon by the Senate.

Mr. GERARD. Mr. Speaker, I move that the House further insist upon its non-concurrence in the amendments made and insisted upon by the Senate.

The motion was agreed to.

Ordered, That the Clerk inform the Senate accordingly.

THE SPEAKER (Elmer Kilroy) IN THE CHAIR.

The SPEAKER. The Chair thanks the gentleman from Monroe, Mr. Achterman, for presiding.

RECESS

The SPEAKER. If there is no objection the Chair is about to declare a recess for fifteen minutes. Is there objection? The Chair hears none and a recess is declared.

AFTER RECESS

The time of recess having expired the House was called to order.

THE SPEAKER (Elmer Kilroy) in the Chair.

CONFERENCE REPORT ON SENATE BILL No. 653

Mr. READINGER presented the report of the Committee of Conference on the part of the House on Senate Bill No. 653.

The report was read by the Clerk.

The SPEAKER. This being a Senate bill the report will be printed by the Senate and placed in the files of the Members of the House.

REPORT OF COMMITTEE OF CONFERENCE ON SENATE BILL No. 253

Mr. SARRAF from the Committee of Conference on Senate Bill No. 253, submitted the following:

REPORT OF THE COMMITTEE OF CONFERENCE ON SENATE BILL No. 253

In the House of Representatives, July 15, 1941.

To the Members of the Senate and House of Representatives:

We, the undersigned, Committee of Conference on the part of the Senate and House of Representatives for the purpose of considering Senate Bill No. 253, entitled:

"An Act relating to members of the bureau of fire in cities of the second class, providing, subject to the approval of the electors, for a three-platoon system for such members with certain exceptions, providing for an election on such question and regulating hours of service, hours of rest and annual vacations."

respectfully submit that we are unable to reach an agreement relative to the aforesaid bill.

John M. Walker
M. Harvey Taylor
(Committee on the part of Senate)

George J. Sarraf
John J. Baker
Robert D. Fleming
(Committee on the part of the House of Representatives)

The SPEAKER. The Committee is discharged with the thanks of the House.

Ordered, That the Clerk inform the Senate accordingly.

QUESTION OF INFORMATION

Mr. HARKINS. Mr. Speaker, I rise to a question of information.

The SPEAKER. The gentleman from Allegheny will state his question of information.

Mr. HARKINS. Mr. Speaker, will the Chair state for the information of the Members the No. of the Senate bill which he just stated would be spread upon the Journal?

The SPEAKER. Will the gentleman yield? For the information of the gentleman and the Members of the House, the conferees were unable to agree on Senate Bill No. 253 and have been discharged with the thanks of the House.

Mr. HARKINS. Thank you, Mr. Speaker. I understood the Chair to say Senate Bill No. 653 and thought that the Chair was in error.

The SPEAKER. For the further information of the Members of the House, the Senate has receded from its non-concurrence in the amendments made by the House to Senate Bill No. 253.

Senate Bill 653, the Civil Service Bill, the report of the conferrees has been presented by the gentleman from Berks, Mr. Readinger. The report on Senate Bill 653 has been ordered noted in the Journals of the House. The printing of that report will be done by the Senate, and will be acted upon at a later hour. Does that answer the gentleman's question?

Mr. HARKINS. It does, Mr. Speaker. I thought I understood the Chair to say Senate Bill 653 when I thought he really meant Senate Bill 253. I wanted it to be correct for the purpose of the Journal.

The SPEAKER. The Chair understands the gentleman's apprehension. The two numbers sound alike.

REPORT OF COMMITTEE OF CONFERENCE ON HOUSE BILL No. 1768

Mr. WOODSIDE. Mr. Speaker, I desire to call up the report of the Committee of Conference on House Bill No. 1768, Printer's No. 1210.

The report was read by the Clerk as follows:

To the Members of the Senate and House of Representatives:

We, the undersigned, Committee of Conference on the part of the Senate and House of Representatives for the purpose of considering House Bill No. 1768, entitled:

An Act to further amend the act, approved the fifth day of December, one thousand nine hundred thirty-six (P. L. 1937, page 2897), entitled "An act establishing a system of unemployment compensation to be administered by the Department of Labor and Industry and its existing and newly created agencies with personnel (with certain exceptions) selected on a civil service basis * * * by providing therein as to the replacement or expenditure of certain moneys received or donated pursuant to the provisions of Section three hundred two of the Federal Social Security Act as amended or the Wagner-Peyser Act and making the moneys in the Administration Fund available to the Treasury Department to pay the costs incurred by said department in making disbursements from said fund and the Unemployment Compensation Fund."

Respectfully submit the following bill as our report:

WELDON B. HEYBURN
HENRY I. WILSON
(Committee on the Part of the Senate)

REUBEN E. COHEN
L. KENNETH HARKINS
ROBERT E. WOODSIDE, JR.
(Committee on the Part of the House of Representatives)

An Act to further amend the act approved the fifth day of December one thousand nine hundred thirty-six (P. L. of 1937 page 2897), entitled "An act establishing a system of unemployment compensation to be administered by the Department of Labor and Industry and its existing and newly created agencies with personnel (with certain exceptions) selected on a civil service basis requiring employers to keep records and make reports and certain employers to pay contributions based on payrolls to provide moneys for the payment of compensation to certain unemployed persons providing procedure and administrative details for the determination payment and and collection of such contributions and the payment of such compensation providing for cooperation with the Federal Government and its agencies creating certain special funds in the custody of the State Treasurer and prescribing penalties" by providing therein as to the replacement or expenditure of certain moneys received or donated pursuant to the provisions of Section three hundred two of the Federal Social Security Act as amended or the Wagner-Peyser Act and making the moneys in the Administration Fund available to the Treasury Department to pay the costs incurred by said department in making disbursement from said fund and the Unemployment Compensation Fund

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 [Article six] Section 602 of the act approved the fifth day of December one thousand nine hundred thirty-six (P. L. of 1937 page 2897) entitled "An act establishing a system of unemployment compensation to be administered by the Department of Labor and Industry and its existing and newly created agencies with personnel (with certain exceptions) selected on a civil service basis requiring employers to keep records and make reports and certain employers to pay contributions based on payrolls to provide moneys for the payment of compensation to certain unemployed persons providing procedure and administrative details for the determination payment and collection of such contributions and the payment of such compensation providing for cooperation with the Federal Government and its agencies creating certain special funds in the custody of the State Treasurer and prescribing penalties" is hereby amended to read as follows

Section 602 Administration Fund There is hereby created a special fund to be known as the Administration Fund which shall consist of all moneys or other property received by the department from the United States of America or any agency thereof including the Social Security Board or from any other source whatsoever to be used for the administration of this act The department shall pay all costs required for the administration and operation of this act out of the Administration Fund

In addition any law to the contrary notwithstanding this fund shall be subject from time to time to charges by the Treasury Department for the costs incurred by said department in making disbursements arising from payments out of the Unemployment Compensation Fund and the fund created in this section and the moneys in the Administration Fund are hereby appropriated for the payment of such charges

Section 2 Article six of the said act as amended by the act approved the twentieth day of June one thousand nine hundred thirty-nine (P. L. 458) is hereby further amended by adding after section six hundred two two new sections to be known as section six hundred two and one-tenth and section six hundred two and two-tenths and to read as follows

Section 602.1 Reimbursement of Funds The Commonwealth of Pennsylvania hereby recognizes its obligation to replace and hereby pledges the faith of the Commonwealth that funds will be provided in the future and applied to the replacement of any moneys received after July one one thousand nine hundred forty-one from the Social Security Board under Title III of the Social Security Act any unencumbered balances in the Administration Fund as of that date any moneys thereafter granted to the Commonwealth pursuant to the provisions of the Wagner-Peyser Act and any moneys made available by the Commonwealth or its political subdivisions and matched by such moneys granted to the Commonwealth pursuant to the provisions of the Wagner-Peyser Act which the Social Security Board finds have because of any action or contingency been lost or have been expended for purposes other than or in amounts in excess of those found necessary by the Social Security Board for the proper administration of this act Such moneys shall be promptly replaced by moneys appropriated for such purpose from the general funds of the Commonwealth to the Administration Fund for expenditure as provided in Section six hundred two of this act The secretary shall promptly report to the Governor and the Governor to the Legislature the amount required for such replacement This section shall not be construed to relieve the Commonwealth of its obligation with respect to funds received prior to July one one thousand nine hundred forty-one pursuant to the provisions of Title III of the Social Security Act

Section 602.2 All moneys received from the Social Security Board under Title Three of the Social Security Act or the provisions of the Wagner-Peyser Act and all moneys made available by the Commonwealth or its political subdivisions and matched by moneys granted to the Commonwealth pursuant to the provisions of the Wagner-Peyser Act shall be expended solely for the purposes and in the amounts found necessary by the Social Security Board for the proper and efficient administration of this Act

Section 2 The provisions of this act shall become effective immediately upon final enactment and shall be retroactive to and including the first day of July one thousand nine hundred and forty-one

On the question,

Will the House adopt the report of the Committee of Conference?

Mr. REUBEN E. COHEN. Mr. Speaker, I am going to ask you at this late hour, to indulge me for just a few minutes to make some remarks in connection with the conference report on House Bill 1768, which I urge you to unanimously adopt. If my remarks extend over and refer

to Senate Bill 80, I will ask you to excuse me because the two subjects are similar and one cannot make remarks concerning one without some reference to the other.

House Bill 1768 in itself is not what the Democratic party feels this administration owes to the people of Pennsylvania. However, the mechanics of the bill do accomplish one thing; it makes certain that in the future the Secretary of the Department of Labor and Industry shall not make any inprovident—to be charitable—expenditures of moneys entrusted to that Department by the Government of the United States..

Mr. Speaker, we have had the situation where funds have been spent improperly and the Commonwealth of Pennsylvania must admit by the passage of this bill that such payments were made improperly, because in this bill we are compelled to pledge in the future the faith and the credit of the Commonwealth to the Federal Government that, if in the future any such funds are improperly spent, the moneys will be repaid to the Federal Government. What remains after that is that the Commonwealth itself must then proceed against any person charged with improper expenditure of money to recover the money improperly spent.

In passing may I say that it is well known that in the last few months such a sorry incident occurred, and it might be suggested now that the Attorney General should proceed to determine whether or not such funds could be recovered for the Commonwealth. We know that in the future, the Commonwealth will have to pay that money back, and if in the future we have to pay the money, may I suggest that action by the Attorney General may be warranted or possibly required.

Senate Bill No. 80, which is tied in with this bill, because they both amend the same act, was amended in this House to conform with the expression of this House on House Bill No. 868, which was introduced by the gentleman from Lackawanna, Mr. O'Neill and myself and passed by this House some time ago. In that bill and in the amendments to Senate Bill No. 80, we expressed this administration's pledge to the people of Pennsylvania and to this House and to the Senate in joint assembly in this very hall, on January 7th of this year. We expressed our ideas on the liberalization of the Unemployment Compensation Act. We asked that the minimum payment be increased, I think, from seven dollars and fifty cents to ten dollars and that the maximum payments be increased from fifteen dollars to twenty dollars. We asked that the intermediate payments be extended from fifty to sixty-six and two-thirds per cent. We asked that the waiting period be reduced from three weeks to one week. We asked that partial unemployment be compensated. We did so with full knowledge and understanding that on the basis of past experience and the experiences we are now going through, the moneys for which we are trustees, the fund over which we have control by action of this House and the Senate would not be impaired, but would be solvent, and that the moneys which we are carrying and accumulating in this state would be used for the benefit of the unemployed of Pennsylvania.

May I say at the same time it will help solve our relief problem in that we may not have to impose greater taxes. Of course, the Governor would rather reduce taxes upon industry and upon employers in Pennsylvania. The Senate countered with a very, very liberal proposition. The Senate insisted upon the seven dollars and fifty cents minimum being increased to eight dollars and fifty cents, and insisted that the fifteen dollars maximum remain at fifteen dollars. The Senate did agree that the intermediate payments might be sixty-six and two-thirds per cent rather than fifty per cent of the weekly wage. They decided in the alternative, if they should decide to raise the maximum one dollar up to sixteen dollars, we could have that or we could get one additional week's payment, increasing it from thirteen to fourteen. We have been insisting upon sixteen payments in the year. The partial payment plan was an obnoxious idea to the Senate, they wouldn't go for it, and the only excuse that was offered by the Senate was that the Joint State Government Commission had not studied the subject, and since they had not studied it they could not go along with the idea, despite the figures produced by the House Conferees to prove their point.

The last answer which has been received on the subject was on last Sunday after a week of conferences with one of the conferees in the Senate. In his first statement the other conferee countered with a remark that I was too social minded. My answer to that was that the Joint State Government Commission did a valuable and a worthwhile piece of work, but I did not see—and I am speaking of the present members of that commission—I did not see how they could have the effrontery to come to this legislature and say that because we did not get a report from the Joint State Government Commission we cannot pass this law. I would not have the gall to come to this session of the Legislature and as a member of the Joint State Government Commission ask this House and Senate to accept as law what I found to be the law, but I would ask them to study what we had accumulated and to use their best judgment.

That was the last expression on the part of the Senate, knowing full well what labor and what both Houses in Pennsylvania have asked for, nevertheless the Senate defied labor's request and insisted that no partial payments be made, insisted upon meager and picayune benefit increases and remained adamant in insisting that the bill which they wrote should be enacted or there would be no bill. Yesterday the eulogy over the bill was pronounced in the Senate and I regretfully state that I must join in that eulogy, and I regretfully state that labor knows the bill is dead. I might as well announce it now so that there will be no doubt about it. Mr. Speaker, labor feels, I believe, that the time has come when it must go after what labor in Pennsylvania should have.

If by this time you have assumed from what I have said that I have attempted to put words into the mouth of the present Republican administration that they stood for a liberalized Unemployment Compensation Act, may I read to you a statement by the Governor of Pennsylvania made on the rostrum on which our Speaker now stands on January 7, 1941. It is in the fourth item which he recommended to Assembly and reads as follows:

> "Fourth Study should be given to the Unemployment Compensation Act with the thought of reducing the waiting period, increasing the number of payments and otherwise liberalizing its terms."

If half a dollar's worth of liberalization is all that this Assembly, or all that the Republican members of the Assembly, can derive from such a statement, then the

terms "liberal" and "liberalization" are as dead as the proverbial dodo.

The Democratic party is going to pass House Bill 1768; the Democratic party mourns the fact that Senate Bill 80 with its liberal advance in benefit payments cannot be passed; the Democratic party was the father of Unemployment Compensation in Pennsylvania in December 1936, despite the fact that we were warned it could not work. We are proud of the fact that we have pledged ourselves to continue the fight to properly liberalize that act. My observation has shown me that there is a movement on foot nationally to try to get rid of such a surplus as now exists in Washington. Labor feels that the best way to get rid of such a surplus is to go out and let the people spend money, and their business can be increased with more money. In other words, you should not be frozen with a fifteen dollar maximum in the face of rising food costs. The Democratic party is insisting upon a flexible and a liberal interpretation of a social piece of legislation. We do not want anything that is stiff; we want something that can be molded to fit the economic world and meet the needs of the people of Pennsylvania. We feel, Mr. Speaker, that we have not gotten anything in this situation, but the Democratic party is not going to refuse to pass House Bill 1768 because our refusal to pass it may mean we may have difficulty with the administration in Washington in getting funds for this Commonwealth to go through with the Act and administer the Act in August. We shall not be deterent to the proper administration of the fund, but if by our criticism, if by our fighting here now and our continuance of fighting in the future, we can bring to the Assembly, if we should come back into special session, or if we can bring to future Assemblies the fact that the Unemployment Compensation Act must be built up into a flexible Act to meet the present needs or the needs of the future as they come, then I think we shall have accomplished our purpose, and we shall have been consistent in our attitude as to what is good for the people of Pennsylvania, and which can be made better for the people of Pennsylvania. If the people of Pennsylvania will follow us in that precept, I feel certain that two years hence we will have the tools, not only in the House but in the Senate, and in that little room back of this Hall, which goes much farther back than the stairway, we will be able to do with this act what every reasonable person knows should be done with it.

Mr. WOODSIDE. Mr. Speaker, House Bill No. 1768, in spite of what the gentleman said contains only those provisions that the Federal Social Security Board and the Social Security Law in Washington say are necessary to be enacted into law in Pennsylvania, in order that we can get the money to carry on the administration of our Unemployment Compensation Law.

After the adjournment of the 1939 session Congress enacted additional provisions which they said would have to be written into the laws of the various states if the moneys for administration were to be given after July 1, 1941. We are now passing a law which Congress and which the Social Security Board request, in the very wording of which it is provided that it shall be effective immediately and be retroactive to the first day of July, 1941. It has nothing to do with anything that transpired between the Secretary of Labor and Industry and the Social Security Board. It is a provision that all the states must enact into their laws. It is a provision which was written into a book which was sent out to all the states telling them what they must enact into their law.

It does however, contain one other provision and I do not think it would be amiss to make reference to it. That is that certain employes who are over in the Treasury Department, which, if the gentleman on the other side would be really interested in civil service, would have been brought under civil service, are given a certain provision in the law in order that the Treasury Department may keep them out of civil service. I merely state that as part of the provision which the gentlemen on the other side insists be written into this bill. They could have been and possibly should have been under civil service if the gentlemen on the other side would have been inclined to support it. All the rest of the people having to do with unemployment compensation, or practically all of them, are under civil service provisions and there is no reason why they should not be under them. The gentlemen on the other side did not prefer it that way and so at their request there was written into House Bill 1768 a provision that permits these employes to be outside of civil service.

There was some talk about Senate Bill 80. Senate Bill No. 80 has nothing to do with it except that it amends the same law and except for the fact that the provision to which we last referred was a part of Senate Bill 80 as it finally passed the House. The situation as to Senate Bill 80 is very briefly this: it was suggested to us that the committee communicate with the Joint State Government Commission, and the committee appointed by the Joint State Government Commission to study the subject did study it diligently and well. They had before them all the union labor leaders of the state of Pennsylvania; they had before them the Chambers of Commerce and together they had practically agreed upon twenty-two points, including very liberal features of the Unemployment Compensation Law. The Senate passed that bill in accordance with the recommendations contained in the study. There were twenty-two recommendations. Some of them were merely procedural and they did not have very much effect upon the liberalization of the act except that the waiting period was reduced from three weeks to two weeks. The gentleman spoke about fifty cents a week but he passed over the question of the waiting period from three weeks to two. That is something that would benefit the working man in Pennsylvania who should happen to become unemployed for over two weeks. There are other provisions concerning liberalization but the gentlemen on the other side said, "No we don't think the laboring man of Pennsylvania wants this additional eight to nine million dollars a year that this bill would give them." Why they say that is difficult to understand. They talk about liberalization and it is recognized that this Senate bill which the Republican conferees have all signed and are prepared to pass at the present time would give the unemployed of Pennsylvania between eight and nine million dollars a year during the next two years, but the gentleman on the other side, said, "No." Now, that is all there is to it, gentlemen. The reason must be that they want to go out and make a political campaign trying to make the working man of Pennsylvania believe that the Republican

administration and the Republican Senate were not willing to liberalize the Unemployment Compensation Law, but the record stands and the fact cannot in any way be disputed that in the next year the unemployed in Pennsylvania would, if the Democrats would go along with the report that is signed by the Republican members, receive benefits of between eight and nine million dollars, and until this Assembly meets in regular session again that will mean between sixteen and eighteen million dollars to the unemployed people of Pennsylvania. You say "No, we won't agree with that. We won't agree with it because you will not accept a system which the actuaries say they don't know enough about to know what would happen under it." That is the whole story, Mr. Speaker, and the fault of keeping that approximately seventeen million dollars from the unemployed laboring men of Pennsylvania during the next two years can rest upon no one except the Democrats of this House.

Mr. REUBEN E. COHEN. Mr. Speaker, if I were to file exceptions to the statement of the gentleman, I should have to say at least that the court erred in its charge to the jury. Mr. Speaker, the gentleman spoke about a reduction of the waiting period from three to two weeks. I do not think that is liberal enough, because we can make it more liberal, by which I mean we can get it to one week; that is what we asked for. May I inform the gentleman that the present practice generally in Unemployment Compensation indicates that under the three weeks waiting period it takes at least five weeks before a person receives his first check, and there has been any number—I should say hundreds or maybe thousands of instances where persons while waiting for their checks from the Unemployment Compensation Bureau had to go on relief. If we had a one week waiting period, it is true that the machinery for getting the money paid would have to be stepped up, but so many of these people would not have to go on relief and the relief fund might be saved in that respect a considerable amount of money.

As to the total amount of money that the gentleman states this bill will give, I think he is in error, but I do not want to bore him or you with figures. If any gentleman of the House wants to refer to the record in the Senate, the figures are adequately shown and conclusively proven. Let me say to the members of the House, we were not only interested in getting these increased benefits; we had other things in mind, and one of the things that we asked for, which was flatly refused by the other side, was a provision to compel an employer to come under the fund, so as to reduce the eligibility required of the person who employed others. That worked out this way in a specific instance that occurred in this Commonwealth within the past several months. It would first bring many more employers under the fund, and therefore that many more partners in this enterprise. When they do become unemployed, there would be greater certainty, and it would do away with the shameful thing that happened at Indiantown Gap, where there were three employers who received the majority of the contracts and who got together and had one joint payroll. I have a copy of one of their pay envelopes in my hand. They began work in the year 1940, within the twenty week period from the end of the year. The result was that in the year 1940, they were not covered by the act, so they made no contribution to the Unemployment Compensation Fund. Then they finished their job before twenty weeks elapsed in 1941, so that again they were not compelled to pay any money into this fund for the benefit of the people of Pennsylvania.

We have situations where there was a payroll of many millions of dollars spreading over a period of five weeks to six months, where men were employed and discharged from employment because the job was done, and were unable to turn to the Unemployment Fund for benefits. We are quite certain now that the law as it stands today is somewhat faulty. We sought to amend that situation, and the only answer we got on that score was, "Rube, you are too social minded."

Mr. LEVY. Mr. Speaker, the minority floor leader in talking on House Bill 1768 said a few times, "That's all there is to it." I only want to say to him and to the Republican party in the dying days of this session, that the record of Unemployment Compensation on the part of Governor James is only another link in the unbroken chain of broken promises.

On the question recurring,

Will the House adopt the report of the Committee of Conference?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows, viz:

YEAS—142

Auker,	Greenwood,	McClester,	Royer,
Achterman,	Gross,	McDermott,	Rush,
Baker	Gryskewicz,	McFall,	Sarge,
Balthaser,	Gyger,	McIntosh,	Sarraf,
Baugher,	Habbyshaw,	McKinney,	Shaffer,
Bentzel,	Haines,	McLanahan,	Shaw,
Boney,	Hall,	McLane,	Shepard,
Boorse,	Hamilton,	McMillen,	Simons,
Bower,	Hare,	McSurdy,	Skale,
Bradley	Harkins,	Mihm,	Snyder,
Bretherick,	Heatherington,	Modell,	Sollenberger,
Brunner C H.,	Helm,	Monks,	Sorg,
Burris,	Herman,	Mooney,	Stambaugh,
Cadwalader,	Hersch,	Moran,	Stine,
Chadoff	Hewitt	Moul,	Stockham,
Cohen M M.,	Holland,	Muir,	Tarr
Cohen R E.,	Imbrie,	Munley,	Tate,
Cook,	Jefferson,	Nagel,	Taylor,
Cooper,	Jones, G E.,	O'Brien,	Thompson, R. L.,
Croop,	Jones, P N.,	O'Dare,	Trout,
Cullen,	Kenehan,	O'Mullen,	Verona,
Dennison,	Kline,	O'Neill,	Vincent,
Dolon,	Knoble	Petrosky,	Voldow,
Duffy,	Kolankiewicz,	Polaski,	Wagner,
Eckels,	Komorofski,	Polen,	Watkins,
Elder	Krise	Powers,	Weingartner,
Elliott,	Lee, T H.,	Rank,	Welsh E. B.,
Finestone,	Leisey,	Readinger,	Wilkinson,
Fisher,	Lesko,	Reagan,	Wood, N.,
Fiss,	Levy,	Reese, D. P.,	Woodside,
Fleming,	Leydic,	Reynolds,	Yeakel,
Flynn	Lichtenwalter,	Rhea,	Yester,
French	Lovett,	Riley,	Young,
Gallagher,	Lyons,	Rooney,	Kilroy,
Gerard	Marks,	Rose, S.,	Speaker.
Goodwin,	McClanaghan,	Rose, W. E.,	

NAYS—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative and the report of the Committee of Conference was adopted.

Ordered, That the Clerk inform the Senate accordingly.

COMMUNICATION

The SPEAKER laid before the House a communication which was read by the Clerk as follows:

BOY SCOUTS OF AMERICA
2 Park Avenue
New York, N. Y.

July 16, 1941.

Mr. Thomas J. Callahan, Chief Clerk
House of Representatives
Harrisburg, Pennsylvania

Dear Mr. Callahan:

On behalf of the Boy Scouts of America, I express to you the sincere appreciation of our entire membership for the resolution adopted by the House of Representatives of the State of Pennsylvania in the death of our beloved National Scout Commissioner, Mr. Daniel Carter Beard. This evidence of respect and affection is most gratifying and it will afford us great pleasure to transmit copy of the duly authenticated resolution to the members of the Beard family.

Photo-offset copies will also be sent to each one of our Councils in the State of Pennsylvania.

Sincerely and cordially yours,

Boy Scouts of America
Chief Scout Executive

JEW:JRM

FORMER MEMBER WELCOMED

The SPEAKER. The Chair welcomes to the House this evening a former member of the House, the gentleman from Fayette, Harry J. Brownfield.

SENATE ADOPTS CONFERENCE COMMITTEE REPORT ON SENATE BILL No. 654

The Clerk of the Senate being introduced, informed that the Senate has adopted the report of the Committee of Conference on the subject of the difference existing between the two Houses on Senate Bill numbered and entitled as follows:

SENATE BILL No. 654.

An Act to amend sections two hundred one and four hundred fifty two of the act approved the ninth day of April one thousand nine hundred and twenty-nine (P. L. 177) entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments boards commissions and officers thereof including the boards of trustees of State Normal Schools or Teachers Colleges abolishing creating reorganizing or authorizing the reorganization of certain administrative departments boards and commissions defining the powers and duties of the Governor and other executive and administrative officers and of the several administrative departments boards commissions and officers fixing the salaries of the Governor Lieutenant Governor and certain other executive and administrative officers providing for the appointment of certain administrative officers and of all deputies and other assistants and employes in certain departments boards and commissions and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments boards and commissions shall be determined" as amended in order to establish the State Civil Service Commission as an independent administrative commission in the Executive Department and making further provisions with respect to the qualifications and expenses of the commission

REPORT OF COMMITTEE OF CONFERENCE ON SENATE BILL No. 654

Mr. READINGER. Mr. Speaker, I desire to call up the report of the Committee of Conference on Senate Bill No. 654, Printer's No. 619.

The report was read by the Clerk as follows:

To the Members of the Senate and House of Representatives:

We, the undersigned, Committee of Conference on the part of the Senate and House of Representatives for the purpose of considering Senate Bill No. 654, entitled:

"An act to amend sections two hundred one and four hundred fifty-two of the act approved the ninth day of April one thousand nine hundred and twenty-nine (P. L. 177) entitled 'An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments boards commissions and officers thereof * * *' as amended in order to establish the State Civil Service Commission as an independent administrative commission in the Executive Department and making further provision with respect to the qualifications and expenses of the commission."

Respectfully submit the following bill as our report:

O. J. Tallman
John M. Walker
Frank W. Ruth
(Committee on the Part of the Senate)

Albert S. Readinger
Anthony J. Petrosky
John E. Van Allsburg
(Committee on the part of House of Representatives.)

An Act to amend sections two hundred two and four hundred fifty-two of the act approved the ninth day of April one thousand nine hundred and twenty-nine (P. L. 177), entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments boards commissions and officers thereof including the boards of trustees of State Normal Schools or Teachers Colleges abolishing creating reorganizing or authorizing the reorganization of certain administrative departments boards and commissions defining the powers and duties of the Governor and other executive and administrative officers and of the several administrative departments boards commissions and officers fixing the salaries of the Governor Lieutenant-Governor and certain other executive and administrative officers providing for the appointment of certain administrative officers and of all deputies and other assistants and employes in certain departments boards and commissions and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments boards and commissions shall be determined" as amended in order to establish the State Civil Service Commission as a departmental administrative commission in the Executive Department

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section two hundred and one of the act approved the ninth day of April one thousand nine hundred and twenty-nine (P. L. 177), entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments boards commissions and officers thereof including the boards of trustees of State Normal Schools or Teachers Colleges abolishing creating reorganizing or authorizing the reorganization of certain administrative departments boards and commissions defining the powers and duties of the Governor and other executive and administrative officers and of the several administrative departments boards commissions and officers fixing the salaries of the Governor Lieutenant-Governc and certain other execu-

tive and administrative officers providing for the appointment of certain administrative officers and of all deputies and other assistants and employes in certain departments boards and commissions and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments boards and commissions shall be determined" as last amended by the act approved the tenth day of May one thousand nine hundred and thirty-nine (P. L. 101) is hereby further amended to read as follows

Section 201 Executive Officers Administrative Departments and Independent Administrative Boards and Commissions The executive and administrative work of this Commonwealth shall be performed by the Executive Department consisting of the Governor Lieutenant Governor Secretary of the Commonwealth Attorney General Auditor General State Treasurer Secretary of Internal Affairs and Superintendent of Public Instruction by the Executive Board and the Pennsylvania Motor Police by the following administrative departments Department of State Department of Justice Department of the Auditor General Treasury Department Department of Internal Affairs Department of Public Instruction Department of Military Affairs Insurance Department Department of Banking Department of Agriculture Department of Forests and Waters Department of Mines Department of Highways Department of Health Department of Labor and Industry Department of Welfare Department of Property and Supplies Department of Revenue Department of Public Assistance and Department of Commerce and by the following independent administrative boards and commissions Pennsylvania Game Commission Board of Fish Commissioners State Civil Service Commission and the Pennsylvania Public Utility Commission

All of the provisions of this act which apply generally to administrative departments or generally except to the Department of the Auditor General and the Treasury Department shall apply to the Executive Board and to the Pennsylvania Motor Police

Section 2 Section four hundred fifty-two of said act which was added to said act by section eight of the act approved the sixth day of June one thousand nine hundred thirty-nine (P. L. 250) is hereby amended to read as follows

Section 452 State Civil Service Commission The State Civil Service Commission is hereby created and shall consist of three members not more than two of whom shall be of the same political affiliation Of the original members all of whom shall be appointed within thirty days after the effective date of this act one shall be appointed for a term of two years one for a term of four years and one for a term of six years from the date of his appointment and until his successor shall have been appointed and qualified Thereafter each appointment shall be for a term of six years or until a successor is appointed and qualified The members of the commission shall hold no other public position to which a salary is attached shall have qualifications for appointment and shall be removable from office as provided by law The Governor shall designate one of the members as chairman

Each member of the commission shall [be paid] receive actual traveling expenses and per diem compensation at the rate of twenty-five dollars per day for the time actually devoted to the business of the commission but no member shall be paid more than one thousand five hundred dollars per diem compensation in any one year except during the first year after the effective date of this act [when such payments shall not exceed two thousand dollars]

Section 3 This act shall become effective immediately upon its final enactment

On the question,

Will the House adopt the report of the Committee of Conference?

Mr. READINGER. Mr. Speaker, in commenting on Senate Bill 654, I ask the consent of the House to comment also on Senate Bill No. 653, which is a companion bill and deals with the same subject.

The SPEAKER. If there is no objection, the gentleman will be privileged to discuss Senate Bill 654 and Senate Bill 653. The Chair hears none. The gentleman will proceed.

Mr. READINGER. Mr. Speaker, as one of the conferees on these two Senate Bills, I rise to ask the members of the House to vote for both of these bills. Senate Bill 654 sets up a State Civil Service Commission of three members and Senate Bill 653 defines the powers and duties of that Civil Service Commission.

I think there is no doubt that these two bills are a step forward in better government for Pennsylvania, but in my brief remarks tonight, I want to point out what in my opinion and in the opinion of many Members on this side of the House, constitute serious deficiencies in these two bills.

The members of this conference committee approached their task in the spirit of compromise. Senate Bill 653 is a compromise between the Republican and Democratic parties and their members. When the bill first came over from the Senate it provided for no court appeal after a hearing before the Commission. It also provided that notwithstanding any other provisions of the act the Governor, upon recommendation of the appointing authority, or the director of the Commission, could fire any person for the good of the service.

To these two items the Members on this side of the House took exception, and we tried in our conference committee to persuade the conferees on the other side to adopt our viewpoint in the matter and to allow to a dismissed or demoted or suspended employe the right of a court appeal. We also tried to persuade them to take out of the bill the right of the Governor of Pennsylvania to fire for no reason whatever except he deems it to be for the good ofthe service. There were other items in dispute, and in some of these the Republican conferees gave to us and on these two items that I am now speaking of we gave to them.

When I stated it to be my opinion that this bill would give Pennsylvania a much better civil service law if it included the right of the court appeal, I believe I expressed the feelings and thoughts of most of the Members on this side of the House. It is true that it will cost more money, and it would be somewhat more cumbersome.

It is true that the administration of the law would be somewhat more cumbersome if this right of appeal were given the employes, but I think that the value, not only to the employe whose status happens to be in question, but to the people of Pennsylvania, because of better service rendered by the employes, thinking and knowing that they could not be fired, suspended or demoted unfairly, offsets that cost.

As far as the right of the Governor is concerned to dismiss for no reason except that in his opinion it is for the good of the service,—as far as that right is concerned, we didn't want to concede that, but the Republican conferees insisted upon it and we finally did concede it rather than have the bill fail.

I am not going to make any threats tonight as to what will happen if the Governor does not administer that por-

tion of the act properly. We conferees cited those two things on the assumption that an impartial and a fair civil service commission will be set up and that it will function properly. We assume it to be true and we hope it will be true. We also hope that the Governor of Pennsylvania will be big enough not to use this power for political reasons, and while I say we make no threats as to what will happen if it is not carried out in a fair manner, I am serving notice now on the Governor and this civil service commission that is going to be appointed, that if they do not function properly the people will put the blame where it belongs and will act accordingly.

We sometimes forget that the main thing we are trying to get in civil service is to get better service for the people of Pennsylvania. There are some people who feel that this bill should never be enacted without that court appeal section in it, but that is not exactly so. The main thing you want to accomplish is better service for the people of Pennsylvania, and to see that the employe who performs his job properly shall have a life time job or as long as he wants to have it. So one factor greatly outweighs the other. We believe this civil service set-up is workable, and we want it to work properly, but I wanted to make these remarks in order that the record may be clear as to our intention over here, and I ask the Members to vote in support of these bills.

On the question recurring,

Will the House adopt the report of the Committee of Conference?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows, viz:

YEAS—142

Achterman,	Goodwin,	Marks,	Rose, S.,
Auker,	Greenwood,	McClanaghan,	Rose, W. E.,
Baker,	Gross,	McClester,	Royer,
Balthaser,	Gryskewicz,	McDermott,	Rush,
Baugher,	Gyger,	McFall,	Sarge,
Bentzel,	Habbyshaw,	McIntosh,	Sarraf,
Boney,	Haines,	McKinney,	Shaffer,
Boorse,	Hall,	McLanahan,	Shaw,
Bower,	Hamilton,	McLane,	Shepard,
Bradley,	Hare,	McMillen,	Simons,
Bretherick,	Harkins,	McSurdy,	Skale,
Brunner, C. H.,	Heatherington,	Mihm,	Snyder,
Burris,	Helm,	Modell,	Sollenberger,
Cadwalader,	Herman,	Monks,	Sorg,
Chudoff,	Hersch,	Mooney,	Stambaugh,
Cohen, M. M.,	Hewitt,	Moran,	Stine,
Cohen, R. E.,	Holland,	Moul,	Stockham,
Cook,	Imbrie,	Muir,	Tarr,
Cooper,	Jefferson,	Munley,	Tate,
Croop,	Jones, G. E.,	Nagel,	Taylor,
Cullen,	Jones, P. N.,	O'Brien,	Thompson, R. L.,
Dennison,	Kenehan,	O'Dare,	Trout,
Dolon,	Kline,	O'Mullen,	Verona,
Duffy,	Knoble,	O'Neill,	Vincent,
Eckels,	Kolankiewicz,	Petrosky,	Voldow,
Elder,	Komorofski,	Polaski,	Wagner,
Elliott,	Krise,	Polen,	Watkins,
Finestone,	Lee, T. H.,	Powers,	Weingartner,
Fisher,	Leisey,	Rank,	Welsh, E. B.,
Fiss,	Lesko,	Readinger,	Wilkinson,
Fleming,	Levy,	Reagan,	Wood, N.,
Flynn,	Leydic,	Reese, D. P.,	Woodside,
French,	Lichtenwalter,	Reynolds,	Yeakel,
Gallagher,	Lovett,	Rhea,	Yester,
Gerard,	Lyons,	Riley,	Young,
		Rooney,	Kilroy, Speaker.

NAYS—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative, and the report of the Committee of Conference was adopted.

Ordered, That the Clerk inform the Senate accordingly.

SENATE MESSAGE

SENATE ADOPTS CONFERENCE COMMITTEE REPORT ON SENATE BILL No. 653

The Clerk of the Senate being introduced, informed that the Senate has adopted the report of the Committee of Conference on the subject of the difference existing between the two Houses on Senate Bill numbered and entitled as follows:

SENATE BILL No. 653

An Act regulating and improving the civil service of certain departments and agencies of the Commonwealth vesting in the State Civil Service Commission and a Personnel Director certain powers and duties providing for classification of positions adoption of compensation schedules and certification of payrolls imposing duties upon certain officers and employes of the Commonwealth authorizing service to other State departments or agencies and political sub-divisions of the Commonwealth in matters relating to civil service defining certain crimes and misdemeanors imposing penalties making certain appropriations and repealing certain acts and parts thereof

REPORT OF COMMITTEE OF CONFERENCE ON SENATE BILL No. 653

Mr. READINGER. Mr. Speaker, I desire to call up the report of the Committee of Conference on Senate Bill No. 653, Printer's No. 624.

The report was read by the Clerk as follows:

To the Members of the Senate and House of Representatives:

We, the undersigned, Committee of Conference on the part of the Senate and House of Representatives for the purpose of considering Senate Bill No. 653, entitled:

"An act regulating and improving the civil service of certain departments and agencies of the Commonwealth vesting in the State Civil Service Commission and a Personnel Director certain powers and duties providing for classification of positions adoption of compensation schedules and certification of payrolls imposing duties upon certain officers and employes of the Commonwealth authorizing service to other State departments or agencies and political subdivisions of the Commonwealth in matters relating to civil service defining certain crimes and misdemeanors imposing penalties making certain appropriations and repealing certain acts and parts thereof"

Respectfully submit the following bill as our report:

O. J. Tallman
John M. Walker
Frank W. Ruth
(Committee on the Part of the Senate)

Albert S. Readinger
John E. Van Allsburg
(Committee on the part of the House of Representatives.)

An Act regulating and improving the civil service of certain departments and agencies of the Commonwealth vesting in the State Civil Service Commission and a Personnel Director certain powers and duties providing for classification of positions adoption of compensation schedules and certification of payrolls imposing duties upon certain officers and employes of the Commonwealth authorizing service to other State departments or agencies and political sub-divisions of the Commonwealth

in matters relating to civil service defining certain crimes and misdemeanors imposing penalties making certain appropriations and repealing certain acts and parts thereof

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Section 902 False Statements Made Under Oath Constitute Perjury
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Section 904 Prohibition of Political Activity
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Article X Schedule
Section 1001 Transfer of Records
Section 1002 Employment Board Abolished
Section 1003 Appropriation
Section 1004 Effective Date of Act
Section 1005 Repealer

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows That a system of personnel administration is hereby established for the regulation and improvement of the civil service of certain departments and agencies of the Commonwealth

Article I

General Provisions

Section 1 Short Title This act shall be known and cited as the "Civil Service Act"

Section 2 Purpose Greater efficiency and economy in the administration of the government of this Commonwealth is the primary purpose of this Act The establishment of conditions of service which will attract to the service of the Commonwealth qualified persons of character and ability and their appointment and promotion on the basis of merit and fitness are means to this end

Section 3 Definition of Terms In this Act unless the context otherwise clearly requires

(a) "Commission" means State Civil Service Commission as created by "The Administrative Code of 1929" and its amendments.

(b) "Director" means the Personnel Director

(c) "Service of the Commonwealth" includes all offices and positions now existing or hereafter created in the Department of Public Assistance State Board of Public Assistance and county boards of assistance all offices and positions now existing or hereafter created in the Department of Labor and Industry charged with the administration of the Unemployment Compensation Law all offices and positions now existing or hereafter created under the Pennsylvania Liquor Control Board all offices and positions under the State Civil Service Commission and the Personnel Director and any other offices and positions of any department or agency to which this Act may hereafter be extended

(d) "Unclassified service" means all positions now existing or hereafter created in the service of the Commonwealth which are held by

(1) Heads of departments of the Commonealth the first deputy heads thereof and the person appointed to administer the Federal-State employment service and the unemployment compensation work of the Department of Labor and Industry

(2) Members of boards and commissions

(3) One secretary or one confidential clerk to each state appointing authority or each member thereof as the case may be except the Commission and the Director

(4) Any person temporarily appointed or designated to render special services or to make or conduct a special

inquiry investigation or examination where such appointment or designation is certified by the Commission to be for employment for not more than six months in any twelve month period and which for reasons set forth in the minutes of the Commission should not be performed by persons in the classified service

(5) Any person employed by any other State agency or department which by law performs services directly or indirectly for the departments set forth in subsection (c) hereof

(6) Such attorneys as the Attorney General shall appoint and the Governor shall approve

(e) "Classified service" means all positions now existing or hereafter created in the service of the Commonwealth not specifically included in the unclassified service

(f) "Appointing authority" means the officers board commission person or group of persons having power by law to make appointments in the service of the Commonwealth

(g) "Position" means any office or place of employment in the service of the Commonwealth such that the duties and responsibilities thereof are exercised by one person

(h) "Class" or "class of positions" means a group of positions in the service of the Commonwealth established under this Act sufficiently similar in respect to the duties and responsibilities thereof that the same descriptive title may be used for each of such positions the same requirements as to experience knowledge and ability are demanded of incumbents the same tests of fitness may be used to choose qualified appointees and the same schedule of compensation may be made to apply with fairness under like working conditions

(i) "Permanent position" means a position in the service of the Commonwealth which is likely to be needed continuously for a period of six months or more

(j) "Extra position" means a position in the classified service which arises out of temporary pressure of extra work and will continue for a period of less than six months

(k) "Employe" means a person legally occupying a position in the service of the Commonwealth

(l) "Regular employe" means an employe who has been appointed to a position in the classified service in accordance with this Act after completing his probationary period

(m) "Entrance examination" means an examination for positions in a particular class admission to which is not limited to persons employed in the service of the Commonwealth

(n) "Promotion examination" means an examination for positions in a particular class admission to which is limited to employes in the classified service who have held a position in another class

(o) "Employment list" means a list of persons who have been found qualified by an entrance examination for appointment to a position in a particular case

(p) "Promotion list" means a list of persons who have been found qualified by a promotion examination for appointment to a position in a particular class

(q) "Eligible list" means an employment list a promotion list or a reemployment list

(r) "Eligible" means a person whose name is on an eligible list

(s) "Demotion" means a change in statute to a position in a class carrying a lower maximum salary

(t) "Furlough" means the termination of employment because of lack of funds or of work

(u) "'Probationary period" means a preliminary period of employment prior to permanent appointment of an employe for the purpose of determining his fitness for permanent employment

(v) "Promotion" means a change in status to a position in a class carrying a higher maximum salary

(w) "Removal" means the permanent separation from the classified service of an employe who has been permanently appointed

Article II

Civil Service Commission and Personnel Director and Their Powers

Section 201 Qualifications and Removal of Commissioners Any person appointed as a member of the Commission shall be a citizen and legal resident of the Commonwealth for a period of not less than one year who is in sympathy with modern personnel methods and the application of merit principles to public employment No person who within one year preceding his appointment has been an officer of a political party shall be eligible to serve as a commissioner The Governor may remove any member of the Commission but only for incompetence inefficiency neglect of duty malfeasance or misfeasance in office by giving such member a statement in writing of the charges against him and affording him after notice of not less than ten days an opportunity of making written answer and upon request being publicly heard in person and by counsel A copy of the charges and answer of the Governor's findings and a transcript of the record shall be filed with the Secretary of the Commission

Section 202 Meetings of Commission The Commission shall meet at least once each month except that meetings may be omitted during two summer months The Chairman of the Commission shall cause reasonable notice to be given to each member of the Commission and to the Director of the time and place of each meeting Meetings shall be held at the call of the Chairman the Governor or any member of the Commission Two members of the Commission shall constitute a quorum at any meeting

Section 203 Duties of Commission It shall be the duty of members of the Commission as a body

(1) After public hearing as hereinafter set forth to establish adopt and amend rules either on its own motion or upon recommendation of the Director for making effective the provisions of this Act Such rules shall have the effect of law one week after the adoption thereof

(2) After public hearing as hereinafter set forth to approve modify or reject such classification plans for the classified service of the Commonwealth as the Director may present

(3) To approve modify or reject for report to the Executive Board of the Commonwealth such compensation schedules for the classified service of the Commonwealth as the Director may present

(4) Upon request or on its own motion are herein provided in cases of demotion furlough suspension and removal to conduct investigations hold public hearings render decisions on appeals and record its findings and conclusions

(5) To make investigations on its own motion and in its discretion on petition of a citizen concerning any matter touching the enforcement and effect of the provisions of this Act and to require observance of the provisions of this Act and the rules and regulations thereunder

(6) To make such investigations as may be requested by the Governor or the Legislature and to report thereon

Section 204 Legal Counsel The Attorney-General shall be legal counsel for the Commission Whenever the Attorney-General acts for the appointing authority in a particular proceeding the Commission may appoint special counsel The total compensation paid to all such special counsel for any fiscal year shall not exceed two thousand five hundred dollars

Section 205 Qualifications Appointment Compensation And Removal Of Director

(a) The Director shall be in the classified service He shall be a person who by examination shows he is familiar with the principles and methods of personnel administration and one who is in sympathy with the application of merit principles and scientific methods to public employment He shall during the first year receive an annual salary of seven thousand dollars which shall not at anytime thereafter be increased by the Commission with the approval of the Governor to more than nine thousand dollars and shall hold no other public position of profit

(b) Within ninety days after it is appointed and

thereafter within ninety days after a vacancy occurs the Commission shall hold a competitive examination in accordance with the provisions of this Act and on the basis of that examination shall establish an employment list of persons found eligible for appointment as Director The Commission shall appoint one of the three highest ranking eligibles as the Director The Commission shall have the same powers and duties with respect to the conduct of the examination establishment of the employment list and making an appointment therefrom that are vested in or imposed upon the Director under the provisions of this Act with respect to other positions in the classified service

(c) The Director shall not be removed except for incompetence inefficiency neglect of duty malfeasance or misfeasance in office The Commission shall furnish to the Director written notice of his intended removal setting forth the reasons for such action and shall file a copy of such written notice with the Governor The Director shall have ten days from the receipt of such written notice to give the Commission such written answer as he may desire and shall file a copy of such written answer if any with the Governor Such notice and answer shall be made a part of the public records of the Commission and of the Governor Within thirty days after receipt of such notice of removal and answer thereto the Governor shall make an investigation for the purpose of fairly determining whether the Director shall continue in his position or should be removed therefrom Within twenty days after the completion of such investigation or sooner if practicable the Governor shall make his findings and conclusions which shall be forthwith certified to and enforced by the Commission The Governor's findings and conclusions shall constitute a part of the public records of the Commission and of the Governor

Section 206 Powers And Duties Of Director The Director shall be the chief executive office of the Commission and except as otherwise provided in this Act shall direct and supervise all the administrative work He shall have power and it shall be his duty

(1) To appoint from employment lists established under this Act such examiners investigators clerks and other assistants as may be necessary to carry out this Act and to supervise and direct this work

(2) To attend the meetings of the Commission act as its secretary and record its official actions

(3) To prepare and recommend to the Commission rules and amendments thereto

(4) To establish and maintain a record of all employes in the service of the Commonwealth showing for each such person the date appointed or employed the title of the position held the rate of compensation and every change in his status including increases and decreases in pay changes in title transfers sick and annual leaves with or without pay and such other data as he may consider desirable and pertinent

(5) To administer and make effective the provisions of this Act and of the Rules made thereunder including those relating to the preparation after advice and counsel with appointing authorities and administration of classification and compensation plans the preparation and conduct of examinations the preparation of eligible lists the certification of persons qualified for employment the transfer promotion suspension demotion removal furlough leave of absence and resignation of employes the rating of employes' services the checking and certification of pay-rolls before payment the conduct of programs of employe training and working conditions affecting the health and safety of employes

(6) To investigate the effect of the administration of this Act and of the Rules made thereunder and to report his findings and recommendations to the Commission

(7) To appoint with the approval of the Commission one employe to be his deputy The person selected as deputy may be one of the three remaining highest ranking persons on the eligible list for the position of Director or one of the three highest ranking persons on an eligible list established by an examination for the position of Deputy Director which examination and ratings shall be in a like manner and under the same conditions as provided in this Act for other classes of positions The salary of the deputy shall be established by the Commission with the approval of the Governor In case of the absence of the Director or his inability from any cause to discharge the powers and duties of his office such powers and duties shall devolve upon his deputy

(8) To make a biennial report in writing not later than September first of each even numbered year to the Commission concerning the administrative work of the Commission including pertinent information and recommendations

(9) To do any act or acts required by this Act or the Rules made thereunder or which may be necessary to carry into effect their provisions and purpose

Section 207 Cooperation By Officers And Employes Of The Commonwealth Upon the written request of the Director all officers and employes in the service of the Commonwealth shall during the usual business hours furnish the Commission such facilities assistance and information as it may require in carrying on its functions

Section 208 Public Hearings Before adopting or amending its Rules or approving modifying or rejecting classification plans the Commission shall hold a public hearing at which any citizen shall have the right to appear and be heard Public notice of such public hearing shall be given at least seven days in advance of the hearing by posting on a bulletin board maintained in or near the Commission's principal office in a place accessible to the public during business hours a statement of the time and place of the hearing and of the matter to be considered also by furnishing at least twenty copies of such notice to the Newspaper Correspondents' Office in the State Capitol and one copy of such notice to the Governor each appointing authority and each member of the General Assembly The Commission may give further public notice of such hearings as it deems advisable

Section 209 Oaths Testimony And Production Of Papers Each member of the Commission the Director and any other employe or agent authorized by the Commission shall have the power to administer oaths in matters pertaining to the work of the Commission The Commission shall have the power to secure by subpoena the attendance and testimony of witnesses and the production of books and papers Any judge of a court of record either in term time or in vacation shall upon proper application of the Commission compel the attendance of witnesses the production of books and papers and the giving of testimony before the Commission by attachment for contempt or otherwise in the same manner as the production of evidence may be compelled before such court

Section 210 Records Open To The Public The minutes of the Commission shall be preserved as permanent records The correspondence eligible lists and other papers and records of the Commission shall be preserved for seven years On written request supported by justification acceptable to the Commission and subject to reasonable regulation all records of the Commission shall be open to public inspection during ordinary business hours except as herein specifically otherwise provided The Director shall take all due precautions to prevent the securing in advance by any unauthorized person of questions or other material to be used in any test unless such questions or materials are available to all competitors He shall prevent the identification by any examiner or other person where identity is concealed of papers or work of any competitor in an examination before the papers or work of all competitors in that examination have been rated Statements of former employers of competitors in examinations shall be considered confidential and not open to inspection

Section 211 Receiving Funds and Allocating or Apportioning Costs The Commission shall have power to receive funds from the United States of America or any agency thereof or from any other source whatsoever for the ad-

ministration of this Act and to allocate among the departments and agencies thereunder the cost of administering this Act or any part thereof

Section 212 Service To Other State Departments or Agencies and Political Subdivisions Cooperation With Other Civil Service Agencies (a) The services and facilities of the Commission and its staff shall be available to other State departments or agencies and political subdivisions of this Commonwealth upon such terms and conditions as may be prescribed by the Rules of the Commission which Rules shall provide for the payment to and reimbursement of the Commonwealth for the reasonable cost of such services and facilities Any money payable to the Commonwealth by way of reimbursement shall be paid into the General Fund through the Department of Revenue shall be credited to the appropriation made to the Commission out of the General Fund by this act or to any subsequent appropriation made to the Commission out of the General Fund for the proper conduct of its work under this act and shall be available for the same purpose for whih any such appropriation is available

(b) The Commission shall have power from time to time to enter into agreements with other public personnel agencies in this or any other State and with agencies of the federal government for the purpose of using and exchanging information and services The Commission shall have power to become a member of or subscribe to any association or service having as its purpose the interchange of information relating to the technique of personnel administration

Article III

Classification of Positions In the Classified Service

Section 301 Establishment of Classes The Director shall within ninety days after taking office and after consultation with the Executive Board of the Commonwealth state appointing authorities and principal supervising officials classifying all of the positions in the classified service according to the duties and responsibilities of each position The plan of classification shall designate appropriate titles for each class of position and shall recommend to the Commission the qualifications to be required of persons assigned or appointed to positions in each class The completed classification plan shall be so arranged that all positions which are substantially similar with respect to authority responsibility and character of work are included within the same class that the same tests of competency may be applied to persons to be appointed to all positions in a class and that the same schedule of compensation can be made to apply with fairness under like working conditions to all positions in a class The statement which shall be known and described as "The Classification Plan" shall show for each class

(a) The title given to the class

(b) The duties and responsibilities exercised by those holding positions allocated to the class illustrated where necessary by descriptions of typical tasks

(c) The minimum qualifications required for the satisfactory performance of such duties and tasks and the exercising of such responsibilities

(d) As far as practicable the lines of promotion to and from the class

The Director shall present such classification plan to the Commission The Commission after adopting such classification plan either as presented or in modified form shall publish the classification plan

Section 302 Allocation of Position to Classes As soon as possible after the adoption of the classification plan the Director shall after affording employes a reasonable opportunity to be heard and after consultation with appointing authorities and their principal assistants allocate each position in the classified service to its proper class Each employe shall assume the classification title of his position

Section 303 Additions and Amendments to Classes The Director shall from time to time after consultation with state appointing authorities and with the approval of the Commission establish additional classes an allocate thereto new positions created or positions not included in any previously established class and may divide combine alter or abolish existing classes and reallocate positions If any proposed amendment of the classification plan will affect an existing position the employe holding such position shall have a reasonable opportunity to be heard before final action is taken

Section 304 Reporting and Classification of New Positions Appointing authorities shall promptly report to the Director the establishment of new positions in order that they may be classified and allocated No person shall be appointed to any such position until it has been properly classified as herein provided Any change in the duties of an existing position which in the judgment of the Director is material shall be interpreted as serving in effect to abolish the position and to create a new position Appointing authorities shall report material changes in the duties of positions to the Director

Section 305 Use of Classification Titles Classification titles shall be used in all records and communications of the Commission the appointing authorities the Auditor General the State Treasurer and the Budget Secretary and shall also be used in all estimates submitted to the General Assembly or to the Budget Secretary requesting the appropriation of money to pay for services and in all reports and papers relating to payments of services

Article IV

Compensation of Employes In the Classified Service

Section 401 Compensation Schedules For each class established under this Act the Director shall make a study of the rates paid for similar services elsewhere and of other information pertaining to proper rates of compensation and after consultation with state appointing authorities and their principal assistants and approval by the Commission shall report to the Executive Board of the Commonwealth for its approval modification or rejection a schedule of compensation for each class Such schedules shall show for each class a minimum salary rate a maximum salary rate and such intermediate rate or rates as the Director considers necessary and proper Subject to the approval of the Commission the Director may from time to time recommend to the Executive Board of the Commonwealth for its approval modification or rejection changes in the schedule of compensation for any class together with the reasons therefor Pending the adoption of such compensation schedules and the appropriation of funds to make payments for personal services in accordance therewith the compensation of employes in the classified service shal be in accordance with the existing law

Section 402 Rates of Pay Following the adoption of the schedule of compensation for any class the rate of compensation for any employe upon appointment to a position in the class shall be at the minimum rate prescribed for the class except that where the appointee is already in the classified service in a position in the same or another class his compensation upon appointment to the new position shall be the same as that received before such new appointment

Section 403 Changes In Compensation The rate of compensation of any employe who has not reached the maximum rate for his class may be increased upon the attainment and maintenance of the appropriate service rating as provided elsewhere in this Act In the absence of service ratings advances in compensation within the salary range for any class may be made on the recommendation of the appointing authority supported by such evidence of increased usefulness in the service as may be required by the Rules of the Commission Each such increase shall be to the next higher rate for the class except as provided in this Section and shall become effective on the first day of the month following its approval by the Governor No employe shall have his compensation increased in the class oftener than once in twelve months except that upon the request of the appointing authority approved by the Director and by the Commission and on the basis of facts demonstrating that the action is in the interest of good administration the Governor may at any time authorize an in-

crease to any rate established for the class to which the position is allocated The Commission in its reports shall publish the facts regarding each case or class of cases in which it approves such request made by appointing authorities to increase the rate of compensation of any employe more frequently than once in twelve months or to a rate above the next higher rate for the class In no case however shall the compensation of any employe be increased unless funds are available from which the increase may lawfully be paid nor shall the rate for any employe be increased beyond the maximum for the class

Article V

Selection Of Employes For Entrance To Or Promotion In The Classified Service

Section 501 Examinations Requisite For Appointment And Promotion (a) Except as otherwise provided in this Act appointments of persons entering the classified service or promoted therein shall be from eligible lists established as the result of examinations given by the Director to determine the relative merit of candidates Such examinations shall be written and competitive and open to all persons who may be lawfully appointed to positions within the classes for which the examinations are held Persons applying for positions or promotions in the offices designated as central administrative offices (which shall include all those having jurisdiction throughout the State) shall be citizens of the United States and shall have been legal residents of the Commonwealth for a period of not less than one year before making application and persons applying for positions or promotions in offices designated as district offices (which shall include all those whose jurisdiction is limited to a particular district) shall be citizens of the United States and shall have been legal residents of the Commonwealth for a period of not less than one year and in the district in which such office having jurisdiction thereof is located for a period of not less than six months before making application. The Director shall prepare the proper state and district employment and promotion eligible lists when necessary Provided that after an examination has been conducted for any class of position if there is no person with such legal residence in any administrative district who has passed the examination the Director may certify and the appointing authority may make the appointment or promotion from the names of persons on an appropriate eligible list for the same class of position of administrative districts which are contiguous or nearby to the administrative district in which there is no person on the appropriate eligible list Limitations as to age sex health moral character experience and other qualifications may be specified in the Rules of the Commission and in the announcements of the examinations All applications for positions in the classified service shall be under oath As far as is in the judgment of the Commission consistent with the best interest of the Commonwealth vacancies shall be filled by promotion The Commission upon recommendation of the Director may limit competition in promotion examinations to employes in the classified service who have served not less than six months in a class or classes designated in the public notice of the examinations

Section 502 Nature Of Examinations The Director shall give examinations to establish employment and promotion lists The tests in such examination shall be written and may also include oral tests or a demonstration of skill or a combination of these which shall fairly appraise and determine the merit qualifications fitness and ability of competitors Such tests shall be practical in character and shall relate to the duties and responsibilities of the position for which the applicant is being examined and shall fairly test the relative capacity and fitness of persons examined to perform the duties of the class of positions to which they seek to be appointed or promoted but no applicant shall be required to be possessed of any scholastic education in order to be permitted to take any competitive examination or to be appointed or promoted to any position No greater credit for experience gained during a provisional emergency or temporary appointment under this act or acts repealed hereby shall be given to any person in any examination than is given in such examination for experience in the same type of work performed in a similar position not under the provisions of this act or acts repealed hereby No question in any examination shall relate to the race religion or political or labor union affiliation of the candidate

Section 503 Holding Examinations And Rating Competitors The Director shall have charge of the preparation and holding of examinations of the rating of the work of competitors and of the preparation of resulting employment and promotion lists He may call on other persons not on the regular staff of the Commission either within or without the service of the Commonwealth for assistance When such persons are in the service of the Commonwealth it shall be deemed a part of their official duty to act as examiners without extra compensation

Section 504 Public Notice Of Examinations The Director shall give public notice of all examinations for positions or promotions in the classified service of the Commonwealth at least two weeks in advance of the final date for filing applications for such examinations by posting an appropriate notice on the bulletin board maintained in or near the Commission's principal office by furnishing at least twenty copies of such notice to the Newspaper Correspondents' Office in the State Capitol and at least one copy of such notice to each office throughout the State of all the departments set forth in Article I Section 3 Subsection (c) of this act directing that such notice shall immediately be posted on a public bulletin board maintained in each such office The Director may give such further public notice as he deems advisable Such notice shall give the time place and general scope of every examination the weights to be given to each of the tests in the examination the duties pay experience education and other qualifications requisite for all positions in the class for which the examination is to be held and the manner and place in which application forms and detailed pertinent information may be obtained

Section 505 Ratings Of Competitors The final earned rating of a person competing in any examination shall be determined by the weighted average of earned ratings in the tests according to weights for each test established by the Director The Director shall send notice by mail to all competitors informing them whether they have attained a place upon the list and informing those who have attained a place upon the list of their final earned ratings and of their relative standing upon the list

Section 506 Establishment Of Employment And Promotion Lists The Director shall establish and maintain such employment and promotion lists for the various classes of positions in the classified service as are necessary or desirable to meet the needs of the service These lists shall contain the names of persons arranged in the order of final earned ratings who have been given at least such minimum rating or ratings as may be fixed in advance for the whole examination or for the whole examination and for any one or more of the tests

Section 507 Duration Of Employment And Promotion Lists Employment and promotion lists shall continue in force for at least two years from the date of their establishment and thereafter until exhausted or replaced by more recently prepared lists The Director with the approval of the Commission may at any time correct clerical errors occurring in connection with the preparation of any employment or promotion list and revise the list accordingly but no person who has been appointed as the result of certification from such list shall be displaced by such action Any persons whose announced rating or position on the list is changed by correcting any clerical errors shall be notified The Commission shall have the power at any time after giving notice as required in this Act and after a public hearing to cancel the whole or any part of any employment or promotion list on account of illegality or fraud in connection therewith

Article VI

Appointment And Promotion Of Employes In The Classified Service

Section 601 Certification Whenever a vacancy is likely to occur or is to be filled in a permanent position in the classified service the appointing authority shall submit to the Director a statement indicating the position to be filled The Director shall thereupon certify to the appointing authority the names of the three eligibles willing to accept appointment who are highest on the appropriate promotion list or employment list whichever is in existence or from the one which under the rules of the Commission has priority If the appropriate list contains less than three eligibles who are willing to accept appointment the names certified may be taken from the other appropriate list to make a certification of at least three eligibles If there are less than three eligibles on appropriate eligible lists who are willing to accept appointment the Director shall certify all the names on these lists If there is no appropriate eligible list the Director may certify from such other list or lists as he deems the next most nearly appropriate If upon inquiry by the Director any person or any promotion or employment list is found to be not available for promotion or appointment his name shall not for the time being be considered among the names from which a promotion or appointment is to be made

Section 602 Selection And Appointment Of Eligibles Unless it is found to be in the interest of the service of the Commonwealth not to fill a vacant position the appointing authority within thirty days shall appoint the person whose name is or one of the persons whose names are certified by the Director If the vacant position is to be filled from among the names of employes on the appropriate promotion list which have been submitted to the appointing authority he shall select a person provided he is among the three highest ranking persons on such list or that his final mark or grade is not more than one point below the mark or grade of the person ranking highest on such list In making the second promotion in the same class of position the appointing authority in like manner shall select a person from among the three highest ranking persons remaining on such list or he shall select a person whose final mark or grade is not more than one point below the mark or grade of the highest ranking person remaining on such list The third and any additional promotions in the same class of position shall be made in like manner If the vacant position is to be filled from among the names of persons certified from the employment list by the Director to the appointing authority he shall select a person from among the three highest ranking persons for the class of position to be filled For the second vacancy in the same class of position the appointing authority shall make selection from among the three highest ranking persons remaining on such list who have not been within his reach for three separate vacancies The third and any additional vacancies shall be filed in like manner After a name has been rejected three times by an appointing authority in favor of others on the same eligible list such name shall not again be certified to that appointing authority except upon written request from the appointing authority Appointing authorities shall promptly report to the Director the selection and appointment of eligibles whose names have been certified If an eligible whose name has been certified shall refuse to accept an appointment offered to him such refusal shall be promptly investigated by the Director and if it be found that the refusal has been made for improper or insufficient reasons the Director shall after giving ten days' notice to such person remove his name from the list

Section 603 Probationary Period (a) No appointment to a position in the classified service shall be deemed complete until after the expiration of a probationary period The probationary period for each class of position shall be prescribed in the Rules of the Commission and shall in no case be less than three months or more than nine months At such times during the probationary period and in such manner as the Director may require the appointing authority shall report to the Director his observation of the work of the employe and his judgment as to the willingness and ability of the employe to perform his duties satisfactorily and as to his dependability At any time during his probationary period after the first two months thereof the appointing authority may remove an employe if in the opinion of the appointing authority the probation indicates that such employe is unable or unwilling to perform his duties satisfactorily or that his dependability does not merit his continuance in the service Upon such removal the appointing authority shall forthwith report his action to the Director and to the employe so removed No more than three employes shall be removed successively from the same position during their probationary periods without the approval of the Director The appointing authority may remove an employe within the first two months of his probationary period only with the approval of the Director The Director with the approval of the Commission shall remove an employe during his probationary period if it is found after the employe has been given notice and an opportunity to be heard that he was appointed as a result of fraud

(b) Ten days prior to the expiration of an employe's probationary period the appointing authority shall notify the Director in writing whether the services of the employe have been satisfactory A copy of such notice shall be given to the employe If the employe's work has been satisfactory he shall at the completion of his probationary period become a classified service employe under the provisions hereof and continue in that position unless separated therefrom as herein provided

(c) If any employe is removed from his position during or at the end of his probationary period and the Director determines that he is suitable for appointment to another position his name may be restored to the list from which it was certified

Section 604 Provisional Appointments Whenever there is great and urgent public need for filling a vacancy in any position in the classified service and the Director is unable to certify an eligible for the vacancy he may authorize the filling of the vacancy by provisional appointment If he does authorize such appointment he shall certify not more than three qualified persons with or without examination and the appointing authority shall appoint one of the persons so certified A provisional appointment shall continue only until an appropriate eligible list can be established and certification made therefrom but in no event for more than ninety days in any twelve-month period except that during the first year after the effective date of this Act provisional appointments may continue until appropriate eligible lists can be established and a person may serve in the classified service under provisional appointment until appropriate eligible lists can be established and certification made therefrom Successive provisional appointments of the same or different persons shall not be made to the same position The acceptance of a provisional appointment shall not confer upon the appointee any right of permanent tenure transfer promotion or reinstatement

Section 605 Temporary Appointments To Extra Positions When from pressure of work an extra position in the classified service must be established for a period of less than six months the appointing authority shall request the Director in writing to certify the name of a qualified person from the appropriate list of eligibles In such request the appointing authority shall state the cause of the extra work the probable length of employment and unless the position has been classified the duties which the appointee is to perform

Section 606 Emergency Appointments Any appointing authority or any subordinate authorized by him may to prevent serious impairment of the public business when an emergency arises and time will not permit securing

the authorization from the Director for the appointment of a certified eligible appoint any qualified person during the emergency for a period not exceeding ten days The existence of a vacancy of which the appointing authority has had reasonable notice or of employment conditions of which the appointing authority had previous knowledge shall not be considered an emergency Persons thus appointed shall be known as emergency employes Appointing authorities shall forthwith report to the Director all emergency appointments and such appointments shall not be renewed

Section 607 Status Of Employes Holding Positions When Act Takes Effect Any employe who holds a position which is in the classified service as herein defined and which was in the classified service under the law in force immediately preceding the effective date of this Act shall if he has been appointed after appropriate competitive or competitive promotional examination and has successfully completed his probationary period become a classified service employe under the provisions hereof and continue in that position unless separated therefrom as herein provided Any such employe who has not completed such probationary period at the time this Act takes effect shall retain his status as a probationary employe until the expiration of that probationary period If he successfully completes his probationary period he shall become a classified service employe under the provisions hereof and continue in that position unless separated therefrom as herein provided Any provisional employe holding a position in the bureau division board or department having a merit system under the law in force immediately preceding the effective date of this act shall become a provisional employe under the terms hereof

Article VII

The Regulation Of Employes In The Classified Service

Section 701 Training Programs The Director shall devise and recommend plans for employe training programs to appointing authorities and other supervising officials and shall cooperate with them in the conduct of such programs to the end that the quality of service rendered by persons in the classified service may be continually improved

Section 702 Health Programs The Director may develop in cooperation with appointing authorities and others health safety and recreation programs which will improve the working conditions of employes in the classified service

Section 703 Holidays Hours of Work Attendance and Leaves The Director shall prepare and after approval by the Commission and the Executive Board of the Commonwealth shall administer regulations regarding holidays hours of work attendance and annual sick and special leaves of absence with or without pay for employes in the various classes of positions in the classified service

Section 704 Service Standards and Ratings In cooperation with appointing authorities the Director shall establish and may from time to time amend standards of performance and output for employes in each class of positions in the classified service or for groups of classes and a system of service ratings based upon such standards In such manner and with such weight as may be provided in the Rules service ratings shall be considered in determining salary increases and decreases within the limits established by law and by the compensation plan and as a factor in promotion examinations provided that all applicants for promotions in the same class of position are credited on an equal basis according to their individual service rating and as a factor in determining the order of furlough when forces must be reduced because of lack of funds or work and the order in which names are to be restored on employment lists and as a means of discovering employes who should be promoted demoted transferred or removed In such manner and at such time as the Rules may require each appointing authority shall report to the Director the service ratings of employes under his jurisdiction or such information as the Director may request as a basis for determining such service ratings Upon request any employe shall be informed of his service rating and may be informed of the service ratings of other employes in the same class

Section 705 Transfers and Assignments An appointing authority may at any time assign a classified employe under his jurisdiction from one position to another in the same class In every case the appointing authority shall give written notice of his action to the Director according to the Rules of the Commission Transfer of a classified employe from a position under the jurisdiction of one appointing authority to a position under the jurisdiction of another appointing authority may be made subject to such Rules and with the approval of the Director and of both appointing authorities concerned Any transfer of an employe from a position in one class to a position in a class for which a higher maximum rate of compensation is prescribed shall be deemed a promotion and may be accomplished only in the manner hereinbefore provided for the making of promotions No person shall ever be transferred from a position in the unclassified service to a position in a classified service unless he is appointed to such latter position after certification of his name from an eligible list in accordance with the provisions of this Act

Section 706 Demotions An appointing authority may demote to a vacant lower rated position in the same class any employe in the classified service who does not satisfactorily perform the duties of the position to which he was appointed or promoted and who is able to perform the duties of the lower position In case of such demotion the employe shall have all rights of appeal as provided in this Act No employe shall be demoted because of his race religion or political partisan or labor union affiliation A demotion may also be made by an appointing authority with the approval of the Director upon the written petition of the employe stating the reasons therefor and supported by such evidence as the Director may require to show that the employe is able to perform the duties of the class of position to which he petitions that he be demoted The compensation of an employe demoted shall in no case exceed the maximum rate for the class to which is demoted

Article VIII

Separation of Employes From the Classified Service

Section 801 Temporary and Permanent Separations An employe may be temporarily separated from the classified service through furlough leave of absence or suspension and may be permanently separated through rejection on probation retirement resignation or removal

Section 802 Furlough In case a reduction in force is necessary in the classified service the order of the furlough shall be in conformity with the established Rules of the Commission which shall give major weight to seniority and due weight to service ratings and other relevant factors The appointing authority shall promptly report to the Director the names of employes furloughed together with the date the furlough of each is effective and the character of his services Under the rules a permanent employe furloughed shall for a period of one year be given preference for reemployment in the same class of position in the department from which he was furloughed and shall be eligible for appointment to a position of a similar class in other agencies under this act provided that in case of a promotion of another employe such preference shall not be effective if it necessitates furloughing such other employe

Section 803 Suspension An appointing authority may for good cause suspend without pay for disciplinary purposes an employe holding a position in the classified service Such suspension shall not exceed in the aggregate thirty working days in one calendar year No person shall be suspended because of his race religion or political partisan or labor union affiliation What shall constitute good cause for suspension may be stated in the Rules An appointing authority shall forthwith report to the Director in writing every suspension together with the reason or reasons therefor and shall send a copy of such report to

the suspended employe Such a report shall be made a part of the Commission's public records

Section 804 Removal During Probationary Period The appointing authority may remove an employe from the classified service at any time after two months from the date of his appointment and before the expiration of the probationary period The appointing authority shall furnish the Director with a statement in writing of the cause of the removal The persons so removed shall be considered permanently separated from his position but the Director may if he considers such action appropriate place the name of the person thus removed on the employment list of the appropriate class for future certification to other appointing authorities

Section 805 Retirements The Director with the approval of the Commission may recommend to the Governor the retirement of any employe in the classified service who in his judgment has become unfitted for the efficient performance of the duties of his position owing to advanced age or to physical or mental disability Any such employe so retired shall have all rights of appeal as provided in this Act for employes removed

Section 806 Resignation The Rules of the Commission shall state what shall constitute resignation from the classified service Absence from duty for five consecutive working days without notice to the appointing authority may be regarded as an abandonment of a position and in effect a resignation No person who has voluntarily resigned from the service shall be restored to his position within six months from the effective date of his resignation No resignation of any person in the classified service shall be effective unless accepted by the appointing authority within fifteen days after the actual date of the making thereof No person about to be appointed to any position in the service of the Commonwealth shall in advance of or at the time of such appointment sign or execute a resignation dated or undated No resignation shall be made or shall be valid unless it bears the signature of the person resigning and the date of the resignation in his handwriting Any person who resigns from the classified service may ask the Commission in writing within fifteen days after such resignation for a public hearing stating his reasons If on investigation there appears to be good evidence that the employe has been forced to resign against his will and without just cause or that his separation from the service has been involuntary and without just cause the Commission shall grant him within thirty days a public hearing as hereinafter provided in the case of removal or demotion and shall treat the separation as though it were a removal

Section 807 Removal (a) No person in the classified service shall be removed except for just cause which shall not be his race religion or political partisan or labor union affiliation To all persons in the classified service except provisional temporary and emergency employes or probationary employes who have served longer than two months written notice of intended removal setting forth the reasons for such action and effective date thereof must be furnished They shall have ten days from the receipt of such written notice to give the appointing authority such written answer as the person about to be removed may desire In every case of such intended removal a copy of the statement of reasons therefor with the full written answer thereto if any shall be furnished to the Commission by the appointing authority within ten days from the receipt of the written answer and shall be made a part of the public records of the Commission Within thirty days after receipt of such notice of removal from an appointing authority the Commission upon the request of the appointing authority or of the removed employe or upon its own behalf shall initiate an investigation which shall include a public hearing Such investigation and hearing may be conducted by the Commission or by anyone designated by the Commission The investigation and hearing shall be for the purpose of fairly determining whether the employe involved merits continuance in his position or should be removed therefrom or otherwise disciplined for the good of the service At the hearing the Commission or those acting for the Commission shall not be required to follow technical rules of evidence or court procedure but shall diligently seek all of the evidence and information bearing on the merits of the case Where an investigation is conducted at the request of the removed employe the Commission within ten days after the completion of such investigation and hearing or sooner if practicable shall make its findings and conclusions which shall be forthwith certified to the appointing authority If the Commission finds that the action complained of was taken by the appointing authority for any political partisan religious or racial reason or because of labor-union affiliation the employe shall be reinstated to his position without loss of pay In all other cases the final decision shall not be reviewable by any court but if such final decision is in favor of the employe the appointing authority shall reinstate him with the payment of so much of the salary or wages lost by him as the Commission may in its discretion order The Commission may in its discretion order that the name of any person whose removal from the classified service has become final and binding be placed at the head of the appropriate eligible list or that he be transferred provided that such action is taken not later than thirty days after the appointing authority has certified his decision to the Commission

(b) Charges against any employe in the classified service asking for his removal for a violation of law or for any cause enumerated in the Rules may be filed by any citizen or taxpayer with the appropriate appointing authority and with the Director Charges so filed shall at the discretion of the Commission be recorded in its minutes be investigated and determined in the manner provided in this Section

(c) Notwithstanding the provisions of this Act the Governor may upon recommendation of the appointing authority suspend or remove the Director and any employe if he deems such action to the best interests of the public service

(d) Demoted or furloughed employes shall have such rights of notice and hearing similar to those provided under this section for removed employes as shall be prescribed in the rules of the commission

Article IX

Prohibitions Penalties And Enforcement

Section 901 Director's Certificate Of Legality Of Employment The director shall periodically certify to the Auditor General lists of employes in the service of the Commonwealth who have been appointed and employed in accordance with the provisions of this act

Section 902 False Statements Made Under Oath Constitute Perjury Any false statement made under oath either orally or in writing in any application or other paper filed with the Commission or in any proceeding before the Commission or in any investigation conducted by or under the direction of the Commission or by the Director or in any proceedings arising under this Act shall be perjury and punishable as such Any person failing to disclose a material fact or in any manner conceals any information in order to obtain employment or promotion under this Act shall in addition to any other penalty herein provided be removed from all eligible lists and if appointed or promoted he shall be summarily removed

Section 903 Certain Acts Made Misdemeanors Any person who wilfully by himself or in collusion with one or more other persons defeats deceives or obstructs any person in respect to his right of examination appointment or employment according to this Act or according to any Rules made thereunder or who corruptly or falsely marks rates grades estimates or reports upon the tests or proper standing of any person tested or certified pursuant to the provisions of this Act or aids in so doing or who wilfully makes any false representations concerning the same or concerning the persons tested or who wilfully furnishes to any person any special or secret information for the purpose of improving or injuring the prospects or chances of any person so examined or certified or to be examined

or certified or who impersonates any person or permits or aids in any manner any other person to impersonate him in connection with any examination or request to be examined certified or appointed or who furnishes any false information about himself or about any other person in connection with any request to be examined certified or appointed or who makes an appointment to office or selects any person for employment contrary to this Act or to any Rules made thereunder or who refuses to comply therewith or who wilfully or through culpable negligence violates any of the provisions of this Act or of any Rules made thereunder shall for each offense be deemed guilty of a misdemeanor and upon conviction thereof shall be sentenced to pay a fine of not less than one hundred dollars ($100.00) and not exceeding three thousand dollars ($3,000.00) or to serve imprisonment for a period not exceeding 3 years or both in the discretion of the court

Section 904 Prohibition of Political Activity No person in the classified service shall be a member of or delegate or alternate to any political convention nor shall he participate at any such convention except in the performance of his official duty or as a visitor nor shall he serve as a member of or attend the meetings of any committee of any political party or take an active part in political management or in political campaigns or use his office or position to influence political movements or to influence the political action of any officer or employe in the service of the Commonwealth nor shall he circulate or seek signatures to any nominations or other petition required by any primary or election law nor shall he seek or accept election nomination or appointment as an officer of a political club or organization or serve as a member of a committee of any such club or organization nor shall he in any manner participate in or interfere with the conduct of any election or the preparation thereof at the polling place or with the election officers while counting the votes or returning the election material to the place provided by law for that purpose save only for the purpose of making and depositing his own ballot as speedily as it reasonably can be done nor shall he be within the polling place or within fifty feet thereof except for the purpose of carrying out official duties and of ordinary travel or residence during the period of time beginning with one hour preceding the opening of the polls for holding such election and ending with the time when the election officers shall have finished counting the votes and have left the polling place for the purpose of depositing the election material in the place provided by law for that purpose excepting only police officers who may temporarily approach or enter the polling place in order to make any arrest permitted by law or for the purpose of preserving order and in each case remain only long enough to accomplish the duties aforesaid after which the said officers shall at once withdraw

Section 905 Prohibition of Assessments No person shall orally or by written or printed communication directly or indirectly demand solicit collect or receive or be in any manner concerned in demanding soliciting collecting or receiving any money or valuable thing or any assessment subscription or contribution whether voluntary or involuntary from any officer or employe in the classified service for any political purpose whatever No person in the classified service shall orally or by written or printed communication directly or indirectly demand solicit collect or receive or be in any manner concerned in demanding soliciting collecting or receiving any money or valuable thing for any political purpose whatever No person in the service of the Commonwealth shall remove suspend furlough demote or promote or in any manner change the official status or compensation of any other person in the classified service or promise or threaten to do so for withholding or neglecting to make any contribution of money or service or other valuable thing for any political purpose No person shall take part in preparing any political assessment subscription or contribution with the intent that the same shall be sent or presented to or collected from any person in the classified service and no person shall knowingly send or present directly or indirectly in person or by letter any political assessment subscription or contribution to or request its payment by any person in the classified service

Section 906 Removal and Disqualification of Officers and Employes Any person holding a position in the service of the Commonwealth who violates any of the provisions of this Act or of the Rules made thereunder shall be immediately separated from the service It shall be the duty of the appointing authority of the State agency in which the offending persons is employed to remove him at once in accordance with the provisions of this Act Any person removed under this Section shall for a period of one year be ineligible for reappointment to any position in the service of the Commonwealth

Article X

Schedule

Section 1001 Transfer of Records All lists of eligibles previously established or certified which have not been replaced by later lists or eligibles on the effective date of this Act and all books papers records documents supplies materials and equipment relating to or used in connection with any merit system in the service of the Commonwealth in effect on the effective date of this Act are hereby transferred from the department board or agency heretofore charged with the administration of such merit system to the Commission on the effective date of this Act

Such lists of eligibles shall be used for appointments by the Commission in the same manner as hereinbefore provided until examinations shall have been held by the Commission and new lists of eligibles prepared pursuant thereto All persons whose names remain on any existing list of eligibles shall be retained thereon for at least one year from the date when the list was established and thereafter until the list is replaced by a more recently prepared list If any applicants have been filed for an examination or any examinations have been held but no lists of eligibles established in connection with any merit system in the service of the Commonwealth in effect on the effective date of this Act such applications and examinations transferred to the Commission shall have the same force and effect as if the applications had been filed with or the examinations held by the Commission

Section 1002 Employment Board Abolished The Employment Board in the Department of Public Assistance is hereby abolished and the terms of all of its members in office are hereby terminated on the effective date of this Act

Section 1003 Appropriation The sum of two hundred fifty thousand dollars ($250,000) or so much thereof as may be found necessary is hereby specifically appropriated out of the General Fund to the State Civil Service Commission for the biennial period ending the thirty-first day of May one thousand nine hundred forty-three for the payment of salaries wages and other compensation of the Commission the Director and experts statisticians clerks stenographers and other assistants and employes for the payment of traveling expenses for advertising postage stationery equipment printing supplies and for any other expenses necessary for the proper conduct of the work of the Commission and of the Director In addition to the aforesaid amount as much money as may be necessary is hereby appropriated to the commission from the State Stores Fund to meet such portion of the above expenses of the commission as may be attributed to the work of the commission with respect to the Pennsylvania Liquor Control Board and as much as may be necessary is hereby appropriated to the commission from the Administration Fund to meet such portion of the above expenses of the commission as may be attributable to the work of the commission with respect to the Department of Labor and Industry Such additional amounts shall from time to time be transferred from the aforesaid special funds to the General Fund shall be credited to the aforesaid appropriation made from the General Fund and are hereby appropriated to the commission for the aforesaid purposes

Section 1004 Effective Date Of This Act This Act shall become effective immediately upon its final enactment except that any department commission board agency or

person charged with administering the merit systems in the service of the Commonwealth in effect on the effective date of this act shall individually continue until thirty days after the Director of the Civil Service Commission is appointed as herein provided to administer for their respective appointing authorities such merit system in accordance with the provisions of this Act and during this time wherein in this Act certain powers and duties pertaining to examinations eligible lists appointments promotions demotions furloughs suspensions removals and appeals are imposed on the Director and the Commission such powers and duties shall be imposed individually upon such department commission board agency or person herein referred to

Section 1005 Repealer The following laws or parts of laws are hereby repealed

Section two of the Act approved the twentieth day of December one thousand nine hundred thirty-three (P. L. 89 1933-34) entitled "An Act appropriating the moneys in the State Stores Fund" as added by the Act approved the eighteenth day of July one thousand nine hundred thirty-five (P. L. 1316)

Section two hundred eight of the Act approved the fifth day of December one thousand nine hundred thirty-six (P. L. 2897) entitled "An Act establishing a system of unemployment compensation to be administered by the Department of Labor and Industry and its existing and newly created agencies with personnel (with certain exceptions) selected on a civil service basis requiring employers to keep records and make reports and certain employers to pay contributions based on payrolls to provide moneys for the payment of compensation to certain unemployed persons providing procedure and administrative details for the determination payment and collection of such contributions and the payment of such compensation providing for cooperation with the Federal Government and its agencies creating certain special funds in the custody of the State Treasurer and prescribing penalties" and the amendments thereto

Section three hundred two of the Act approved the twenty-ninth day of November one thousand nine hundred and thirty-three (P. L. 15 1933-34) entitled as amended "An Act to regulate and restrain the sale manufacture possession transportation importation traffic in and use of alcohol and alcoholic and malt or brewed beverages conferring powers and imposing duties upon the Pennsylvania Liquor Control Board and its agents the Department of Public Instruction other officers of the State government courts and district attorneys authorizing the establishment and operation of State stores for the sale of such beverages not for consumption on the premises and the granting of licenses subject to local option to sell such beverages for consumption on and off the premises forbidding importation or bringing of such beverages into the State except as herein provided prohibiting certain sales or practices in connection with and transactions in such beverages by licensees and others providing for the forfeiture of certain property making disposition of the receipts from State stores and of fees and imposing penalties" and the amendments thereto

Section 2504-A and 2505-A of the Act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 177) entitled "An Act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments boards commissions and officers thereof including the boards of trustees of State Normal Schools or Teachers Colleges abolishing creating reorganizing or authorizing the reorganization of certain administrative departments boards and commissions defining the powers and duties of the Governor and other executive and administrative officers and of the several administrative departments boards commissions and officers fixing the salaries of the Governor Lieutenant Governor and certain other executives and administrative officers providing for the appointment of certain administrative officers and of all deputies and other assistants and employes in certain departments boards and commissions and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments boards and commissions shall be determined" as added by the Act approved the twenty-fourth day of June one thousand nine hundred and thirty-seven (P. L. 2003)

Section four clause k and section seven clause b of the act approved the twenty-fourth day of June one thousand nine hundred and thirty-seven (Pamphlet Laws two thousand fifty-one) entitled "An Act relating to public assistance providing for and regulating assistance to certain classes of persons designated and defined as dependent children aged persons blind persons and other persons requiring relief providing for the administration of this Act by the Department of Public Assistance and county boards of assistance hereby created for this purpose authorizing the Department of Public Assistance to cooperate with and to accept and disburse moneys received from the United States Government for assistance to such persons providing for the liquidation of the State Emergency Relief Board Boards of Trustees of the Mothers' Assistance Fund and Board of Trustees of the Pension Fund for the Blind and repealing laws relating to mothers' assistance pensions for the blind old age assistance and the State Emergency Relief Board" as amended by the act approved the twenty-sixth day of June one thousand nine hundred and thirty-nine (P. L. 1091)

Section seven clause a of the act approved the twenty-fourth day of June one thousand nine hundred and thirty-seven (P. L. 2051) entitled "An Act relating to public assistance providing for and regulating assistance to certain classes of persons designated and defined as dependents children aged persons blind persons and other persons requiring relief providing for the administration of this Act by the Department of Public Assistance and county boards of assistance hereby created for this purpose authorizing the Department of Public Assistance to cooperate with and to accept and disburse moneys received from the United States Government for assistance to such persons providing for the liquidation of the State Emergency Relief Board Boards of Trustees of the Mothers' Assistance Fund and Boards of Trustees of Pension Fund for the Blind and repealing laws relating to mothers' assistance pensions for the blind old age assistance and the State Emergency Relief Board" as amended by the Act approved the twenty-sixth day of June one thousand nine hundred and thirty-nine (P. L. 1091) to the extent that it is inconsistent with this act

All other acts and parts of acts inconsistent with this Act are hereby repealed

On the question,

Will the House adopt the report of the Committee of Conference?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows, viz:

YEAS—140

Achterman,	Goodwin,	Marks,	Rose, S.,
Auker,	Greenwood,	McClanaghan,	Rose, W. E.,
Baker,	Gross,	McClester,	Royer,
Balthaser,	Gryskewicz,	McDermott,	Sarge,
Baugher,	Gyger,	McFall,	Sarraf,
Bentzel,	Habbyshaw,	McIntosh,	Shaffer,
Boney,	Haines,	McKinney,	Shaw,
Boorse,	Hall,	McLanahan,	Shepard,
Bower,	Hamilton,	McLane,	Simons,
Bradley,	Hare,	McMillen,	Skale,
Bretherick,	Harkins,	McSurdy,	Snyder,
Brunner, C. H.,	Heatherington,	Mihm,	Sollenberger,
Burris,	Helm,	Modell,	Sorg,
Cadwalader,	Herman,	Monks,	Stambaugh,
Chudoff,	Hersch,	Mooney,	Stine,
Cohen, M. M.,	Hewitt,	Moran,	Stockham,
Cohen, R. E.,	Holland,	Moul,	Tarr,
Cook,	Imbrie,	Muir,	Tate,
Cooper,	Jefferson,	Munley	Taylor,

Croop,	Jones, G. E.,	Nagel	Thompson, R. L.,
Cullen,	Jones, P. N.,	O'Brien,	Trout,
Dennison,	Kenehan,	O'Dare,	Verona,
Dolon,	Kline,	O'Mullen,	Vincent,
Duffy,	Knoble,	O'Neill,	Voldow,
Eckels,	Kolankiewicz,	Polaski,	Wagner,
Elder,	Komorofski,	Polen,	Watkins,
Elliott,	Krise,	Powers,	Weingartner,
Finestone,	Lee, T. H.,	Rank,	Welsh, E. B.,
Fisher,	Leisey,	Readinger,	Wilkinson,
Fiss,	Lesko,	Reagan,	Wood, N.,
Fleming,	Levy,	Reese, D. P.,	Woodside,
Flynn,	Leydic,	Reynolds,	Yeakel,
French,	Lichtenwalter,	Rhea,	Yester,
Gallagher,	Lovett,	Riley,	Young,
Gerard,	Lyons,	Rooney,	Kilroy, Speaker

NAYS—2

Petrosky,	Rush,

The majority required by the Constitution having voted in the affirmative the question was determined in the affirmative, and the report of the Committee of Conference was adopted.

Ordered, That the Clerk inform the Senate accordingly.

REASONS FOR VOTE

Mr. PETROSKY filed the following reasons for his vote:

The provision in this act that is found on page 44, beginning with lines 24 to 28, inclusive, relegate unwarranted powers to the Governor, and this in my opinion nullifies any effective Civil Service Law.

The other provisions in this act are good, but they become unworkable due to this clause in this Act; therefore, I must vote in the negative in the interest of the people of the Commonwealth.

Mr. RUSH filed the following reasons for his vote:

I am voting "No" on Senate Bill 653 because of the provisions contained in Section 807, paragraph (c) of this Bill and I quote, "Notwithstanding the provisions of this Act the Governor may upon recommendation of the appointing authority suspend or remove the Director and any employe if he deems such action to the best interests of the public service," unquote. This provision destroys the intent of Civil Service because it gives one person, the Governor, and I don't care whether he be Democrat or Republican the right to dismiss a Director or any employe on a flimsy excuse "that it is to the best interest of the public service" this provision make the Civil Service employes nothing more than a political football and therefore I am voting "no" on Senate Bill 653. It is not a real Civil Service Bill.

SENATE MESSAGES

SENATE CONFERENCE COMMITTEE DISCHARGED ON SENATE BILL No. 507

The Clerk of the Senate being introduced, informed that the Committee of Conference on the part of the Senate is discharged from further consideration of Senate Bill numbered and entitled:

SENATE BILL No. 507.

An Act to apportion the State into congressional districts.

SENATE INSISTS ON NON-CONCURRENCE—SENATE BILL No. 507

The Clerk of the Senate being introduced, informed that the Senate further insists on its non-concurrence in the amendments made and insisted upon by the House of Representatives to Senate Bill No. 507, entitled:

An Act to apportion the State into congressional districts.

Mr. ACHTERMAN. Mr. Speaker, I move that the House further insists on its amendments non-concurred in by the Senate.

The motion was agreed to.

Ordered, That the Clerk inform the Senate accordingly.

SENATE ADOPTS CONFERENCE COMMITTEE REPORT ON HOUSE BILL No. 1768

The Clerk of the Senate being introduced, informed that the Senate has adopted the report of the Committee of Conference on the subject of the difference existing between the two Houses on House Bill numbered and entitled as follows:

HOUSE BILL No. 1768.

An Act to further amend the act approved the fifth day of December one thousand nine hundred thirty-six (P. L. of 1937 page 2897) entitled "An act establishing a system of unemployment compensation to be administered by the Department of Labor and Industry and its existing and newly created agencies with personnel (with certain exceptions) selected on a civil service basis requiring employers to keep records and make reports and certain employers to pay contributions based on payrolls to provide moneys for the payment of compensation to certain unemployed persons providing procedure and administrative details for the determination payment and collection of such contributions and the payment of such compensation providing for cooperation with the Federal Government and its agencies creating certain special funds in the custody of the State Treasurer and prescribing penalties" by providing therein as to the replacement or expenditure of certain moneys received or donated pursuant to the provisions of Section three hundred two of the Federal Social Security Act as amended or the Wagner-Peyser Act and making the moneys in the Administration Fund available to the Treasury Department to pay the costs incurred by said department in making disbursements from said fund and the Unemployment Compensation Fund

SENATE RECEDES FROM AMENDMENTS TO HOUSE BILL No. 448

The Clerk of the Senate being introduced, informed that the Senate recedes from its amendments, non-concurred in by the House of Representatives, and concurs in House Bill No. 448, entitled:

An Act to further amend clause (e) of section seven and to amend the first paragraph of section nine of the act approved the twenty-fourth day of June one thousand nine hundred and thirty-seven (P. L. 2051) entitled "An act relating to public assistance providing for and regulating assistance to certain classes of persons designated and defined as dependent children aged persons blind persons and other persons requiring relief providing for the administration of this act by the Department of Public Assistance and county boards of assistance hereby created for this purpose authorizing the Department of Public Assistance to cooperate with and to accept and disburse moneys received from the United States Government for assistance to such persons providing for the liquidation of the State Emergency Relief Board Boards of Trustees of the Mothers' Assistance

Fund and Boards of Trustees of Pension Fund for the Blind and repealing laws relating to mothers' assistance pensions for the blind old age assistance and the State Emergency Relief Board" by redefining eligibility for assistance providing for appeals from certain decisions of the Department of Public Assistance to common pleas courts and imposing powers and duties on common pleas court

RESOLUTION FOR CONCURRENCE

The Clerk of the Senate being introduced presented an extract from the Journal of the Senate, which was read as follows:

In the Senate, July 15, 1941.

On August thirteenth, fourteenth, fifteenth and sixteenth the American Legion, Department of Pennsylvania and the Forty and Eight will hold their annual conventions in the City of Altoona.

August fifteenth will be a most appropriate day upon which to celebrate the first monthly anniversary of the adjournment sine die of this session of the Legislature and there is no better place than Altoona.

Altoona is the center of the rural district of Pennsylvania as well as close to its geographical center. It is the home of the world's largest car shops which are now working at peak capacity, bringing to the City a prosperity that will be richly reflected in the entertainment afforded to visiting Legionnaires and their friends.

The Senators and Members of the House from the County of Blair are desirous of having the Senators and Members of the House of Representatives present in Altoona during these conventions and extend to them a most cordial invitation to attend; therefore be it

Resolved (if the House concurs), That the Senators and Members of the House of Representatives of this session of the Legislature shall take advantage of the invitation of the Senators and Members from the County of Blair and attend the convention in Altoona on August thirteenth, fourteenth, fifteenth and sixteenth as a fitting and proper celebration of this adjournment of this session, if by that time they are thoroughly rested.

Ordered, That the Clerk present the same to the House of Representatives for its concurrence.

On the question,

Will the House concur in the resolution of the Senate?

It was concurred in.

Ordered, That the Clerk inform the Senate accordingly.

BILL SIGNED BY SPEAKER

Bill numbered and entitled as follows having been prepared for presentation to the Governor, and the same being correct, the title was publicly read as follows:

HOUSE BILL No. 1768.

An Act to further amend the act approved the fifth day of December one thousand nine hundred thirty-six (P. L. 1937, page 2897) entitled "An act establishing a system of unemployment compensation to be administered by the Department of Labor and Industry and its existing and newly created agencies with personnel (with certain exceptions) selected on a civil service basis requiring employers to keep records and make reports and certain employers to pay contributions based on payrolls to provide moneys for the payment of compensation to certain unemployed persons providing procedure and administrative details for the determination payment and collection of such contributions and the payment of such compensation providing for cooperation with the Federal Government and its agencies creating certain special funds in the custody of the State Treasurer and prescribing penalties" by providing therein as to the replacement or expenditure of certain moneys received or donated pursuant to the provisions of section three hundred two of the Federal Social Security Act as amended or the Wagner-Peyser Act and making the moneys in the Administration Fund available to the Treasury Department to pay the costs incurred by said department in making disbursements from said fund and the Unemployment Compensation Fund

Whereupon,

The SPEAKER, in the presence of the House, signed the same.

RECESS

The SPEAKER. If there is no objection the Chair is about to declare a recess for fifteen minutes. Is there objection? The Chair hears none and a recess is declared.

AFTER RECESS

The time of recess having expired the House was called to order.

The SPEAKER (Elmer Kilroy) in the Chair.

SENATE MESSAGE

RESOLUTION CONCURRED IN BY SENATE

The Clerk of the Senate being introduced, informed that the Senate has concurred in the resolution from the House of Representatives, as follows:

In the House of Representatives, July 15, 1941.

Resolved (if the Senate concur), That House Bill No. 1952, Printer's No. 1199, entitled:

"An Act to amend section four of the act approved the first day July one thousand nine hundred and nineteen (P. L. 717) entitled 'An act fixing the number compensation mileage and duties of the officers and employes of the General Assembly and providing for their election or appointment term of office and manner of filling vacancies' by providing for the appointment compensation and duties of clerks and pages to the majority and minority floor leaders respectively of the Senate and of the House of Representatives and making an appropriation,"

which passed third reading and final passage in the Senate on July 12th, be recalled from the Senate.

Accordingly, the original bill is herewith returned.

Mr. ACHTERMAN. Mr. Speaker, I move that the House recede from its non-concurrence in the amendments made and insisted upon by the Senate and concur therein to House Bill No. 1952, Printer's No. 1199.

Mr. WOODSIDE. Mr. Speaker, being a floor leader, and as the provisions of the bill relate to floor leaders, I ask that I be not recorded on this bill.

Mr. ACHTERMAN. Mr. Speaker, I ask to be excused from voting on this bill for the reason that I have an interest in the outcome of it.

The SPEAKER. If there is no objection the gentleman from Dauphin, Mr. Woodside, and the gentleman from Monroe, Mr. Achterman, will be excused from voting on this bill. The Chair hears none.

Mr. HARKINS. Mr. Speaker, I desire to interrogate the majority floor leader, the gentleman from Monroe, Mr. Achterman.

The SPEAKER. Will the gentleman from Monroe permit himself to be interrogated?

Mr. ACHTERMAN. I shall Mr. Speaker.

Mr. HARKINS. Mr. Speaker, I would like to inquire

of the gentleman from Monroe for the purpose of information for the Members whether or not this is the bill which provides for certain clerks to assist the floor leaders.

Mr. ACHTERMAN. That is correct, Mr. Speaker.

Mr. HARKINS. I thank the gentleman, Mr. Speaker.

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows, viz:

YEAS—136

Auker,	Goodwin,	Marks,	Riley,
Baker,	Greenwood,	McClanaghan,	Rooney,
Balthaser,	Gross,	McClester,	Rose, S.,
Baugher,	Gryskewicz,	McDermott,	Royer,
Bentzel,	Gyger,	McFall,	Rush,
Boney,	Haines,	McIntosh,	Sarge,
Boorse,	Hall,	McKinney,	Sarraf,
Bower,	Hamilton,	McLanahan,	Shaffer,
Bradley,	Hare,	McLane,	Shepard,
Bretherick,	Harkins,	McMillen,	Simons,
Brunner, C. H.,	Heatherington,	McSurdy,	Skale,
Burris,	Helm,	Mihm,	Snyder,
Cadwalader,	Herman,	Modell,	Sollenberger,
Chudoff,	Hersch,	Monks,	Sorg,
Cohen, M M.,	Hewitt,	Mooney,	Stambaugh,
Cohen, R. E.,	Holland,	Moran,	Stine,
Cook,	Imbrie,	Moul,	Stockham,
Cooper,	Jefferson,	Muir,	Tarr,
Croop,	Jones, G E.,	Munley,	Tate,
Cullen,	Jones, P N.,	Nagel,	Taylor,
Dennison,	Kenehan,	O'Brien,	Thompson, R L.,
Dolon,	Kline,	O'Dare,	Trout,
Duffy,	Knoble,	O'Mullen,	Verona,
Eckels,	Kolankiewicz,	O'Neill,	Vincent,
Elder,	Komorofski,	Petrosky,	Voldow,
Elliott,	Krise,	Polaski,	Wagner,
Finestone,	Lee T H.,	Polen,	Watkins,
Fisher,	Leisey,	Powers,	Weingartner,
Fiss,	Lesko,	Rank,	Wilkinson,
Fleming,	Levy,	Readinger,	Wood, N.,
Flynn,	Leydic,	Reagan,	Yeakel,
French,	Lichtenwalter,	Reese, D P.,	Yester,
Gallagher,	Lovett,	Reynolds,	Young,
Gerard,	Lyons,	Rhea,	Kilroy, Speaker

NAYS—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative and the amendments were concurred in.

Ordered, That the Clerk inform the Senate accordingly.

BILLS SIGNED BY SPEAKER

Bills numbered and entitled as follows having been prepared for presentation to the Governor, and the same being correct, the titles were publicly read as follows:

SENATE BILL No. 653.

An Act regulating and improving the civil service of certain departments and agencies of the Commonwealth vesting in the State Civil Service Commission and a Personnel Director certain powers and duties providing for classification of positions adoption of compensation schedules and certification of payrolls imposing duties upon certain officers and employes of the Commonwealth authorizing service to other State departments or agencies and political sub-divisions of the Commonwealth in matters relating to civil service defining certain crimes and misdemeanors imposing penalties making certain appropriations and repealing certain acts and parts thereof

SENATE BILL No. 654.

An Act to amend sections two hundred one and four hundred fifty-two of the act approved the ninth day of April one thousand nine hundred and twenty-nine (P. L. 177) entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments boards commissions and officers thereof including the boards of trustees of State Normal Schools or Teachers Colleges abolishing creating reorganizing or authorizing the reorganization of certain administrative departments boards and commissions defining the powers and duties of the Governor and other executive and administrative officers and of the several administrative departments boards commissions and officers fixing the salaries of the Governor Lieutenant Governor and certain other executive and administrative officers providing for the appointment of certain administrative officers and of all deputies and other assistants and employes in certain departments boards and commissions and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments boards and commissions shall be determined" as amended in order to establish the State Civil Service Commission as an independent administrative commission in the Executive Department and making further provision with respect to the qualifications and expenses of the commission

SENATE BILL No. 1016.

An Act providing that the Commonwealth of Pennsylvania enter into the interstate compact to conserve oil and gas with other States of the United States of America, which are signatories thereto.

SENATE BILL No. 253.

An Act relating to members of the bureau of fire in cities of the second class providing subject to the approval of the electors for a three-platoon system for such members with certain exceptions providing for an election on such question and regulating hours of service hours of rest and annual vacations

SENATE BILL No. 1114.

An Act authorizing the Department of Public Instruction with the approval of the Board of Trustees of the Indiana State Teachers' College to contract with the Borough of Indiana for the erection of a sewage disposal plant and the connection therewith and use thereof by the Indiana State Teachers' College and the payment of part of the cost of maintenance thereafter; and making an appropriation.

SENATE BILL No. 1190.

An Act making an appropriation to the Department of Public Instruction for the cost of improving repairing operating and maintaining the Thaddeus Stevens Industrial School at Lancaster Pennsylvania

Whereupon,

The SPEAKER, in the presence of the House, signed the same.

SENATE MESSAGE

APPOINTMENT OF CONFERENCE COMMITTEE ON SENATE BILL No. 507

The Clerk of the Senate being introduced, informed that the Senate further insists on its nonconcurrence in the amendments made and insisted upon by the House of Representatives to Senate Bill No. 507, entitled:

An Act to apportion the State into congressional districts

And has appointed Messrs. Taylor, Wade and Mundy a committee of conference to confer with a similar committee of the House of Representatives (if the House of

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Representatives shall appoint such committee) on the subject of the differences existing between the two Houses in relation to said bill.

Mr. ACHTERMAN. Mr. Speaker, I move that the House appoint a Conference Committee on the part of the House to confer with a similar committee on the part of the Senate on the subject of the differences existing between the two Houses in relation to Senate Bill No. 507.

On the question,

Will the House agree to the motion?

PARLIAMENTARY INQUIRY

Mr. WOODSIDE. Mr. Speaker, I rise to a question of parliamentary inquiry.

The SPEAKER. The gentleman from Dauphin will state his question of parliamentary inquiry.

Mr. WOODSIDE. Mr. Speaker, if this motion is carried, will it be in order to immediately make a motion to instruct the conference committee?

The SPEAKER. The motion to instruct should be submitted at this time.

Mr. WOODSIDE. Mr. Speaker, would that take the form of an amendment to the motion that has already been made, or should it be made as an independent motion? Did I understand the Speaker to say the Chair would entertain that motion now?

The SPEAKER. The Chair will entertain that motion now.

Mr. WOODSIDE. Mr. Speaker, I move that the conferees be instructed to agree with the Senate conferees on a congressional apportionment bill in which all of the congressional districts outside of the County of Philadelphia be left as they now are under existing law and that the county of Philadelphia be reapportioned as provided for in this bill (S. B. No. 507) as it passed the Senate.

On the question,

Will the House agree to the motion?

QUESTION OF INFORMATION

Mr. ACHTERMAN. Mr. Speaker, I rise to a question of information.

The SPEAKER. The gentleman from Monroe will state his question of information.

Mr. ACHTERMAN. Mr. Speaker, do I understand that we first vote on the amendment offered by the gentleman from Dauphin, Mr. Woodside?

The SPEAKER. For the information of the gentleman from Monroe, Mr. Achterman, it is not an amendment; it is a separate motion. That stands by itself as offered by the gentleman from Dauphin, Mr. Woodside.

Mr. ACHTERMAN. Mr. Speaker, do I understand that we first vote on the separate motion offered by the gentleman from Dauphin, Mr. Woodside?

The SPEAKER. That is correct.

Mr. ACHTERMAN. Mr. Speaker, I rise for the purpose of asking the membership of this House to defeat the motion offered by the gentleman from Dauphin. I realize that it is very fine and courteous, and also considerate of the gentleman really to do the work of the conferees. Of course, my thought of conferees leaving this House for the purpose of meeting with a similar committee on the part of the Senate is that their job is one involving the entire state of Pennsylvania. Instead, this motion would restrict the activities of the committee to the City of Philadelphia alone. I am certain that when this House considered the Wade bill, when it considered the bill introduced by myself, when it considered the O'Connor bill, and I believe other bills, they approached the problem on a broad basis and arrived at a conclusion, and that conclusion, Mr. Speaker, now appears in the bill.

What the gentleman from Dauphin proposes doing is to restrict the committee of this House, so that when it approaches the Senate committee, it has only limited authority to act. When the gentleman does that I do not see why he does not go all the way; I do not see why he does not take the trouble and the time to redistrict the City of Philadelphia and save a considerable amount of labor, and I am sure help the conferees. As a matter of fact, Mr. Speaker, I do not understand why the gentleman from Dauphin does not say, "Now, let me go ahead and I'll tell you how we'll redistrict the City of Philadelphia. There apparently is no problem anywhere else in the state. I have a rather thorough knowledge of the City of Philadelphia, and I will take care of that problem." Does this House wish to limit the power of its committee so that when it returns it will not be able to return with the story of the State of Pennsylvania but only that of the City of Philadelphia? It is indeed a rare occasion, Mr. Speaker, when such little confidence is placed in a committee as would be placed in the committee now about to be appointed if it were limited as the gentleman from Dauphin desires.

I have always in the past had full confidence in the personnel of this House that was named on committees, and I do not believe, Mr. Speaker, that you will appoint a committee now to confer with a Senate committee in which we do not have full confidence.

May I say in regard to the City of Philadelphia being the place needing redistricting, that I am surprised the Republican membership of this House has not long since taken the trouble to introduce a bill covering the subject. Such an extraordinary motion, such an exceptional idea of limiting and restricting conferees of this House is unprecedented in my time here, and I am saying that this motion should be defeated, if for no other reason than to state to the world that this House has absolute confidence in its membership and confidence in the Speaker, who designates from its membership, its conferees. I am asking the membership to defeat the motion.

Mr. WOODSIDE. Mr. Speaker, this is not a matter of confidence in conferees that is before us. This is a matter of trying to get a Congressional reapportionment bill and to give the House an opportunity to express its own opinion on what a Congressional reapportionment bill should be at this time. We all know that for months there has been a hopeless deadlock between the House and the Senate on the question of a Congressional reapportionment bill. We are drawing to the close of the session, we are at the eleventh hour and I think the fifty-ninth minute, and it is in the interest of getting through a reapportionment bill and permitting the Members of this House to express their opinion on it that this extraordinary motion, as the gentleman has

called it, was made. It was my understanding that in the Senate last night there was passed a motion which expressed the opinion of the Senate on the question of taking one Congressman out of the City of Philadelphia, and that motion was passed with only two dissenting votes. I think a record of that was sent over to this House and referred to some committee, but under any circumstances I think this House should have an opportunity, and the individual members of this House should have an opportunity, to say whether or not they want a Congressional reapportionment bill passed at this time, and whether or not they want to take a Congressman from the City of Philadelphia. I might state further that I have gone as far as the gentleman has suggested I might go in the motion, and suggested that the reapportionment of Philadelphia be made in a particular way.

Mr. ACHTERMAN. Mr. Speaker, the gentleman from Dauphin seems to indicate that apparently the membership of this House has never had an opportunity to express its desires in the matter of reapportionment. However, may I say to the gentleman that this House did have the opportunity to express itself on both sides of the question. As a matter of fact when the Wade bill, that is, Senate Bill No. 507, came to this House we voted to amend it by a vote of 115 to 59. There was never any doubt in the mind of anyone as to the desire of the membership of this House.

I might say to the gentleman in answer to the question he has raised that the membership of this House has expressed itself in accordance with the bill as it is now amended, and I am asking the membership to vote down the motion offered by the gentleman from Dauphin and to sustain its position as stated on May 28th.

Mr. BRETHERICK. Mr. Speaker. I don't know of any matter that has come before this General Assembly which cries out more loudly for a satisfactory adjustment than Congressional reapportionment. The people and the Press of the state of Pennsylvania have been clamoring for a satisfactory reapportionment bill. I was a member of the conference committee on the part of the House and numerous conferences were held with the Members of the Senate in an effort to reach a satisfactory solution. Notwithstanding the efforts, I would say, of all the members of that committee no satisfactory solution apparently could be arrived at. Personally I think the Senate last night reached a solution for this House. I think they reached a solution which is the most satisfactory solution that has been suggested up to this time; a solution which would especially appeal to the rural Members of this Legislature

As you gentlemen know, under the new census there is to be one Congressman for each three hundred thousand and five persons in a Congressional district. In the city of Philadelphia today there are seven congressmen. The suggestion made by the gentleman from Dauphin, if carried out by the conference committee, would reduce the number of congressmen in Philadelphia from seven to six. I wonder if you gentlemen happen to know just what the figures are for Philadelphia. The congressman from the second district, Mr. McGranery, is short some sixty-one thousand, in other words he has sixty-one thousand less than the three hundred thousand and five required by the last census.

Mr. Sachs in the first district is forty-six thousand short.

Mr. Bradley in the third district is twenty-eight thousand short.

Mr. Sheridan in the fourth district is twenty-six thousand short.

Mr. Smith in the fifth district is five thousand short.

Mr. Meyers in the sixth district is six thousand short.

Only in one district, and that is the seventh district, which incidently is represented by a Republican congressman, is the number over and above the three hundred thousand and five. It is in excess of that number by some five thousand.

Gentleman, let us stop sparring about this thing. We are gong to be here indefinitely unless we pass a Congressional reapportionment bill. We owe it to the people of the state of Pennsylvania to pass a reapportionment bill before we leave the hall of the House. I do not think that we as representatives in this General Assembly have a right to adjourn without solving this very important problem. We have had a lot of discussion concerning this Congressional reapportionment bill and you have had presented to you a very simple and satisfactory solution. I have read to you that six of the seven congressmen of the city of Philadelphia are not up to the congressional quota of three hundred thousand and five.

I appeal to the members of the House to make it possible for us to go away from here, let us pass a Congressional reapportionment bill that will be fair, and you will be passing a fair reapportionment bill if you will take one district from the city of Philadelphia, because if you take one from Philadelphia you will have six congressional districts and you will then have representation on the basis of three hundred twenty-two thousand five hundred sixteen which is considerably less than many of the Congressional districts which now exist in the rural sections of the state of Pennsylvania. Gentlemen, there is nothing unfair about it and I urge you as Members of the Legislature to go along with the suggestion and vote to instruct the conference committee to take one district from the city of Philadelphia. As you probably know the Achterman amendments provide for merging Lehigh and Berks counties. In Lehigh they have one hundred seventy-seven thousand three hundred ninety-five; in Berks county they have two hundred forty-one thousand eight hundred sixty, so that if you adopt the Achterman amendments you would have a Congressional district of something like four hundred nineteen thousand two hundred and fifty-five. A rural section of Pennsylvania is going to be represented by one congressman for four hundred nineteen thousand citizens. I tell you, gentlemen, that is not fair.

Let us look at the other suggestion made by the gentleman from Monroe, Mr. Achterman. He suggests merging Bucks and Montgomery counties. Bucks county has one hundred seven thousand six hundred and fifty-eight and Montgomery county has two hundred eighty-eight thousand eight hundred and fifty-six. That will make a congressional district of three hundred ninety-six thousand and five hundred and fourteen, which is an excess of ninety-six thousand over the requisite number for Congressional representation. If it is fair to have an excess of one hundred and nineteen thousand two hundred and fifty-five in one district and ninety-six thousand five hundred and fourteen in another district, then certainly it is not unfair to reduce Philadelphia's representation to six districts so that they will only have one for each three hundred twenty-two thousand. I think you can see the fairness

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and the logic of the request made by the gentleman from Dauphin, Mr. Woodside, and to you Members from the rural sections certainly, I think if you want adequate representation in the rural sections of Pennsylvania you ought to go along with this proposition and reduce Philadelphia's representation from seven to six. I am going to ask you to vote accordingly.

The yeas and nays were required by Mr. Woodside and Mr. Norman Wood.

Messrs. Woodside, Snyder and Norman Wood requested a verification of the roll.

The roll was verified and was as follows:

YEAS—63

Auker,	Gyger,	Lyons,	Snyder,
Boorse,	Habbyshaw,	McClester,	Sollenberger,
Bower,	Haines,	McKinney,	Sorg,
Bretherick,	Hall,	McMillen,	Stambaugh,
Brunner C H.,	Hare,	McSurdy,	Stockham,
Cadwalader,	Helm,	Muir,	Taylor,
Cook,	Hewitt,	O'Dare,	Thompson, R. L.,
Cooper,	Imbrie,	Rank,	Trout,
Dennison,	Jones, G E.,	Reagan,	Wagner,
Eckels,	Kline,	Reese, D P.,	Watkins,
Elder,	Knoble,	Rhea,	Weingartner,
Fisher,	Krise,	Riley,	Wilkinson,
Fiss,	Lee, T H.,	Rose, W. E.,	Wood, N.,
Fleming,	Leisey,	Royer,	Woodside,
Greenwood,	Leydic,	Sarge,	Yeakel,
Gross,	Lichtenwalter,	Simons,	

NAYS—79

Achterman,	Gerard,	McFall,	Reynolds,
Baker,	Goodwin,	McIntosh	Rooney,
Balthaser,	Gryskewicz,	McLanahan,	Rose, S.,
Baugher,	Hamilton,	McLane,	Rush
Bentzel,	Harkins,	Mihm,	Sarraf,
Boney,	Heatherington	Modell,	Shaffer,
Bradley,	Herman,	Monks,	Shaw,
Burris,	Hersch,	Mooney,	Shepard,
Chudoff,	Holland,	Moran,	Skale,
Cohen, M M.,	Jefferson,	Moul,	Stine,
Cohen, R E.,	Jones, P N.,	Munley,	Tarr,
Croop,	Kenehan	Nagel,	Tate,
Cullen,	Kolankiewicz,	O'Brien,	Verona,
Dolon,	Komorofski,	O'Mullen,	Vincent,
Duffy,	Lesko,	O'Neill,	Voldow,
Elliott,	Levy,	Petrosky,	Welsh, E. B.,
Finestone,	Lovett,	Polaski,	Yester,
Flynn,	Marks,	Polen,	Young,
French,	McClanaghan,	Powers,	Kilroy,
Gallagher,	McDermott,	Readinger,	Speaker.

So the question was determined in the negative and the motion was not agreed to.

On the question recurring,

Will the House agree to the motion to appoint a Committee of Conference?

It was agreed to.

CONFERENCE COMMITTEE ON SENATE BILL No. 507 APPOINTED

The SPEAKER. The Chair appoints as a committee of conference on the part of the House Messrs. ACHTERMAN, McCLANAGHAN, and BRETHERICK.

Mr. BRETHERICK. Mr. Speaker, I ask to be excused from serving on the committee and I ask the Speaker to appoint someone else instead.

The SPEAKER. If there is no objection the Chair withdraws its previous appointment and appoints Messrs. TATE, SHAFFER and CHARLES H. BRUNNER.

Ordered, That the Clerk inform the Senate accordingly.

QUESTION OF PERSONAL PRIVILEGE

Mr. KEENAN. Mr. Speaker, I rise to a question of personal privilege.

The SPEAKER. The gentleman from Allegheny will state his question of personal privilege.

Mr. KEENAN. Mr. Speaker, having come in late, when the vote on the motion of Mr. Woodside was being veried, I would like to state if I had been here I would have voted "no." I would like to have the record so show.

The SPEAKER. The remarks of the gentleman on his question of personal privilege will be spread upon the Journal of the House.

RECESS

The SPEAKER. If there is no objection the Chair is about to declare a recess for fifteen minutes. Is there objection? The Chair hears none and a recess is declared.

AFTER RECESS

The time of recess having expired the House was called to order.

The SPEAKER (Elmer Kilroy in the Chair).

BILLS SIGNED BY SPEAKER

Bill numbered and entitled as follows having been prepared for presentation to the Governor and the same being correct, the titles were publicly read as follows:

HOUSE BILL No. 448.

An Act to further amend clause (e) of section seven and to amend the first paragraph of section nine of the act approved the twenty-fourth day of June one thousand nine hundred and thirty-seven (P. L. 2051) entitled "An act relating to public assistance providing for and regulating assistance to certain classes of persons designated and defined as dependent children aged persons blind persons and other persons requiring relief providing for the administration of this act by the Department of Public Assistance and county boards of assistance hereby created for this purpose authorizing the Department of Public Assistance to cooperate with and to accept and disburse moneys received from the United States Government for assistance to such persons providing for the liquidation of the State Emergency Relief Board Boards of Trustees of the Mothers' Assistance Fund and Boards of Trustees of Pension Fund for the Blind and repealing laws relating to mothers' assistance pensions for the blind old age assistance and the State Emergency Relief Board" by redefining eligibility for assistance providing for appeals from certain decisions of the Department of Public Assistance to common pleas courts and imposing powers and duties on common pleas court

HOUSE BILL No. 1952.

An Act to amend section four of the act approved the first day July one thousand nine hundred and nineteen (P. L. 717) entitled "An act fixing the number compensation mileage and duties of the officers and employes of the General Assembly and providing for their election or appointment term of office and manner of filling vacancies" by providing for the appointment compensation and duties of clerks and pages to the majority and minority floor leaders respectively of the Senate and of the House of Representatives and making an appropriation.

Whereupon,

The SPEAKER, in the presence of the House, signed the same.

SENATE MESSAGE

CONFERENCE COMMITTEE DISCHARGED

The Clerk of the Senate being introduced, informed that the new Committee of Conference on the part of the Senate is discharged from further consideration of Senate Bill numbered and entitled:

SENATE BILL No. 507.

An Act to apportion the State into congressional districts.

REPORT OF JOINT LEGISLATIVE COMMITTEE ON ADMINISTRATION OF CIVIL SERVICE IN DIVISION OF UNEMPLOYMENT COMPENSATION AND EMPLOYMENT SERVICE

The SPEAKER. The Chair lays before the House the Report to the General Assembly of the Joint Legislative Committee on the Administration of Civil Service in the Division of Unemployment Compensation and Employment Service, in compliance with the Act of June 27, 1939, P. L. 1120.

(For report see Appendix to the Legislative Journal.)

SENATE MESSAGE

RESOLUTION FOR CONCURRENCE

The Clerk of the Senate being introduced presented an extract from the Journal of the Senate, which was read as follows:

In the Senate, July 15, 1941.

Whereas, The General Assembly having failed to date to pass a Congressional Re-apportionment Bill, and,

Whereas, it is imperative that some study be made in order that the same stalemate shall not re-occur, be it therefore,

Resolved, (if the House of Representatives concur) that a Committee of ten members be named, five by the President Pro Tempore and five by the Speaker of the House, to study this problem and report to the next regular or special session of the legislature with recommendations for a re-apportionment of the Congressional districts of the State of Pennsylvania.

Ordered, That the Clerk present the same to the House of Representatives for its concurrence.

On the question,

Will the House concur in the resolution of the Senate?

It was concurred in.

Ordered, That the Clerk inform the Senate accordingly.

COMMITTEE TO WAIT UPON SENATE

Mr. READINGER offered the following resolution which was twice read, considered and adopted:

In the House of Representatives, July 15, 1941.

Resolved, That a committee of three members of the House be appointed by the Speaker to wait upon the Senate and inform that body that the House has completed the business of the Session and is now ready to adjourn, sine die, this 15th day of July, 1941 at 11:45 o'clock.

The SPEAKER. The Chair appoints as a Committee to wait upon the Senate Messrs. READINGER, BAKER and HALL.

COMMITTEE TO WAIT UPON GOVERNOR

Mr. ACHTERMAN offered the following resolution which was twice read, considered and adopted:

In the House of Representatives, July 15, 1941.

Resolved, That a committee of three members of the House be appointed by the Speaker to wait upon his Excellency, the Governor of the Commonwealth, and inform him that the House of Representatives has completed the business of this session and is now ready to adjourn sine die, and to inquire whether there are any further communications he may wish to make to the House.

The SPEAKER. The Chair appoints as a committee, to wait upon the Governor Messrs. ACHTERMAN, LOVETT and HABBYSHAW.

PERMISSION TO ADDRESS HOUSE

Mr. ACHTERMAN asked and obtained unanimous consent to address the House.

Mr. Speaker, just a short while ago, the Pennsylvania State Senate defeated the Congressional Reapportionment Bill. It is not my intention, Mr. Speaker, to throw this House into debate at this hour, but there were certain remarks made in the Senate in relation to the House amendments and referred to as the amendments offered by myself, which of course, was the truth, and I am not in any manner feeling ashamed of the amendments I offered. However, I have no particular pride of authorship in the amendments. The amendments that I offered and the bill as it left the House represented the thought of the greater portion of the Congressmen of Pennsylvania and was not my personal thought in the matter.

May I also say, Mr. Speaker, that after our first conference committee was discharged, I met with the various Senate leaders in conference to see whether we could arrive at some conclusion other than offered in the measure. Certain propositions were advanced which were acceptable to me, and may I add in connection therewith that I so advised the Senate, and inquired whether they would be able to pass them, only to be subsequently advised that they would not be able to accept their own proposition.

Under those circumstances this House should be advised that the plan that we offered was not the only plan we were willing to accept but unfortunately we found the Senate in the position that they would accept but one plan. It is for that purpose, Mr. Speaker, that I rise, not for the purpose of inciting debate, but to clarify the statements that were made on the floor of the Senate, which I feel should be clarified.

NOTIFICATION THAT SENATE IS READY TO ADJOURN SINE DIE

The Committee on the part of the Senate being introduced, informed that the Senate is ready to adjourn sine die at 11:45 p. m. this day.

The SPEAKER. The Chair thanks the Committee of the Senate.

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PERMISSION TO ADDRESS HOUSE

Mr. ACHTERMAN asked and obtained unanimous consent to address the House.

Mr. Speaker, at this time I want to pay my personal respects to a man who has guided this House through possibly the most memorable session of the General Assembly. Our road has been difficult and our problems many. The fact that we have a divided House made the problem far more difficult. I know that the Speaker, at various times, both before this House and in private, has expressed his high appreciation of the man. I myself wish to express the same appreciation for his aid and his assistance to me in my problems.

CONGRATULATORY RESOLUTION

Mr. ACHTERMAN offered the following resolution which was twice read, considered and adopted:

In the House of Representatives, July 15, 1941.

No greater tribute can be bestowed upon any person than the confidence of his associates and their appreciation of his merit.

The leaders on both sides, and every member of the House, know and respect the integrity and the good judgment of "Eddie" Moore, whose only "boss" is parliamentary law which he serves faithfully and well, without fear or favoritism. With him the conduct of the business of the legislature in an orderly and expeditious manner is an obsession, and the planning and directing of proceedings to accomplish a desired result is his greatest joy; therefore, be it

Resolved, That the House of Representatives of 1941-42, hereby express its profound appreciation of the privilege of being served by so able, experienced and well read a parliamentarian, so faithful, diligent and trustworthy an official, and so congenial, helpful and friendly a gentleman, as S. Edward Moore, Parliamentarian Extraordinary of the House of Representatives; and be it further,

Resolved, That this resolution be spread upon the Legislative Journal, and that a copy thereof be certified by the Chief Clerk and presented to our Parliamentarian.

REPORT OF COMMITTEE TO WAIT ON SENATE

Mr. READINGER. Mr. Speaker, your committee appointed to inform the Senate that the House is ready to adjourn sine die at 11:45 p. m. this day has performed that duty.

The SPEAKER. The Committee is discharged with the thanks of the House.

PRESENTATION TO SPEAKER

The CHIEF CLERK (Thomas J. Callahan). Mr. Speaker, in accordance with an old custom, I have the privilege and the great pleasure of presenting this beautiful gavel to you. May it always be to you a symbol of the genuine friendship of the Members and officers of the House and of their appreciation of your capable, fair and honest administration during the session of 1941. Your strong hand has been put to the severest test. I hope there will be enough of the gavel left to open the session of the Senate in 1943 in your capacity as Lieutenant Governor.

The SPEAKER. Thanks, Tom. At the start of the session, I told some of my close associates that I hoped to leave Harrisburg with a perfect gavel. Tom, you have made that possible and I appreciate it. Eddie Moore has counted the number of gavels I have broken. That is his secret and mine.

As for your sincere thought as to my elevation to the office of Lieutenant Governor, I also thank you, and I assure you and the Members of this House that if that time should arrive, I will convene the Senate with this gavel, and incidently return it to you as a souvenir with my deepest appreciation. Thank you, Tom.

THANKS EXTENDED

The SPEAKER. The Chair desires to extend the thanks of the members to the gentleman who has been watching the clock so patiently and also the officer who has been with him.

REPORT OF COMMITTEE TO WAIT ON GOVERNOR

Mr. ACHTERMAN. Mr. Speaker, your committee appointed to inform His Excellency the Governor that the House of Representatives is ready to adjourn sine die at 11:45 p. m. this day has performed that duty and has been advised that the Governor has no further communications.

The SPEAKER. The Committee is discharged with the thanks of the House.

ADJOURNMENT SINE DIE

The SPEAKER. This being the day and hour fixed by concurrent resolution adopted by the Senate and House of Representatives as the time when the General Assembly shall adjourn sine die, I now declare this 134th Regular Session of the House of Representatives adjourned without day.

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